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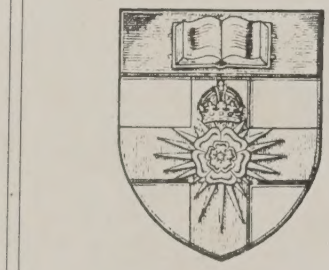

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—(*35.*)—

EAST INDIA DECENTRALIZATION (ROYAL COMMISSION)
—*continued.*

Session

29 *January* 1908 —— 21 *December* 1908.

VOL. XLV.

1908.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

BENGAL.

VOLUME IV.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

TWENTIETH DAY.

CALCUTTA, *Friday, 27th December*, 1907.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. E. A. GAIT, C.I.E., was called and examined.

The Hon. Mr. E. A. Gait.

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14238. (*Chairman.*) You are Chief Secretary to the Government of Bengal?—Yes.

I am not in favour of any wholesale alteration in the relations which exist between the Supreme and the provincial Governments in regard to financial matters. The present system is, on the whole, a good one. The changes which seem desirable are in the direction of allowing to the Local Governments more latitude than they now enjoy in the application of the rules contained in the Codes of the Financial Department. The Government of India should lay down principles and leave to Local Governments their application to particular cases. No wholesale revision of the restrictions imposed on the Local Government by the Civil Service Regulations or the Civil Account Code is required, but the rules in the Codes are, in some cases, too detailed, and they are interpreted with too great rigidity. In many cases, the Local Government might be empowered to make exceptions for special reasons.

The powers of the Government of India in respect of new appointments and deputations have recently been enhanced by the Secretary of State, and the powers of Local Governments might be enhanced to the same extent.

In all matters, the Government of India should exercise a general control and supervision, and all questions of general policy should be decided by them, but they should avoid interference in matters of detail. If the Government of India have any criticisms to make regarding the details of a scheme, it should ordinarily suffice to state what the objections appear to be, and then to leave it to the Local Government to decide whether it will modify its scheme accordingly or not.

It is desirable, in many cases, to relax statutory restrictions as to details imposed on Local Governments. This might be done by a general Act of delegation, like Act V. of 1868, but it would be necessary to provide safeguards and restrictions. In cases where the question as to what authority should exercise a particular power has formed the subject of animated discussion in Council at a time when an Act was under consideration, it would be inexpedient to provide for a delegation of that power otherwise than by means of an amending Act.

The extent to which the influence of the Departments of the Government of India is carried in the direction of excessive rigidity or uniformity varies from time to time. It is a matter in which the personal element enters very largely. At one time, the tendency towards rigidity or uniformity is marked in one department; and at another time, in another. When Local Governments are overruled in matters of detail, they should have a right to ask for a reconsideration of the matter; and if they do so it might be made the practice to lay the case before the Executive Council. If the Legislative Councils are enlarged, so that each Government has an official member, that member might, with advantage, be employed as the representative of his Government with the Government of India; and when cases sent up by the Local Government are under discussion in the Executive Council, he might be allowed to attend and state the case of the Local Government.

The proper sphere of work of special officers under the Government of India should be inspection, communication of information, and advice. These officers, however, not only correspond with departmental officers in the different provinces direct, but they also act as advisers to the Government of India. In their latter capacity, they may be responsible to some extent for the interference in details which undoubtedly occurs at times.

Local Governments should not be given power to introduce reforms of an important or far-reaching character, if any considerations of general policy are involved, without the previous sanction of the Government of India. It should, however, be recognized that proposals should not be negatived merely on theoretical grounds, or because they differ from the existing practice elsewhere.

I do not think there is much need for curtailing the right of appeal to the Government of India or to the Local Government in respect to administrative action. It should, however, be clearly recognized that the Government of India should not interfere with the Local Government unless there are strong grounds for so doing. It should not do so merely because some other course of action seems slightly preferable, but only when the orders of the Local Government appear to be seriously wrong.

Appeals against dismissal or reduction should lie to the Government of India only in the case of Gazetted Officers drawing a salary of Rs. 500 and upwards a month. No appeal should lie against a refusal to appoint or promote otherwise than from grade to grade. As regards appeals to the Local Government the rules were revised only three years ago, and I do not think that any further alteration is necessary.

I do not think that there has been any serious increase in recent years in the demand for returns and information from Local Governments.

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The Hon. Mr. E. A. Gait.

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A good deal has already been done in Bengal in the direction of delegating powers to the Board of Revenue, Commissioners, and other authorities subordinate to the Local Government. The general principle underlying these proposals is that powers should be delegated in respect of matters which are sanctioned as a matter of routine in the office where the power is now exercised.

Commissioners at present have allotments from which they can make grants for the construction of minor works costing not more than Rs. 5,000. They, also, have allotments from which they can make grants to local bodies for works and for other purposes of public utility. These grants have proved most useful. Similar grants on a smaller scale should be given to District Officers.

The opportunities for personal contact with the people are naturally not so great in Bengal as elsewhere, owing to the Permanent Settlement, which reduces the outdoor work and increases considerably the work to be done in office in connection with collections, partitions, mutations, revenue sales, and the like. Most officers, moreover, are overworked, and have not the leisure necessary for free intercourse with the people. The only remedies I can suggest are in the direction of increased establishments, including Sub-Divisional Officers for headquarters sub-divisions. Correspondence regarding discrepancies in returns and the like might be carried on direct between the subordinate officers concerned. The importance of free intercourse with Indians has often been pointed out. Attention is drawn to it in the letter sent to Collectors when new Civilians are posted to their districts. The matter is also dealt with in the Board's rules. Many officers do not possess a sufficient knowledge of the vernacular. Bengal, Bihar and Orissa each has its own language, while numerous aboriginal languages are spoken in Chota Nagpur. Proposals have been submitted to the Government of India with a view to ensuring a more adequate study of the vernaculars, but the question will always be a difficult one in Bengal.

A considerable increase in the Provincial Service was sanctioned last year, but it has not yet become effective. The Civil Service is weaker in Bengal than in any other province.

Transfers are undoubtedly frequent. This is due partly to the weakness of the staff, which leads to transfers whenever officers go on leave, and partly to the large number of special appointments which have to be filled by selection. The number of transfers might be reduced to some extent by regulating the dates when officers may proceed on, and return from, leave.

I am not in favour of Advisory or Administrative Councils to assist Divisional or District Officers, but they should be required to consult leading Indian gentlemen of their districts in respect of all important measures, not only in cases where reports are required by higher authority, but also, in respect of matters which they can deal with on their own initiative.

There are no village communities in Bengal. The only local institution is the chaukidari panchayat which is an invention of our own. Attempts are being made to develop them and to encourage people to employ them as arbitrators, but progress must necessarily be slow. Proposals have recently been made for giving a few of them petty criminal powers.

14239. What is the organization of the Government of Bengal?—The Head of the Government of Bengal is the Lieutenant-Governor; he is assisted by five Secretaries—three Civil Secretaries and two Public Works Secretaries. The Civil Secretaries are, the Chief Secretary, the Judicial Secretary, and the Financial and Municipal Secretary; one of the two Public Works Secretaries is in charge of roads and buildings, and the other of irrigation and railways.

14240. Then below that is the Board of Revenue?—The Board of Revenue deal with all matters in connection with revenue and the administration of land. The Board consists of two members, one taking land revenue, survey and settlements, land registration, the management of ward's estates, the collection of cesses, and the like; and the other taking miscellaneous revenue, including excise, opium, income tax, salt, customs, &c. Each member is vested with the full powers of the Board in respect of his own department. In all revenue matters the Board is the final Court of Appeal, or of revision in cases where an appeal is not allowed. The Board refer to Government all matters of general importance, as well as those requiring the sanction of Government according to law or practice.

14241. Below the Board of Revenue are the Heads of Departments?—Yes, among the Heads of the Departments subordinate to the Board are the Director of Land Records and the Director of Agriculture; the other Heads of Departments are immediately below the Local Government, such as the Inspector-General of Police, the Director of Public Instruction, the Inspector-General of Civil Hospitals, the Sanitary Commissioner, the Commissioner of Excise, and so on.

14242. Then come the Commissioners of Divisions?—There are six Commissioners of Divisions, and below them are 33 District Officers—Collectors in Regulation districts and Deputy Commissioners in Non-Regulation districts. In a very few districts there are Joint Magistrates; there are Assistant Collectors, Deputy Collectors, and Sub-Deputy Collectors or Sub-Deputy Magistrates. The Deputy Collectors constitute the Provincial Service, and the Sub-Deputy Collectors constitute the Subordinate Service.

14243. Are there any village officers?—There are practically no village officers in Bengal.

14244. There is nothing below the Sub-Deputy Collector?—No, except in Government estates where there are tahsildars, &c. There are also a few kanungoes.

14245. I understand that you are speaking here on behalf and with the authority of the Government of Bengal?—That is so.

14246. Your Government thinks that there should be some further devolution in the matter of financial control?—In matters of detail. We are not in favour of any wholesale alteration in the relations which at present exist between the Government of India and the Local Government.

14247. There must be some control over the provincial Government, and that must be exercised by the Government of India?—Yes. That is essential.

14248. But in matters of detail there might be further devolution?—There are a great many matters of detail in which we might have more latitude. Every petty deviation from the letter of a rule at present requires the sanction of the Government of India. Among other things, we might have more power in regard to appointments than we have at present.

14249. You consider that while the central Government ought to control matters of principle, so far as details go, you ought to be free?—Yes, entirely. We think that very often improvements in the details of a scheme might occur to the Government of India; and that if so they should be put in the form of suggestions to be considered in the light of local conditions, but that it should be left to the Local Government to adopt them or not as it may think fit.

14250. Subject in financial matters to the control of the Accountant-General?—Yes, but I would not allow the Accountant-General to insist on references to the Government of India simply because they do not altogether fit in with the rules. He would only do so if he were of opinion that the order contemplated was of such a character that the Government of India would not be likely to pass it if the case was referred to them.

14251. Suppose you have the power practically to over-ride the Accountant-General, how is the Government of India going to exercise its control?—I would not propose to have power to over-ride the Accountant-General, but that the Local Government should have power to put a liberal interpretation on the rules which are laid down. For instance, there was recently a case of an officer on fixed pay who was posted to Foreign Service. Under the rules he could not have a rise of pay for three years; he was subsequently put into a Graded Service; if he had been in that Graded Service at the time he was posted to Foreign Service he would have been allowed, as he obtained promotion in the Graded Service, to draw, in Foreign Service, the pay of the next highest grade. It was held by the Accountant-General that because the man was not in the Graded Service at the time he was transferred to

Foreign Service, therefore he could have no increase of pay until the time came when he would get an increase under the rule for officers not in Graded Services. Obviously the reasonable interpretation of the rule would have been that, having gone into a Graded Service, he should have the benefit of the rule which applied to Graded Services.

14252. Is that a case of too strict adherence to rule?—Too strict an interpretation. The Local Government in a case of that sort should have power to say "The reasonable interpretation of the rule is this."

14253. Suppose you pushed that to an extreme, would not the provincial Government override the Accountant-General?—No; I would give the Accountant-General power always to insist on a reference to the Government of India, but I would lay down certain principles for his guidance in deciding whether he would do so or not.

14254. If he has the power always to say that a reference must be made, how are you going to get over his interference?—I would tell him to exercise reasonable latitude in interfering.

14255. You would get the Government of India to give him that kind of instruction?—Exactly. I would lay it down as the general rule that he should not interfere if the order which the Local Government proposed to pass was one which the Government of India might reasonably be expected to pass if reference was made to them.

14256. Would you have some sort of tabulated list or form sent to the Government of India from time to time showing the cases in which exceptions had been made?—That might be done as a safeguard; I would have no objection to that at all. Of course it would increase work to a certain extent, but it might get over the objection that the Government of India might otherwise have to parting with their control.

14257. You tell us that really the difficulty at the bottom of the present arrangement is that the District Officer is overwhelmed with correspondence?—Yes.

14258. All of which is in English?—It is all in English now.

14259. Is that a good thing?—It would be very difficult to go back now; but I do not think it is a good thing. Men know far less of the vernaculars now because of this correspondence in English. When I first came to India (Assam) all the revenue work was done in the vernacular. The sub-divisional Peshkars seldom knew English at all; all the reports came in in the vernacular, and all the investigation of cases was done in the vernacular.

14260. Did that make for efficiency?—It is of course much easier to inspect an office if the records are kept in English; an Inspecting officer can see more easily what is going on than if everything is in the vernacular. On the other hand, our officers do not know the vernacular nearly so well as they used to, when all the reports, &c., were in the vernacular.

14261. If you had a perfectly free hand in the matter, would you return to the old system?—I think it would be rather difficult to return to the old system because we have gone so far in the other direction. In some ways I would return to it. I would have police reports again in the vernacular.

14262. Has the adoption of English led to a multiplication of correspondence?—Correspondence has always been in English; it was the reports and the returns from the subordinate staff which were in the vernacular.

14263. Then has the adoption of English led to a multiplication of reports and returns?—No, I cannot say that it has.

14264. Is not nearly everybody in agreement that transfers are much too frequent?—Yes. Transfers are very bad indeed; the difficulty is to find a practical remedy. It is a thing we have been seeking for many years, and we have never yet succeeded in finding. One great cause of transfers is that the *cadre* is so weak; there are practically no Joint Magistrates at present. There are 33 collectors; there are 18 to 20 appointments higher than that of Collector; every vacancy in those appointments has to be filled by transferring a Collector and a selected man. We have sent four men to the Government of India this year; this alone involves four transfers. Leave is much more frequent than it was formerly.

14265. You can suggest no remedy except an increase in the number of Joint Magistrates?—The only remedy is the strengthening of the *cadre*.

14266. You are responsible for all transfers and appointments?—Yes.

14267. Have any efforts been made in your department to decrease the number of transfers?—One thing is that leave is not given unless it is convenient; a man has to wait till an opportunity occurs for relieving him. But it is difficult to apply that rule in the case of higher officers. Before I became Chief Secretary I thought, as I have no doubt all my predecessors did, that one of my first steps would be to stop transfers; I did not realise the enormous practical difficulties in the way of stopping them. There is a case now of a district in which several transfers have recently taken place; a man was sent with the intention of keeping him in the place for a term of years; a short time afterwards he was found to be the only man suitable for a particular appointment, and he was taken away; another man was sent there with the intention of keeping him in the district; then the Director of Land Records was taken up to the Government of India and he had to be replaced, and the only man we could find was a man from the same district. There you have three transfers in 18 months, although we have recognised all the time that it was most desirable that there should be none at all.

14268. When you put an officer into a position such as that of Inspector-General of Police or Director of Public Instruction, do you make it a condition with that officer that he shall not expect further promotion or further transference even though it comes in the way of promotion?—That is the condition that is made or understood, but very often Government itself has to break through it, either because the man is most suitable for some other appointment or because he is wanted for the Government of India. At present it is very possible that a new Inspector-General of Police will be appointed, and the man who will be selected for the post will be told that he must not accept it unless he is prepared to stay for at least three years, and that he must not expect to get an acting or permanent Commissionership in the meantime.

14269. Do you not think that even at the risk of some other Secretariat difficulties having put a man into a responsible position such as that of Director of Public Instruction or Inspector-General of Police, you ought at all hazards to keep him?—It is very desirable in theory, but sometimes in practice other considerations arise.

14270. The promotion could be made up to him afterwards?—As far as he is concerned I think he ought to have no claim; it may be that Government wants him.

14271. You mean the Government of India?—Or the Local Government possibly; one has to weigh the disadvantage of having a transfer with the disadvantage of not getting the best man available for the other appointment.

14272. Do you know whether these same difficulties occur in the case of Crown Colonies?—I am not able to answer that. I believe in Colonial Governments promotion goes more inside the Colony; it is comparatively rare for a man to be transferred except at regular intervals.

14273. One of the consequences of this system of transfers, whether in the higher or the lower appointments, is that the man does not know his business, and that the people who live in the district do not think it worth while to get into touch with him?—That is so.

14274. And that is a very serious drawback to good government?—Very.

14275. The Government of India itself have issued some resolution upon this question of transfers?—It was chiefly with regard to short leave vacancies, saying that they were to be filled within the district. That is being done. We can appoint a Deputy Magistrate, for instance, to hold charge of a vacancy in the post of District Magistrate for any period not exceeding 6 weeks; for a longer period we have to go up for sanction.

14276. When a Collector goes away for short leave—say three months' privilege leave—do you fill his

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post by a Deputy Collector?—That is occasionally done, but it requires the sanction of the Government of India.

14277. Is that necessary?—I do not object to having to go up for sanction to make such appointments for a longer period than three months, but, for anything up to that, I think we ought not to be required to get sanction.

14278. But why should you be required to go for a period of more than three months?—In the case of short vacancies it does not matter so much who acts Important cases can be left over till the permanent incumbent returns. But in the case of long acting appointments it is necessary to avoid the risk of incompetent men being appointed.

14279. What knowledge has the Government of India of the man?—No direct knowledge.

14280. Then what is the necessity of applying to the Government of India?—For more than three months I think there should be sanction. I think the facts are thus much more fully considered.

14281. Suppose the responsibility rested with you, not with the Government of India, would you then recognise the responsibility of taking greater care?—Yes, I think I should. As a matter of fact I do not think this Government ever would put in an officer of the Provincial Service unless he was a really good man. Certain Deputy Collectors are promoted to be District Officers, but they are specially selected from the whole of the Service.

14282. But the Government of India can have no knowledge of the officer, whether he is replacing somebody for three months or six months, beyond what you give them?—No.

14283. And if you had the responsibility of putting in the acting officer, do you not think that you are quite as well qualified to do it as the Government of India?—Yes.

14284. What reason is there why you should not accept the responsibility?—There is no reason except that if reference has to be made, it ensures full consideration. The practice might grow up of appointing Deputy Collectors too freely.

14285. What harm would that be?—If it happens to be the senior Deputy Collector in the district, he might not be qualified to hold the office for a long period. It would often save trouble to put in a Deputy even though it might not be sound to do so from the point of view of the work.

14286. You also tell us that a great number of reports and returns which are now called for might be abolished?—We have already, so far as our reports and returns are concerned, overhauled them, four or five years ago, and a very great number were abolished.

14287. I understand that the Lieutenant-Governor would like to do away with a whole series of annual reports?—Yes. That has not been gone into in detail, but the idea is that a District Officer would take much more care over one annual report than he takes over a series of reports.

14288. Instead of having to report upon police, education, and so on separately, he would combine the whole in one report?—Yes. We used to have a General Administration Report, containing an abstract of all these other reports, and also detailed reports on each subject. The detailed reports on each subject survived, but the General Administration Report has been more or less abolished.

14289. Is there anything to prevent your doing away with these annual reports now?—They are prescribed for the whole of India; the initiative would have to be taken by the Government of India. They are sent in under the rules and regulations of the Government of India, and we would have to obtain leave from the Government of India to abolish them.

14290. Are you approaching the Government of India on this question?—No; the question has only been mooted in connection with the present Commission.

14291. Then with regard to the selection of officers. Have you got a free hand in the selection of officers here?—Yes, we may say that we have a free hand. Of course, an officer might appeal to the Government of India if he is passed over; we do get such cases; the Government of India do not ordinarily interfere, but we have to justify our action.

14292. At what stage in an officer's career upwards does the principle of selection begin?—A man is only passed over for a Collectorship if he is manifestly unfit. At the stage of promotion from Collector to Commissioner a little more selection is exercised; there are generally two or three men at any rate who have been passed over.

14293. If you had a free hand, would you begin your selection at the stage of a Collector?—I would do so, if I could compulsorily retire a man who was not selected. I think officers who were passed over and kept on would be a great incubus to the Service.

14294. What you would like to do is to select at the end of about ten or twelve years' service, and pension those whom it was undesirable to promote?—Yes; I would give them the same pension as they would have retired for medical reasons.

14295. More or less—a *pro rata* pension?—Yes.

14296. Suppose you were able to apply that system to your present Service, would you have to get rid of, or pass over, a considerable number?—I should not say a considerable number, but there would be two or three that one would like to weed out.

14297. As to those exceptions, would it add largely to your efficiency to get rid of them?—It would; there are defects not only of mental capacity but of character.

14298. The Lieutenant-Governor has inaugurated a system by which Commissioners have allotted a certain sum of money which they can dispose of more or less as they think fit?—They have two grants—one for minor works, as they are called, works costing not more than a certain sum, and the other for distribution to local bodies or for other public purposes.

14299. With regard to the Minor Works grant what is the sum total which is put at the disposal of the Commissioner?—The total for the province is Rs. 60,000 at present, but it is going to be increased.

14300. That is, roughly, Rs. 10,000 to each Commissioner. Within that sum he can spend on any minor works without reference?—Yes, unless it is an addition to a residential house; that requires sanction if it exceeds the permissible limit of expenditure.

14301. What is the sum at his disposal for the purpose of giving other grant?—The same amount—Rs. 10,000 on the average.

14302. What is your definition of a minor work?—A work costing not more than Rs. 2,500. If any work costs more than Rs. 2,500, it has, under the Public Works Code, to be sanctioned by the Government.

14303. Has the price of materials gone up very much?—It has undoubtedly gone up. I am not in a position to give figures, but building is very much more expensive than it was ten or twelve years ago.

14304. Therefore the kind of work which the Local Government or the particular officer can sanction now for Rs. 2,500 is of a much smaller character than he could do, say, ten years ago?—That is so.

14305. Both on account of the fall in the value of the rupee and also on account of the increased cost of labour and materials?—Yes.

14306. How long has this system been at work?—Since 1904.

14307. You have had no reason to grumble at the result?—I think the result has been highly satisfactory.

14308. Has not the Government here a system of conferences of Commissioners?—Every year, in September or October, there is a conference, and all questions of importance, which at the same time are not urgent, are kept over and discussed at the conference.

14309. Who presides at the conference?—The senior member of the Board of Revenue: the other member attends, also the Heads of Departments, and the Secretaries to the Government.

14310. How long does the conference last?—It varies; the first two or three conferences were longer than they are now; the first lasted for nearly three weeks, sitting on alternate days and towards the end daily.

14311. Do you think, taking the period for which the Commissioners and Heads of Departments are withdrawn from their other work, that that has been an advantage?—Part of the time, during the longer conferences, was covered by gazetted holidays; besides, each Commissioner had his ordinary work sent on to him while the conference was sitting, and the Heads of Departments did their own work in addition, and so did the Secretaries. It was a great tax on the officers, but I do not think the work suffered.

14312. On the other hand, a certain amount of correspondence and detail work was saved?—That is so.

14313. Do the Commissioners extend that system to their own divisions?—Yes: each Commissioner has a conference with his District Officers.

14314. Does that depend upon the will of the Commissioner, or is it laid down as part of his duty?—It is practically laid down.

14315. Has that system got so fast a hold in Bengal that it now no longer depends upon the idiosyncrasy of the particular Lieutenant-Governor?—I could not say that, because the system has existed at intervals before; there have been cases in the past in which conferences have been called to consider special difficulties.

14316. Having been a Commissioner and also Chief Secretary to Government, do you think that the system is so advantageous that it should be made permanent?—I think it would be a very good thing.

14317. If it were established beyond the possibility of alteration?—Yes, I think so. Of course there is this to be said; that as time goes on and different branches of the administration are overhauled and discussed, the same number of subjects will not come up for discussion, and the work might be disposed of in three or four days annually; but I think the principle is a very sound one. Apart from the subjects set down for discussion at the conference various local matters are discussed by the Commissioners with the officers at headquarters. Much time is thus saved; misunderstandings are removed, and Commissioners are brought into closer touch with the Government.

14318. You rather wish us to understand that you are not in favour of what may be called Advisory Councils for District Officers?—Not in the sense of a rigid body. I think it ought to be very clearly understood that every officer must consult the leaders of native opinion on subjects of importance, especially subjects connected with their religion, or racial customs, and that he must be accessible to everybody, making them realise and feel that he is glad to see them if they wish to consult him.

14319. But you would deprecate the formation of a formal body which would, perhaps, by its very constitution prevent him having those informal consultations which he now ought to have, and perhaps does have, with native gentlemen of position?—My feeling is that it is never sound in Indian administration to go too fast. I would begin by recognising that these informal consultations must be held by District Officers, and I would gradually proceed further if they are found to be successful. But if you begin by establishing formal Advisory Councils, and you find that for any reason they are not a success, it would be a very awkward thing to abandon them.

14320. If such bodies were formed would native gentlemen of position be prepared to serve upon them?—I think they would, but it would depend a great deal on the extent to which their recommendations were acted upon: if they found that their recommendations were not acted upon, it would do more harm than good; it would create a sense of irritation.

14321. Therefore your view is that a mere Advisory Council would be superfluous?—At present. Proposals have been made for widening the basis of representation on District Boards. I think if that is adopted, the District Board would be a very useful body for the Collector to consult informally about many matters.

14322. The interests of self-government would be better forwarded, perhaps, by the extension of the powers of existing bodies than by the creation of new ones?—Partly, but in any case I would proceed slowly.

14323. But if that were the alternative you would prefer the extension of existing powers rather than the formation of new bodies?—Yes, and I also think it would be better to have committees appointed *ad hoc*. For instance, in case of plague you might appoint a committee of people living in the town affected, whereas you would discuss questions of policy and so on with the big zamindars; the same body would not be suited for consultation in all matters.

14324. Therefore you would leave the Collector free as he is at present?—Yes, but I would insist very strongly indeed on the necessity of his ascertaining and consulting Indian opinion,—much more strongly than it is now insisted on.

14325. Is it at all commonly done now?—It is fairly frequent. Very often when officers are asked for a report it is stated that public opinion must be ascertained. The best of the men of course always do ascertain it, but some treat references as a matter of routine, and deal with them without consulting anybody.

14326 When you have appointments to make, is it a fact that an officer has deliberately not associated himself with the people in his district and not consulted local opinion held to count against him?—It would certainly be held to count against him in selecting him for any special appointment; but it has not hitherto been held to count against him so much as it should have done in the matter of promotion. I am strongly of opinion that it should count against him in ordinary promotion, even for the charge of a district.

14327. That is not the present practice?—No. If a man is a capable man and does his work well he gets the appointment; he is not passed over because he has been inaccessible or wanting in consideration towards public opinion.

14328. You tell us that there is less knowledge of the vernacular now than there used to be?—Yes.

14329. Is there less knowledge of Indian customs and etiquette amongst officers in the Civil Service than there used to be?—I cannot say that. The decennial census gives an opportunity for enquiries with regard to marriage customs and so forth; and Settlement Officers make a point of finding out what they can about the people, but as regards social intercourse there may be less knowledge of Indian etiquette than there was formerly.

14330. Is any effort made to teach young Civilians when they first come out the importance of regarding other people's feelings and views?—It is one of the points on which stress is laid in the letter sent to every Collector of a district when a young Civilian is posted to it. The matter is also dealt with at length in a circular of the Board of Revenue.

14331. But is any effort made to see that the young Civilian is taught these things?—I cannot say that any systematic effort is made.

14332. Is it desirable that it should be?—It would be very desirable.

14333. Has the Government of Bengal the means of collecting and disseminating information upon these points?—It can only be done by the senior officers. Young Civilians are generally sent to selected officers, and the best officers no doubt to teach them.

14334. In this province do not most young Civilians go to Bihar?—Yes, the majority do. There are several reasons. One is that Behar is the healthiest part of the province; it is thought that when a young Civilian first joins it is necessary that he should get acclimatised; and it is only fair to appoint him to a healthy station.

14335. Is the language spoken in Bihar the language most prevalent in Bengal?—There are three languages spoken in Bengal—Hindi in Bihar, Bengali in Bengal proper, and Uriya in Orissa.

14336. Is Hindi as common in Bengal as the other two?—Hindi is by far the most widely spoken language.

14337. So that an officer so far as knowledge of the vernacular is concerned, is not disadvantaged by going to Bihar?—Not in that way, but a man who learns Bengali when he first comes out finds it easier to pick up Hindi afterwards than the contrary process. A man who is posted to Bihar very seldom becomes a good Bengali scholar later on.

14338. Is that a disadvantage?—It is a great disadvantage, no doubt. The difficulty is to find fairly healthy stations in Bengal proper to which to post

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new-comers; the first essential is to post them to fairly healthy stations. They might be transferred more quickly to Bengal than is now the practice. A man has to pass in two vernaculars; when he has passed in Hindi he might be transferred to a Bengal station; by that time he will be more acclimatised. There is, however, another point. In the Bihar districts, there are a large number of sub-divisions in which there are numerous indigo planters; and it is considered desireable to have European officers in charge of those sub-divisions. We are so shorthanded that as soon as a man is passed he is posted to a sub-division; we need most of our junior men to man our sub-divisions.

14339. Have you any rules in this Government as to the employment of officers in the Secretariat?—The rule is that no officer should be employed for more than three years continuously in the Secretariat.

14340. And is that observance strictly carried out?—Yes, I can think of no case in which it has not been of late years. In the last seven or eight years, at any rate; there may have been one or two exceptions before then.

14341. When the Government of India call for men from you, do they generally take a man from the Secretariat or from the districts?—Almost invariably from the Secretariat.

14342. So that, though you may make a rule that a man shall not be employed more than three years in the Secretariat, the Government of India may step in and wipe your rule out?—Yes.

14343. Does that constantly happen?—Yes, it constantly happens. Most of our men who have gone to the Government of India have been men who have been some years on end in the Secretariat.

14344. How long as a rule do they go to the Government of India for?—Three years is the present rule, but it has not been enforced until lately.

14345. So that practically, if a man is once employed by the Government of India, it means that he is at least six, and probably a dozen, more years away from district work?—If he were appointed to the Government of India when he had just finished his three years in Bengal, it would mean six years.

14346. Is he not generally so appointed?—It is difficult to say, because there has only been one recent appointment of a Bengal Secretary to the Government of India.

14347. I am not talking only of a Secretary, but an Under-Secretary also?—It is generally towards the end of his time that he goes; practically you may put it at five or six years.

14348. Does he generally come back to you at the end of the three years with the Government of India?—Yes; I am talking of since this rule has been made; it has only recently been applied to Secretaries of the Government of India. An Under-Secretary would come back at the end of three years.

14349. Will you tell us about your relations with the Board of Revenue?—The old system was that the Board of Revenue, when their powers did not allow them to dispose of matters themselves, or when the Government of India called for a report on any matter, wrote official letters to the Government of Bengal. About four years ago that was changed to a certain extent, and we now get no official communications from the Board of Revenue except annual reports, and in certain matters where it is desirable that the opinion of the Board, as a Board, should be properly on record. If the Government of India call for a report, the report is received in the Secretariat, and is passed on unofficially to the Board; the Board collect the opinions of the District Officers, and the Board's Secretary, instead of putting up the case to the member as he formerly would have done, passes it on to the Government Secretary concerned with the department; the Government Secretary submits it to the Honorable Member, who expresses his opinion; then it goes to the Lieutenant-Governor, and the reply is issued from the Government. So that one official letter is saved both ways.

14350. Do the Board sit as a Board?—As a rule they do not. On important matters both members sit, but as a general rule each member deals independently with his branch.

14351. You tell us that a great deal of work of a routine nature is disposed of by the Under-Secretaries?—Yes.

14352. Is there a certain amount of routine work which comes up to you from the Board of Revenue?—The routine work which comes up from the Board of Revenue is now disposed of by the Board of Revenue Secretary, but the official orders are signed by the Chief Secretary or his Under-Secretary.

14353. Is there not a certain amount of revenue work which comes to you from the Board of Revenue?—Yes, a great deal; but it is not routine.

14354. Nothing comes to you from the Board of Revenue which is routine?—I cannot say that either.

14355. Is there an increase in the routine work?—I do not think that the routine work which comes to me from the Board is appreciable in quantity.

14356. Does some of it come which might not come to you at all?—Certain things, undoubtedly; some matters have to be referred to Government under the law; if the law was changed these things might be disposed of by the Board.

14357. Is that a general Act or a Bengal Act?—There are various Acts under which references have to be made; for instance, the Board of Revenue has no power to cancel a sale for arrears of revenue on the grounds of hardship; only the Government can do it.

14358. Is practically all the routine work that comes to you from the Board of Revenue, and all the routine work which goes to the Board of Revenue and is settled by their Secretary, included in these schedules of devolutions which you have put in?—We have endeavoured to include all. Those schedules have been prepared partly on an examination of the tables of cases disposed of in the Secretariat, and partly on an examination of the rules, etc.

14359. Have you found that the Government of India, either in the case of Medical Officers or in the Public Works Department, have sent you officials who have been unsuitable for the work which the Local Government desired to send them to? Take the case say, of a Superintending Engineer who is wanted for irrigation; have they ever selected a man who knew nothing except about roads? That is only an illustration?—We have had cases of unsuitable men being sent.

14360. Have you any remedy against that?—I do not think there is any remedy, except more careful selection, and that is difficult, because if you have an incompetent man and want to pass him on, there is a tendency not to stand in the way of his promotion When he is promoted Superintending Engineer he often goes on to another Government.

14361. As regards the Inspector of Civil Hospitals, has he any control over the promotion of the officers under him?—Their promotion is a matter of seniority mainly until they get near the top of the tree, but the Inspector-General has influence in the selection of the stations or appointments to which they are posted, which is a very important thing.

14362. With regard to the power of the Government of India to criticise the details of any scheme proposed by a Local Government, is it not generally the case that if one provincial Government adopts a particular scheme all other Governments agree to adopt the same course of procedure?—I do not think so at all, unless pressure is put upon them by the Government of India to be uniform. Local conditions vary very much.

14363. Does all uniformity come from above? Is there no sort of trend of public opinion, quite apart from the Government of India, which forces one Local Government to adopt the proceedings of another?—I cannot think of any particular case.

14364. Would there be no danger of that kind?—I think not. I think under my suggestion (viz., that the Local Government should be given a free hand in matters of detail) there would be less danger than exists at present.

14365. Have you any particular complaint to make with regard to Directors and Inspectors-General?—No; I think, generally speaking, their work is found to be beneficial; the Inspector-General of Agriculture at any rate has been most useful.

14366. Supposing an Inspector-General advised the Government of India not to do, or to do, a particular thing which a provincial Government desired or objected to, would you wish, before the Government of India adopted his view, that the matter should come before the Local Government for further criticism?—Yes, we should like to see what the Inspector-General has to say.

14367. Is that not the course now adopted?—I think not.

14368. Do you mean that it may be adopted, but that it is not adopted to your knowledge?—Of course the Government of India may put the matter before us and say, "This view has been presented."

14369. Would you like to see the formal and detailed advice of Inspectors-General communicated to you in full?—It occurs to one as a remedy; of course it might possibly lead to friction, but I think the advantages would be greater than the disadvantages.

14370. Friction between whom?—I will not say exactly friction, but a certain amount of feeling. The Local Government might not like to see strong criticism by a man in a subordinate position.

14371. Whom afterwards they might actually employ themselves?—That is possible.

14372. Might it even lead to the overlooking of the particular officer who had offered the criticism?—I could not say that.

14373. Do you have much difficulty with regard to the collection of revenue in this province?—Very little indeed.

14374. You used the term "Settlement Officer." What is the Settlement Officer in this province?—It all depends on what the settlement is. In some settlements the settlement staff not only ascertain the area and boundaries of each holding and the existing rates of rent, but also fix the rates; in others the zamindar applies to have them fixed.

14375. Does the Settlement Officer deal with the permanently settled districts?—Yes, and he disposes of all sorts of questions as regards the status of the raiyat, etc.

14376. Do you mean that he disposes of differences of opinion between raiyat and zamindar?—Yes. He settles disputes regarding status, rates and rent, etc.

14377. Has the Permanent Settlement been of any advantage to you?—It has been a disadvantage.

14378. Have you anything to say with regard to the proposals to try to recreate an interest in village communities to deal with matters of Local Self-Government? There never has, as I understand, been anything in Bengal in the way of a common village interest?—With a few local exceptions the only village organisation we have got is one of our own introduction, viz., the chaukidari panchayat. We have made efforts to improve the state of the panchayats and increase their powers, and we are anxious to persuade the villagers to refer disputes to them for arbitration. I should not like to go very far in the way of extending their powers until we have seen the result in other provinces where there is an indigenous system.

14379. Have you a system of village panchayats in this province?—We have only the chaukidari panchayats; we have Honorary Magistrates, but they are mainly at district and sub-divisional headquarters.

14380. What is a village panchyat in Bengal?—It exists primarily for the collection of the chaukidari tax.

14381. Is a member of the panchayat the village head-man?—He is appointed by Government; you can scarcely call him a village head-man. The panchayat usually consists of three members, one of whom is President. The President has been vested by Government with certain powers.

14382. In Bengal at present would it be possible to join him with three or four other people who would be of assistance to him in settling petty civil and criminal disputes?—I think experiments might be made in selected cases, but I would not do it generally.

14383. Would you like to see a beginning made in that direction?—Yes I should like to see a beginning made with regard to selected cases in districts where the District Officer would be able to pay special attention to them, but I would begin very slowly; in Bengal I do not think it is a thing which should be hurried at all; there are other provinces where the experiment might be made with a better chance of success.

14384. (*Sir Frederic Lely.*) Have you had a good deal of experience of district work?—I have been in charge of five districts altogether.

14385. The Joint-Magistrate is the Assistant at headquarters and generally the senior Assistant?—Yes, but he his almost extinct in Bengal.

14386. So that the Collector has to depend chiefly on the Sub-Divisional Officer?—On his deputy Magistrates at headquarters and the officers in charge of sub-divisions.

14387. Are the Sub-Divisional Officers distributed over the district?—Yes. There are 66 sub-divisions in Bengal, but very few of them are manned by Civilians. The rest are manned by Deputy Collectors.

14388. But the Deputy Collector has practically the same power as an Assistant Collector?—Yes.

14389. Does each Sub-Divisional Officer live in his sub-division?—Yes, with only one exception.

14390. Who is the Sub-Divisional Officer's agent through whom he deals with the people?—He has practically no local staff at all.

14391. Then there is no one who takes the place of the tahsildar?—No, in ordinary administration there is no one.

14392. Supposing the Sub-Divisional Officer wanted to make some enquiry connected with vital statistics, how would he do it?—The police are the usual agency.

14393. In ordinary administration, if the Sub-Divisional Officer takes any action, would he do it through the agency of the police?—Yes

14394. Is that system a good one?—No, it is not a good one but it is difficult to suggest a remedy.

14395. Would the people look to the police officer under the Sub-Divisional Officer as the representative of the Government?—They regard them as the local officers of Government.

14396. With regard to touring, does the Collector make regular tours in the district?—Yes. In the majority of districts 120 days in the year is the standard, but in a few districts it is only 90 days a year.

14397. It has been said that regular touring by District Superintendents of Police is practically now no longer done, but that they pay flying visits to particular parts of the district; what have you to say with regard to that?—The District Superintendent of Police confines himself very largely to inspecting thanas and visiting places where heinous forms of crime occurs. He does not tour as the Collector does.

14398. You do not approve of Advisory Councils? Will you explain why you do not?—My reason is that I would not go too fast. It is always difficult to make a backward movement, and it is quite possible that they might not prove to be a success for various reasons. I should look upon it as a good goal to work up to by slow degrees.

14399. You are a strong advocate for the Collector consulting with the chief people of his district with regard to any important point; have you any such thing in Bengal as a darbar list containing the names of people who might be consulted?—Yes, every district has its darbar list.

14400. So that, if a new man went into a district as Collector, he would have a ready means of ascertaining who the representative persons in his district were?—He would, no doubt, have a note left by his predecessor giving him a good deal of information. A good officer always leaves a note for his successor.

14401. Are these darbar lists formally recognised? Do the people themselves know whether their names are upon them or not?—It would all depend upon whether darbars were being held or not; there is no publication of the darbar list.

14402. I was rather referring to a list which might be prepared for the use of the Collector, containing the names of representative men of every class in his

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district with whom he might consult?—A darbar list is a list of people who are entitled to be invited to darbars.

14403. Are there no recognised means by which a new-coming Collector can ascertain who are the men in his district who would be most worth consulting?—I know of none except a reference to the notes left by previous Collectors; you would probably find several such notes left by each.

14404. But such notes may or may not exist?—They always do exist. For instance, when I left Ranchi, I left not only my own behind me, but the note of my predecessor.

14405. But those notes are not public, and no man in a district, however important he may be, would feel that he was a personality whom the Collector might wish to consult?—I think any man of importance would tell you that he finds successive generations of Collectors consulting him as a matter of course.

14406. Would not the publication of such a list be a safe step to take, and would not the people think it an honour to be placed upon a darbar list of that character?—I think it would be a little invidious to publish a list of that kind; inclusion in a darbar list depends largely upon a man's berth, but what you are suggesting would depend upon certain qualifications.

14407. The darbar list would not include men of certain castes of course?—No.

14408. Then would it be a wise step to take?—I do not think so.

14409. In the Commissioners' conferences, is the non-official element represented at all?—The matters which are to be discussed at conferences are divided into two classes, those which are purely of official importance, and those which are of general importance; and at the discussion of the latter Indian gentlemen are asked to attend. At the last conference for instance, several Members of Council attended, and one or two other leading men.

14410. Is the Commissioner expected to introduce any gentlemen from his division whom he may think desirable?—We state beforehand what subjects are coming up for discussion, and ask each Commissioner to nominate one or two gentlemen in his division who he thinks would be qualified to represent public opinion, and to assist in the deliberations.

14411. Do such gentlemen attend?—Yes, they are glad to come.

14412. Has a Collector an effective influence over every branch of Government work in his district, or not?—It all depends upon the Collector; I should think a good Collector would.

14413. Does the system secure to the Collector an effective influence over every branch of Government work?—I think the amount of business very often prevents him exercising that close control that he ought to do.

14414. If he had time, would attention to the outside departments be considered part of his work? For instance, taking excise, has the Collector direct control over excise matters in his district?—Yes. It is his duty to inspect all excise shops, and to look into proposals for the opening and closing of shops; and he usually holds the excise sales himself.

14415. Suppose when inspecting shops he found something of which he did not approve, what would he do?—That would depend. If he finds an offence under the Act has been committed, he would prosecute.

14416. That is as to the law, but has he any personal authority to act, supposing he finds a shop is being conducted so as to be clearly a nuisance?—When sending up his proposals for the next year's settlements he would suggest either removing the shop to a new site, or closing it altogether.

14417. Has he any power over Public Works?—He has not very much power. The Commissioner is very often shown the budget for the next year, but I think, generally speaking, the Executive Officers might be consulted more than they are at present.

14418. At present the administration of Public Works stands in an entirely isolated position?—It does to a certain extent, but in practice a great deal depends on the personal element. I think a Commissioner who wished to interest himself in Public Works would have his views listened to. When I was Commissioner of Chota Nagpur I succeeded in getting the Public Works Department to take up the question of making roads and bridges where they were needed.

14419. Supposing the grossest frauds were being perpetrated with regard to Public Works in a district, would the Collector be held responsible?—Not at all.

14420. Has he any control with regard to education?—Yes, over lower education he has considerable control. In the case of secondary education he has not very much power.

14421. Is he bound to pay visits to schools?—He is not bound to do so, but he is told it is desirable that he should do so, and he does all that he can to raise an interest in regard to school work.

14422. Supposing that the discipline in a Normal School had become very lax would it be held to reflect upon the Collector at all?—It would depend upon whether he had had opportunities of finding it out. It would be his duty to report it if he had found it out, but I do not think he is bound to keep himself sufficiently informed upon such a matter as that.

14423. Do you not think, in his position as the representative of the Government, he ought to have a hand in all branches of administration, such as education and Public Works?—Certainly, up to a certain point, but I think higher education is, more or less, a special subject.

14424. I do not mean that the Collector should interfere in technical work, but ought he not to have an authoritative standing to prevent abuses in all Government matters?—If he found that discipline was lax, and reported it, there is no doubt his report would receive every attention from the educational authorities.

14425. Would blame attach to him if he did not report?—Not unless it was a matter which was so notorious that he ought to have known of it.

14426. With regard to municipalities, do you think that any development of self-government or delegation of powers would be advisable?—I do not think so, but I think that the control of education might very well be vested in the Municipality of Calcutta.

14427. Is the Chairman of a municipality usually elected?—Yes.

14428. Is he usually a non-official?—When he is elected, he is practically always a non-official.

14429. Is any further development with regard to that advisable?—Not immediately.

14430. Is it the fact, as we have been told, that Government has power to get an assessment of the house-tax made by a specially appointed assessor?—Yes. There are two modes of assessment, one by the municipal Commissioners themselves, and the other by an assessor whom they may ask Government to appoint.

14431. If they do not ask for his appointment, may the Commissioner impose it?—If the assessment is inequitable the Local Government on the report of the Commissioner may call on them to raise it, and in the last resort may insist on the appointment of an assessor.

14432. As to District Boards, have you any suggestion to make as to the way in which they are appointed?—We have submitted proposals recently to the Government of India for widening the basis of selection and securing the representation of different classes.

14433. Is the main portion of the Road Cess spent on the roads?—It is spent on the roads and sanitation. A comparatively small portion is spent on sanitation.

14434. Does sanitation include dealing with wells and tanks?—Yes.

14435. Are those small works done by the people, or by the staff of the Board?—They are usually done by the staff of the Board, but periodically Government makes special grants-in-aid for the construction of tanks. What usually happens is that the Local Government gives a third, the District Board gives a third, and the other third is given by the person wishing to excavate the tank, who makes his own arrangements for carrying out the work. As a general rule wells are always made by the District Board's staff.

14436. In the case of a road through the estate of a zamindar, is the grant in respect of that road ever handed over to the zamindar to spend himself?—Practically never, unless he happens to be an indigo planter.

14437. Would it not be a good thing to extend such a system, if you could find the men?—Finding the men is the difficulty, and, of course, there are other difficulties connected with a system of that kind. Various obstacles are put in the way. It has been tried in special cases. I know of cases in a good many districts where it has been tried, but only with regard to selected men; it is done largely in planting districts where the owners or managers of indigo concerns or tea-gardens undertake to repair their own roads.

14438. Would you advocate an extension of that system?—I think the advisability of it is sufficiently recognised already, wherever a suitable agency is forthcoming.

14439. With regard to village panchayats, are they elected or are they nominated by the Government?—They are nominated on the spot; an officer goes round and makes a selection, and we try as far as possible to obtain representative people.

14440. Would you entrust the carrying out of local works in a village to the existing panchayats?—I think it would be difficult to do so.

14441. Would not the panchayat be able to carry the help of the village with them in such a work as constructing a tank, for instance?—I do not think it would be easy for them unless they were persons with considerable influence, such as a zamindar, or a zamindar's agent.

14442. Does it not often happen with regard to transfers that if a man comes back from leave and is sent to an unpopular district, though a senior man he claims to be removed because of his seniority to a better district?—There have been at times cases of the sort, but not recently.

14443. Would it be well if an attempt were made to equalise districts, and, as far as possible, to assimilate the length of service in healthy and unhealthy districts amongst officers?—Yes, I think that would be desirable. I think there ought to be some compensation for having to serve a great length of time in an unhealthy or unpopular district.

14444. With regard to the Under-Secretary, it has been suggested that all the work done by him alone without reference to the Secretary should be handed over to the Commissioner, or to some inferior officer; would that be possible?—It would be possible to delegate to other authorities the power to dispose of cases which the Under-Secretary disposes of now, but the Under-Secretary does an immense amount of work besides disposing of cases. He has for example to see that all cases are properly presented and to pass many of the drafts based on the orders of higher authority.

14445. Is the Under-Secretary generally chosen for his special ability from among the junior officers?—Yes.

14446. What would you say as to the appointment of a permanent Under-Secretary?—I do not think it would be a success as a rule.

14447. The work performed by the Under-Secretary is not work which calls for any special ability?—I think it does; and it needs first-hand knowledge of work in the districts. I think a Civilian would usually do the work much better.

14448. You would not approve of any change?—Not as a general rule, but there may be exceptional cases.

14449. With regard to the Board of Revenue, you have described the work under the new system inaugurated in Bengal, and, as I understand, the Board of Revenue is now brought into more immediate contact with the Lieutenant-Governor?—But only as advisers; there is no attempt to divide the control.

14450. The next step would be to make them his colleagues?—No; there is an essential difference between that and the present system.

14451. Would it not strengthen the Government if you were to associate those two members with the Lieutenant-Governor, so that any action taken should be their joint action?—I think with a Governor in Council the different Members of the Council dispose of a great bulk of the work without its being seen by the Governor himself.

14452. But it issues with the authority of the Government?—It issues with the authority of the Government, but there is a divided responsibility.

14453. At any rate it would obviate a great many official references?—The Board would not have to take the Lieutenant-Governor's orders, and the present members of the Board, who would then be Members of the Council, would dispose of matters instead of submitting them to the Lieutenant-Governor, but I see no advantage in this. The saving in time would be only one day, and I think it is desirable that the Lieutenant-Governor should see everything and dispose of it himself.

14454. As a matter of fact many things do not go before the Lieutenant-Governor?—All important things go before the Lieutenant-Governor; all cases in which it is proposed to over-rule a Commissioner or a Head of a Department go to him; and all letters to and from the Government of India are seen by him.

14455. (*Mr. Dutt.*) If the members of the Board were made colleagues of the Lieutenant-Governor, all important matters would be attended to by the three?—Very important matters would.

14456. Would orders in those very important matters be passed by the Government as a whole?—No doubt.

14457. Therefore in that respect would not the Government be somewhat strengthened?—I do not think it would necessarily mean that the Government would be strengthened. The Lieutenant-Governor is the responsible authority, and he always has the opinion of the Board before passing any orders.

14458. But still the orders at present are his own?—Yes.

14459. While, under my proposal, the orders would be the orders of three Members?—This might resolve itself into the orders of one, because there might be a conflict of opinion.

14460. In that case it would be a majority of the three Members which would decide?—Quite so, but the majority would consist of one, and it might happen that the opinion of a junior Member would in that case prevail.

14461. That is to say if he agreed with the Lieutenant-Governor?—Whether he agreed with the Lieutenant-Governor or not; the latter might be in a minority against the Members of the Board.

14462. But the majority would have to agree?—Two out of three, of course, would agree.

14463. You would allow the Local Government to give a liberal interpretation to the rules laid down, the Accountant-General being told that he must not interfere if a case was such that the Government of India would be likely to support the Local Government in any interpretation they might have put upon the rules? How would that be carried out? If the rules are there, and if the Accountant-General is there to interpret the rules, he is bound to interpret them as strictly as he possibly can?—There are a great many rules, but they cannot be framed so as to cover all cases. The Local Government at present has no power to make an exception; but if a reference is made to the Government of India, very often a thing is allowed as a matter of course; the Accountant-General knows from his experience that the Government of India is likely to deal with a particular case in a particular way, and if he thinks the order proposed by the Local Government is one which would under the present system be sanctioned by the Government of India, he would not interfere.

14464. Would the Accountant-General, as Accountant-General, be justified in passing over these exceptions?—He would be justified in carrying out the orders of the Government of India, and if the Government of India gave him instructions on those lines he would be justified in carrying them out.

14465. Would a schedule have to be made of such points?—I think it might very well be left to his discretion, because he would have been trained in the department, and know the principles underlying the rules.

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14466. But when rules are framed, the Accountant-General, as Accountant-General, would be bound to see that they were carried out strictly?—It would depend upon the instructions given him. He is quite right at present in insisting on a reference to the Government of India, but if a rule was laid down giving the Local Government a certain latitude, he would only insist upon references when he thought that the Local Government was going too far.

14467. It would be rather difficult to allow him latitude in such matters?—Of course it would have to be left to his discretion.

14468. Do you say that it would not be wise to provide for delegation of legal powers which have formed the subject of debate in Council, except by an amending Act?—I think this procedure should be adapted only in cases where the question as to who should exercise those powers has formed the subject of animated discussion when the bill was passing through Council.

14469. Would it not be difficult to find out in what cases a point has been the subject of animated discussion in Council?—The proceedings of the Council would show.

14470. Would you refer to the proceedings of the Council to make a distinction of that nature?—If a question arose, one of the points to ascertain would be whether the question as to what authority should exercise the power had, or had not, formed the subject of discussion in the Council, and if it had, I would say "This is not a case which ought to be dealt with under the general delegating Act," or *vice versâ*.

14471. In cases where the power was reserved to Government there would not be any occasion for discussion?—Yes, that is so.

14472. If the Government propose that the power should be kept in its own hands it would not form the subject of discussion at all; under those circumstances would you not rather recommend that in every case, if a delegation was intended, it should be done by an amending Act?—No, I would not go so far as that, because that gives a lot of trouble. I think some other safeguard might be found. I think it would probably meet the difficulty if no delegation was allowed until previous publication of the intention of Government to delegate, and if no delegation were allowed except with the sanction of the authority superior to the authority proposing to make the delegation.

14473. But that would not secure a debate in Council?—It would not secure a debate in Council, but it would secure the ascertainment of public opinion.

14474. Would it minimise labour if a schedule of the powers proposed to be delegated were prepared, which, at the same time, would give an opportunity of raising a debate with regard to anything mentioned in the schedule?—That would be a circuitous method; and would involve delay. Some Act containing powers of delegation is necessary, and in future I think it might be a good thing if the power to delegate were expressly provided for in the body of the Act. This is already done sometimes, as in the case of the Epidemic Diseases Act. I think delegation should be made with a certain amount of caution under a general delegating Act, but I think notification would meet the case. If Government announced an intention to delegate in the Gazette, I think that would be a sufficient safeguard. I assume, of course, that Government would listen to hostile representation. If public opinion was strongly adverse to the proposed delegation, Government should either abandon the proposal or make it the subject of an amending Act.

14475. With regard to appeals to the Government of India, would you only give the right of appeal to an officer drawing Rs. 500 or upwards?—Yes.

14476 That would exclude Deputy Collectors?—I would put men in graded services in which the maximum pay was more than Rs. 500 in the same category as men drawing Rs. 500 and upwards.

14477. There may be Services where the men get up to a maximum of Rs. 200 or Rs. 300, or even Rs. 400?—Yes.

14478. In those cases, if a man is dismissed by the Government of Bengal, would you deny him a right of appeal?—I should be prepared to allow an appeal in the case of all Gazetted Officers, and all officers whose maximum pay is Rs. 500, or upwards.

14479. Would it save much trouble if your scheme were carried out?—The number of appeals is small, but they give a very great deal of trouble.

14480. On the whole would it not give a greater sense of security to Government officials if you left the rules untouched in this respect?—As a general rule the authority which should have power to appoint, has power to dismiss; and as we have asked for power to make appointments up to Rs. 500, I think we should have the same powers in regard to dismissal.

14481. With regard to the right of appeal to the Local Government, do you propose any change at all?—No.

14482. Has it been the practice for a number of years to invite Indian gentlemen to annual conferences?—It has been the practice for the past two years.

14483. Is it intended to continue the practice?—Yes. I may add that the non-official Members of Council are now invited informally to discuss the budget before it is framed.

14484. Are you of opinion that District Officers should consult leading men of their districts, and would you also recommend a kind of periodical conference of the District Officer with the leading gentlemen of his district, in order to ascertain their views?—I should prefer to begin by insisting strongly on the necessity of consulting Indian gentlemen regarding all important matters, and I think certainly it would be a very good thing to ask them periodically to come in, and discuss important matters; if something could be done towards developing more social intercourse than has existed up to now, it would be a move in the right direction. The advantages would be two-fold; not only would it give the Government more correct information with regard to native feeling, but it would also tend to remove misunderstanding as to the objects of the Government.

14485. Would you have any strong objection to laying it down that such a conference should be held at least once a year?—No, I would have no great objection, but I think it is as well to go slowly at first and lay down no fixed rules.

14486. Supposing some of the gentlemen invited to these conferences had any proposals or representations to make, would you allow them to make them after giving previous notice?—I would recognise at any time the right of an influential person to bring to notice proposals he wishes to put forward. Any man of position should have free access to, and receive sympathetic attention from, the District Officer.

14487. Do you say that the functions of the chaukidari panchayats are limited to raising money?—That is the object with which they are first appointed, but they have recently been given a good deal of control over the chaukidars

14488. You have no objection to adding cautiously to their functions?—Quite so, but I should prefer to see any big experiment conducted in some province where there is already an indigenous village community.

14489. Have you any objection to having that experiment made in certain selected areas in Bengal which might be called advanced districts?—I would prefer to say in selected unions.

14490. Would you propose the appointment of a Special Officer to deal with the matter?—Certainly, I think that is essential.

14491. In cases of officers of the Indian Civil Service who are considered unfit for higher appointment, you would propose that they should be compelled to retire on such pension as they may have earned; would you extend that rule to other Services?—Of course, it would get rid of a certain number of inefficient people, but I should rather hesitate to lay down any hard-and-fast rule for the Provincial and Subordinate Services, because, amongst other things, one sees so much divergence of opinion expressed regarding the same officer. The fitness of a man in the position of a Collector of a district is a matter regarding which there can be little room for doubt, but a Deputy Magistrate may possibly be judged upon the results of a particular case.

14492. You would not extend that rule beyond the Indian Civil Service?—I would not extend it to the Provincial Service.

14493. Or to the Ministerial Service?—No, I would deal with any case there under the ordinary rules.

14494. Have you had experience in the management and working of District Boards in different districts?—I have not had to do with many District Boards.

14495. Have you known men upon them who *do* give some assistance to the District Officer in the performance of his work?—Yes, undoubtedly.

14496. As a body, do you think the elected members go there mainly for the purpose of self-advertisement?—Mainly? Certainly not. Of course there are a good number of elected members whom it pays to be before the public.

14497. You would not agree with the criticism that the work is mainly confined to men whose object is self-advertisement?—It is difficulty to say. My own opinion is that it is not the main object, but I think the elected members belong largely to a class whom it pays to be before the public.

14498. In the Civil Service Regulations the rule is laid down that a recurring honorarium or reward requires the same sanction as an increase of salary. Is that a sound rule?—Quite, and we do not propose to make any exception to it.

14499. But you say that it should be for the Local Government to decide whether an honorarium is, or is not, a recurring fee?—That is not an exception, it is only an interpretation of the rule. The Local Government is to decide whether the fee which is paid is of the nature of a recurring fee or not, that is all. Supposing, for instance, a man gets an honorarium for presiding at an examination, the Accountant-General may say: "This man has presided two years running, therefore it is a recurring fee"; it should be open to the Local Government to say it is not recurring.

14500. And you think the decision of the Local Government ought to be accepted as final?—Yes. The Local Government knows all the relevant facts.

14501. Are not mining leases granted by the Government of India in Native States?—Yes.

14502. Is there any reason for making an exception with regard to Orissa?—We are not suggesting an exception; we are proposing that all Local Governments should have the same powers to grant mining leases as they have in British territory.

14503. You do not see any difference between British territory and the Feudatory States in that respect?—No essential difference.

14504. Would there not be more danger of abuse in a backward State?—We begin by assuming that the Chief wants to give the lease.

14505. But the Chief is not always a man of very sound education?—No, but the Local Government is on the spot, and knows the conditions, and I do not think there is any danger in giving that power.

14506. With regard to the transfer of officers, it is suggested that the power to transfer a Deputy Magistrate might be delegated to Commissioners; would that not sometimes lead to difficulties, because a Deputy Magistrate is transferred sometimes from one division to another?—It is only intended to delegate the power to transfer within the division. A man who has been serving in an unhealthy division for some time might come and say: "I should like to be transferred somewhere else"; in a case of that kind the Local Government would still in its discretion order a transfer, but usually, I think, it should be regarded that the posting of all officers within the division is a matter for the Commissioner.

14507. Are not Deputy Magistrates considered to be officers for the whole province?—Yes.

14508. And is it your idea that hereafter they should be considered officers of a division?—They should remain in a division unless there was a strong reason for removing them. A man who was in the Presidency Division might say: "I have been in this place a long time, my health has suffered, please transfer me to a better climate"; but usually I would keep them in one division. This is desirable for several reasons. The proposed procedure is already in vogue with regard to Sub-Deputy Collectors, and it gives rise to no trouble whatever; in fact it is very convenient, because the Commissioner is able to post men to places where they are likely to be most useful, and it saves delay.

14509. When leave is granted to a Deputy Magistrate, do you propose that the Commissioner should have power to grant it?—Yes, provided the Commissioner can arrange to carry on without asking for an officer from another division.

14510. With regard to appointments, would not a man carry a higher prestige if appointed by Government?—The order appointing him would be signed by a Secretary to the Government, but I do not know that that would make much difference.

14511. With regard to the sanction to forest leases, if your proposal were carried out might it not sometimes lead to abuse?—Sometimes injudicious leases might be granted, but I do not think there is much danger, as the Conservator of Forests would always be consulted.

14512. Would it not be safer to leave that in the hands of the provincial Government as the number of cases is very few?—I do not think there is such a strong case for delegating that power as there is in regard to some of the others. I may mention, however, that the only case we have had this year involved a good deal of correspondence, and that we ended by accepting the recommendations which the Commissioner had originally made.

14513. Then there is a recommendation that the appointment and promotion of certain Gazetted Officers should be delegated, but in the case of the appointment and promotion of those officers should not the power be retained in the hands of the provincial Government?—I think a reference should be made to Government in the case of proposals for supersession, but a great majority of the proposals for promotion are purely routine, and I do not see the necessity for referring them to Government.

14514. Are promotions and appointments ordered on the recommendations of the Heads of Departments?—The Heads of Departments send in their lists which are approved.

14515. If that is so, does it give the Government of Bengal much trouble in sanctioning and gazetting?—If you take one of these proposals for delegation by itself, it does not involve much trouble, but in the aggregate it means an enormous burden of routine work.

14516. But would not the officers themselves rather like the order to issue from the Government, as it would give them greater prestige in the eyes of the people?—That is possible, but I am not sure that the people know who gives them their promotion.

14517. Do not the orders appear in the Gazette?—But who sees the Gazette? Only their brother officers; the people know nothing about it.

14518. Do you not think that, in the estimation of those who do know about it, these officers would carry more prestige if appointed by the Government instead of being appointed by the Heads of Departments?—Possibly.

14519. (*Mr. Hichens.*) With regard to recurring honoraria, how would you apply the control in this case?—It is purely a question of fact. The Local Government give an honorarium to a man, and it is for the Local Government to say whether it is an isolated case, or whether it is a recurring thing. For instance, if a man is appointed a regular examiner in a particular subject, whatever reward he gets would be a recurring one. But if the question is reconsidered each time, it would not be, even if the same man happens to be selected.

14520. Supposing the Local Government sanctioned an honorarium to-day, which in the opinion of the Accountant-General was a recurring charge, would he report it to the Government of India?—He would ask the Local Government to refer it.

14521. How would you alter the powers of the Accountant-General?—I merely want to limit them. I would only let him insist on a reference where the interpretation of the rule is unreasonable.

14522. But who is to judge if it is unreasonable?—I would leave the Accountant-General the right to

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judge: from his previous experience of the way in which the Government of India deal with these things, he knows perfectly well what the Government of India would be likely to do if the case were to come up to them.

14523. That would give him a good deal of power?—Yes, but he already has that.

14524. Are you prepared to allow the Local Government to say absolutely that such a fee is not a recurring honorarium, and that the Accountant-General should not raise any question?—Yes; it is purely a matter of fact.

14525. Why are you not prepared to say generally with regard to all regulations that the interpretation of them should be left with the Local Government?—I think that is going rather further than I should be prepared to do. I think the Accountant-General ought to be able to say, "You are straining the interpretation; the Government of India would not approve of this sort of precedure." Under the present system, if a rule is infringed, we have to refer to the Government of India, and in many cases they allow the exception. The Accountant-General knows from his experience whether they are likely to allow it, or not; therefore, I would give him power to ask for a reference to the Government of India, but I would tell him only to do so in cases where he thinks that the Government of India would not approve of the action taken.

14526. Do you say that the police are the administrative agents of the Sub-Divisional Officer?—They are the agency through which the Sub-Divisional Officer gets his information. I think it is unfortunate that in Bengal we have no other agency.

14527. Can you suggest any remedy for that?—No, I am afraid I have none to suggest.

14528. You do not suggest the appointment of any officer?—No, it would be too big a business altogether.

14529. So that although it is unfortunate, it is unavoidable?—It is almost unavoidable in the circumstances of Bengal.

14530. How long has the new procedure as regards the Board of Revenue of which you have spoken been working?—About four years.

14531. Has it been a success?—It has brought the Board into much closer touch with the Government. It has certainly expedited work, and it has prevented misunderstanding. The whole of the papers come up now, and if an official letter is incomplete you can remedy the omission by reference to the file, so that there is no correspondence backwards and forwards, and orders are thus issued more promptly. Therefore, so far, it has been distinctly a success. It imposes, however, a certain amount of work upon the Secretary to Government which was formerly done by the member of the Board.

14532. Does it mean in practice at all that the Board's Secretary becomes, so to speak, Under-Secretary to the Secretary to Government?—To a certain extent, undoubtedly. It does not, however, alter his work in any way; instead of submitting the case to the member, he submits it to the Secretary to Government.

14533. He submits it as an Under-Secretary might?—Yes; the Under-Secretary to Government is eliminated from the chain.

14534. And for all practical purposes he is the Under-Secretary?—Yes; or Deputy Secretary; of course a great part of his work is not seen by the Government Secretary at all. The bulk of this work is connected with ordinary revenue administration, for which the Board are responsible themselves. It is only in "Government cases," where a reference has to be made to Government, that the Board's Secretary submits cases to the Government Secretary.

14535. We have been told that the number of rules and regulations, speaking generally, is excessive, and that the tendency is to pass a rule or regulation to cover every conceivable case which might arise, rather than to leave matters to the discretion of individual officers. I should like your opinion with regard to that?—I do not think I can agree with that altogether. In some directions the rules have reduced work a good deal.

14536. You would not say that regulations in practice were passed upon matters which were too minute to be regulated by a rule?—I do not think I should say so, generally speaking. It is easy enough to turn up a rule.

14537. Then is it your opinion that that criticism is not a fair one?—That is my opinion. I do not think the rules are too elaborate, and in fact I think it is desirable, when further powers are delegated, to lay down the principles which should be followed in exercising those powers.

14538. Would you agree that it is desirable to allow a large amount of initiative to an individual officer?—Undoubtedly, but in dealing with the case, for instance, of allowing an officer to take his horse by train at Government expense, it is desirable to specify the circumstances under which this should be done; otherwise there will be no uniformity of procedure. I do not think, as a rule, the regulations are too detailed, but they are applied too rigidly.

14539. It has been alleged that officers spend most of their time in trying to find out precedents, what do you say as to that?—I do not agree with it, and another thing is you can always ask the office to quote the rule if it is one you are not familiar with.

14540. Is your position with regard to the interpretation of rules and regulations that rules and regulations to be framed under an Act should be made by the Local Government?—That is not the point; the point is, supposing the Local Government propose to introduce some new scheme which has to be submitted to the Government of India, the Government of India should pass orders only on the general principles, and should leave the decision as to the details to the Local Government, after consideration of any criticism that may be made by the Government of India.

14541. Another way of putting that would be that the Government of India should lay down general principles in an Act, but that the regulations or rules for the carrying of them out should be left to the Local Government?—I think that rules which are applicable to the whole of India might very well be laid down by the Government of India. I was not thinking so much of rules under Acts, as of general administrative work.

14542. Would you agree that there are a large number of regulations of a more or less minor type—certain regulations which could not be called general principles, but which it is desirable to have uniform?—Undoubtedly; for instance, under the Explosives Act, it is most desirable that the rules should be issued by the Government of India.

14543. What is the procedure to-day with regard to matters of that sort? Are uniform rules issued by the Government of India?—In a great many things they are. They prepare the draft rules which are circulated to the Local Governments and published in the Gazette for criticism; after the Government of India have received all the criticisms the rules are considered and brought out.

14544. Is that a satisfactory procedure?—Yes.

14545. Does it not lead to great delay?—I do not think delays are so much to be deprecated when it is a case of elaborating rules under which action is to be taken in future; these rules merely replace existing rules of procedure and the change is seldom very urgent. It is in the disposal of individual cases in which prompt action is called for that delays are so harassing.

14546. In the case of explosives, for example, would it be a good thing to have a small conference of the officers of the different Governments to deal with the subject and so reduce correspondence and delay?—It very often happens that the officers of the different Governments know very little about special subjects like that; for instance, with regard to the rules under the Explosives Act, the Secretary is not an expert in explosives, and his personal opinion would not be of much use; he would first have to obtain his information from other people qualified to advise.

14547. The Local Government to-day can put forward its views in writing, but there is no opportunity for general discussion?—No.

14548. Would that not be a good thing in regard to the rules and regulations with reference to explosives?—I do not think so; I think that the matter can be

very well dealt with under the present system. It is mainly a matter for experts, and I am not aware that it has given rise to any marked difference of opinion.

14549. Have you any suggestion to make with regard to the class of regulations that should be left to the Local Government and the class which should be called general?—It would perhaps be easiest to answer by quoting a particular case in connection with the Local Self-Government Act. We proposed to amend it in such a way as to ear-mark the Road Cess for Public Works and sanitation. The Road Cess was originally levied under an Act, a section of which laid down that the cess was to be spent on communications and sanitation, but afterwards that section was repealed, and for some years the Road Cess was spent partly on other items, such as education. Then the Indian press agitated about it, charged us with a breach of faith in devoting the Road Cess to objects for which it was not intended, and so forth. There was a great deal of dissatisfaction, and we, therefore, proposed to revive the old section and ear-mark the Road Cess as before; but the Government of India, while agreeing with us that the Road Cess should be spent on the objects for which it was originally intended, said it was inexpedient to tie ourselves down by legislation. I think that is a case which the Local Government ought to have power to deal with. The principle was accepted, and the only objection was that it would be inconvenient to tie ourselves down.

14550. With regard to Inspectors-General, would it be advisable if the Local Government consulted them before submitting any scheme to the Government of India?—I do not think it is desirable; the Local Government consults its own experts, and I think any further consultation would cause unnecessary delay.

14551. Is not one of the main purposes of these Imperial Officers to advise?—Yes, they do advise.

14552. Then surely, in a big scheme it is not advisable that they should be consulted?—They collect information and they advise the Head of the Local Department; for instance, the Director of Agriculture gets a good deal of information and advice from the Inspector-General of Agriculture, but I do not think the Local Government should submit its schemes to a man of that standing before sending them up to the Government of India.

14553. Not necessarily the Local Government, but the officers responsible for preparing such a scheme? In the case of a large sanitary scheme, for instance, would it not be advisable that it should be submitted to an authority which had already discussed such matters?—Yes, I think so.

14554. Could you not apply that system generally, and say, if Inspectors-General are there for the purpose of giving advice, before a scheme was submitted, that the Local Government should see at any rate what these officers' views were?—I think the tendency would be to bring the local officers more under the control of the Inspector-General, and to weaken the control of the Local Government; this is what I apprehend would be the result if the local officers had to obtain the approval of the Government of India expert.

14555. I do not suggest that they should obtain his approval, but his opinion. Is there likely to be less friction if that is done first than if the scheme is submitted after the local officer has given his approval, and then a difference of opinion occurs? Is not the local officer more likely to be convinced before definitely committing himself to a scheme on paper than he would be afterwards?—I think that with such a system there would be a tendency for the man with the Government of India to have more power than he should have, and that due weight would not be given to the diversity of local conditions.

14556. Is that your objection to it?—That is my objection. The local officer would know that what the Inspector-General approved would be more likely to receive sanction, and he might thus be persuaded to recommend things which were not suitable to local conditions.

14557. Do you object to the Inspector-General acting as the adviser to the Government of India?—I do not object to his acting as an adviser; but I think when he expresses an opinion adverse to a scheme, the Local Government should have an opportunity of knowing what he has said before the Government of India pass orders. When cases go up to the Government of India, which are within the department of these officers, their opinions are noted on the file; they have the last word and there is always a danger that the Government of India may accept their opinions and decide accordingly, without giving due weight to the views of the Local Government.

14558. What, briefly, is the general principle underlying the revised rules as to appeal?—The general principle is that in the case of inferior servants, that is to say, in the case of men whose pay is Rs. 10, or less, a month, there should be only one appeal; that in the case of other people there should be two appeals, subject to the condition that, with a man whose pay is less than Rs. 50, there should be no appeal against the order of the Commissioner, or Head of Department, or Board of Revenue.

14559. Under that practice what is the maximum number of appeals that can be made?—There can be two appeals in practice; the appointing officer would dismiss and there would be an appeal to the Commissioner and an appeal to the Board.

14560. Broadly, can the man who appoints dismiss?—Yes, that is the rule.

14561. Speaking from the point of view of the public, the function of appointment is just as important as the function of dismissing?—Except, of course, that there is no appeal in the case of a refusal to appoint.

14562. Should a man who is capable of appointing be capable of dismissing?—Yes, subject to appeal.

14563. Do you not think one appeal is enough; why do you want more than one?—We only allow one for subordinates, but in the case of a man with better pay I think it as well he should have an opportunity of appealing twice. I think a man has a sort of feeling that there is safety in a second appeal. I mean that a ministerial officer, liable to dismissal, feels more secure in his appointment when he has a right of second appeal. Supposing he is in a sub-division and is dismissed by the Sub-Divisional Officer, he would feel more secure with two appeals.

14564. Is not the result of having more than one appeal to keep inefficient members in the Service who ought to be turned out of it?—I do not think there is very much risk of that. Of course one has known cases of men being put back, who, one thinks, ought not to have been put back.

14565. Does it not prevent the officer who would dismiss taking action, because the procedure is so tedious and cumbrous?—I do not think so, and after all it gives no more trouble to the officer who originally dismisses a man if that man appeals a second time, because he has no fresh report to write.

14566. But there is the additional risk of his decision being upset?—Yes, but I do not think that is a great thing.

14567. (*Mr. Meyer.*) With reference to your evidence with regard to the interpretation of the Civil Service Regulations, all financial powers are delegated powers?—I suppose they are.

14568. Under the Act of Parliament of 1858 the control of expenditure is vested in the Secretary of State?—I am not sure.

14569. The Secretary of State delegates the powers to the Government of India, and then, in turn, they are delegated to the Provincial Governments. Are not these Civil Service Regulations intended to set forth the limitations of the powers thus delegated?—From a theoretical point of view, it may be so.

14570. Would it not be dangerous to allow Local Governments to be themselves the judges as to the limits which should be imposed upon them?—We are not suggesting that we should be the judges; we are suggesting that the Government of India might give us further powers.

14571. It is suggested in certain cases that you may tell the Accountant General to stand aside; for instance, that you are to settle what a recurring honorarium means, and what it does not mean?—Yes, that is a question of fact which we know.

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14572. What would be the use of a rule then, saying that a recurring honorarium should be treated as a part of salary? Could not the Local Government evade this rule if it had power to say whether honoraria are recurring or not?—Of course, if it comes to a question of evasion, it would not be safe to delegate anything to the Local Governments. You must give Local Governments credit for common honesty.

14573. Would it not be far better to relax the general rule, than to give discretionary dispensing powers to Local Governments?—We are not asking for discretionary dispensing powers to Local Governments; we are asking that the Local Government's statement should be accepted on what is really a question of fact.

14574. Would you maintain that in the case of an action on a point of law the Local Government should interpret it?—There is a great difference between the two things, because the certainty of the law is the essential thing. If there is no great expenditure involved in the interpretation of a financial rule, I do not see any harm in leaving its application to Local Governments. If a large sum of money is involved, then the matter ought to go up to the Government of India; if it is a small thing, a large amount of time and trouble would be saved by the Local Government dealing with it.

14575. Do you say that the Accountant-General is to be overruled by the Local Government?—Yes, if it is the case like the one of recurring honoraria with which the Local Government can deal best as being mainly a question of fact.

14576. Are you aware, as a general principle, that an officer of the Government is supposed to do work for municipalities and District Boards?—Yes.

14577. Are there not claims now and then on the part of officers for allowances for doing municipal work?—I cannot recall them at the moment.

14578. Might not that principle be evaded in general practice by the granting of liberal honoraria?—If a Local Government is to be looked upon as likely to evade the rules, why delegate any power at all.

14579. There are many rules under which the sanction of the Secretary of State is required, and you are probably aware that the Audit Officer can challenge the Government of India; would you similarly allow the Government of India to interpret those rules?—It seems to me quite reasonable that the same thing should be held to apply.

14580. You spoke of the desirability of giving the Local Governments larger powers in matters of detail as apart from principle; do you include appointments and pensions, and matters relating to the Civil Service Regulations generally, in detail?—The detailed powers which we think should be delegated are mentioned in the schedule appended to my letter.

14581. I was speaking of your answer in which you say: "The Government of India should avoid interference in matters of detail." When a scheme goes up it includes a number of appointments; do you consider the creation of an appointment a mere matter of detail?—No, I do not.

14582. By "detail," do you mean such instances as you gave with regard to Road Cess?—Yes or to take another: we recently applied to the Government of India for funds to alter the beat system in Calcutta. We sent up a scheme to the Government of India which had been carefully worked out with the Commissioner of Police, and in reply they said they did not approve of it, and suggested a different scheme. I think that was interference in matters of detail.

14583. Is it not sometimes an advantage that you should have an opportunity of thinking over a scheme and testing it?—It is sometimes, but the result is, as a rule, that the thing is delayed so long that everyone gets tired of it. In this particular case the alteration in the beat system, which we suggested, was recommended by the Police Commission and had been mentioned at the time with approval by the Government of India, and we had sent it up with an intimation that we found it would be peculiarly suitable for Calcutta.

14584. With regard to the Road Cess, which you mentioned, was not the original provision set aside by actual law?—It was not set aside exactly, but the section was repealed.

14585. Was that not setting it aside?—To a certain extent, of course it was; but for a long time past it had been recognised that it was wrong to set it aside.

14586. It is not the case that four or five Lieutenant-Governors took one view of the matter and the present Lieutenant-Governor took another view?—It may be so.

14587. And the Government of India said: "We agree with you, but you had better not put it into a stereotyped form of law," because it was thought that other Lieutenant-Governors might differ again. Do you not think that reasonable?—I do not think you should veto things because you think the opinions of the Local Governments may change.

14588. Let me take another case. There was an educational matter in which a Lieutenant-Governor wanted a wholesale transfer of educational institutions and the Government of India objected, rightly or wrongly. Do you consider that a matter of detail?—No, I do not think the whole scheme was a matter of detail. It included the transfer of the Engineering College to Ranchi, and it was a big scheme.

14589. You put forward the view that in matters of detail Local Governments ought not to be overruled except by the Council of the Governor-General as a whole; are you aware that under present conditions Local Governments cannot be overruled without reference to the Viceroy?—But the Viceroy has no local knowledge in these matters.

14590. And that the Viceroy may direct any matter to go to Council?—Yes.

14591. But you desire that the question of referring matters to the Council should be transferred from the Viceroy to the Lieutenant-Governor or the Head of a province?—I think if a Local Government wants to have a matter reconsidered, it ought to be considered by the Council.

14592. Are you aware of any authority in England subordinate to the Government which could require the Prime Minister to submit a case to the Cabinet?—No, but I do not think the cases are at all parallel. We are not asking that the Local Government should have power to insist on a reference to Council, but that the Government of India should themselves extend the principle which you have just referred to.

14593. Is not the Government of the Lieutenant-Governor a single-man Government?—It is a single-man Government, but the Lieutenant-Governor does not pass orders until he has the opinions of all his advisers.

14594. A Lieutenant-Governor might be a man of impulsive character, and he might go contrary to the advice of his advisers?—Of course, all things are possible.

14595. There would be nothing to indicate to the Government of India that that was so, and conceivably there might be a Member, or a Secretary in the Government of India, who knew more about the province than a Lieutenant-Governor?—Yes.

14596. Would you still propose that the Lieutenant-Governor, under such conditions, should not be overruled except by Council on matters of detail?—What I mean is that I do not think in matters of detail the Lieutenant-Governor ought to be overruled, and that, if detailed criticism is made, it should be made in the form of criticism, and left to the Local Government to adopt, or not, as it may think fit. I am not objecting to the control of the Government of India on matters of principle at all; it is only that tremendous delay is caused by having details thrashed out in the course of correspondence.

14597. With regard to Imperial Inspectors-General, you resent the Government of India overruling you and your advisers, but at the same time you are not prepared to seek their advice?—That is not quite as I put it. I think the business of an Inspector-General is to furnish information or give advice to local departments; if the local departments think it necessary to obtain that advice regarding any scheme, I would not object, but I would not make it a rule that they should be obliged to seek it.

14598. What is to prevent you seeking the advice of any one on any matter?—There is no harm, and it is already sometimes done, but I would not have a regular rule laid down that it should be done.

14599. You may be overruled as to details on the advice of the Inspector General, but is it not more likely you would be overruled as to details if there were no Inspector-General acquainted with the details of the province, and the matter went to some one who did not know the province?—The latter would probably not have the time to go into detail which the specialist could devote to it.

14600. Have you been overruled more since there have been Inspectors-General than you were before?—I have not sufficient experience to enable me to say, but I think the tendency is probably in that direction.

14601. As regards listed appointments, did you say that you could not ordinarily fill appointments that were not listed by Deputy-Collectors?—Yes.

14602. Is the reason that the Act of Parliament, subject to certain exceptions, vests the appointments in the Indian Civil Service?—Yes.

14603. Are you of opinion that this Act should not be departed from save in exceptional cases, and for short vacancies?—I was only dealing with the question of expediency without any reference to existing law.

14604. But you recognise the distinction between a listed appointment and one which is not listed?—Yes.

14605. The Lieutenant-Governor has not full power over the appointment of members of the Board of Revenue?—He has to get sanction.

14606. Is that under one of the local laws?—Yes; he has to go for sanction to the Government of India. I remember only one case in which there was any interference.

14607. With regard to the system of dealing with the Board's work, have you not a double office doing the same work?—I think there has been a good result from the double office, because you have an independent examination of the case, and very often the Government office is able to look up precedents and things which are not open to the Board, so that it corrects the Board, so to speak. It does seem to be redundancy, but at the same time I think it has its advantages.

14608. As I understand, a matter goes from the Board's clerks to the Government clerks; then from the Government clerks to the Board's Secretary; then from the Board's Secretary to you, skipping the Under-Secretary?—Yes.

14609. And you can, if you like, call upon your clerks again to give you information?—I could, but I usually deal with the Board's Secretary.

14610. You say more precedents would be available, but if the Board's separate office were abolished they would have the precedents in the Secretariat here?—The Board's office could not be abolished because a great part of their work is concerned with the revenue administration of the country, as to which their authority is final and no reference is made to Government.

14611. But they could still deal with that as a branch of the Government Secretariat?—I should prefer to see the present system continued, for some years longer, at any rate.

14612. But is it necessary to keep on your Under-Secretary?—My Under-Secretary still has plenty to do. He does not have to do with the Revenue Department, except in respect of famine and forest; but he has to work up all cases in the Political, including the Police and Appointment Departments. This is quite enough for one man.

14613. You do not think the reduction sufficient to warrant dispensing with the Under-Secretary?—No; I think he is still over-worked.

14614. In regard to the chaukidari panchayat system and an extension of it, do I understand you to say that before giving further powers you want to see how the system works in other provinces?—Yes, before widely extending the powers.

14615. Is there any other like system in existence?—There is no similar system, but there are village agencies in other provinces.

14616. One is a natural village, and yours is an artificial agglomeration of villages?—Yes, therefore I would not give any more powers to the people in charge of this artificial agglomeration of villages until we see how the people are able to exercise those powers where there is a natural system.

14617. Would that afford you any evidence?—It might afford negative evidence at any rate.

14618. When you make a new departure, is it not always better to proceed by way of experiment in small areas?—Yes, I think so.

14619. On what grounds do you allege that Bengal is worse off than other provinces in respect of establishment?—We have only six Commissioners for our 54 millions, as compared with nine Commissioners for 45 or 50 millions in the United Provinces.

14620. But you have hardly any revenue work to do compared with that of the United Provinces?—We have an enormous amount of revenue work to do, but it is of a different kind; our *tauzi* roll, for instance, involves separate accounts and an immense amount of trouble; we have numerous petty Government estates in every district; there are 2,000 altogether mainly on the banks of the rivers; they are continually being washed away and thrown up again; then there are partitions, land registration, revenue sales, Court of Wards work, etc.

14621. Surely you have no work in connection with remissions and reassessments?—No, but we have other things instead.

14622. You spoke of the desirability of having more Joint-Magistrates; your Joint-Magistrate, I understand, is a sort of personal assistant to the Collector, or District Magistrate, is he not?—Where we have a Joint-Magistrate he is practically in independent charge of all the criminal work. He receives complaints, disposes of police reports, looks after the conduct of cases before the subordinate Magistrates, and sees their registers every week.

14623. But he has no independent territorial charge?—No, but he has well-recognised functions.

14624. Would you keep the headquarters sub-division at its present size, putting it under the Joint-Magistrate as a Sub-Divisional Officer?—I think I would keep it at its present size as a rule.

14625. And convert the Joint-Magistrate into a Sub-Divisional Officer?—Where there is a Joint-Magistrate he might be in charge of the headquarters sub-division, but we should never have enough Joint-Magistrates to go round; we have only asked for Joint-Magistrates in 12 or 14 of the biggest districts.

14626. Do you see any objection to the system in force in Madras being applied to Bengal?—It would be very difficult to have a wholesale re-arrangement of the existing administrative arrangements.

14627. Have you certain sub-divisions allotted to Civilians and others to Deputy Collectors?—Yes.

14628. With regard to the point that you have no intermediate officers, might you not increase the number of your Sub-Deputy Collectors, if necessary, and give them charge of the areas covered, say, by a couple of thanas?—That would mean a large increase of establishment.

14629. You have them now at sub-divisional headquarters?—But every sub-divisional headquarters has not a Sub-Deputy Collector.

14630. Are there not enough Sub-Deputy Collectors to go round?—Not when you consider the number needed for special work such as settlement, and so forth.

14631. I put it to you as a possible solution, though it might involve expenditure; do you see any advantage or disadvantage in it?—I am not sure whether there would be enough work for them to do.

14632. Would the supervision of the chaukidari panchayats be part of the duty they would attend to?—Yes.

14633. You have these Sub-Deputy Collectors in a provincial list?—Why should not the Commissioner appoint them?—They are appointed mainly on the recommendation of Commissioners; each Commissioner sends up his nominations.

14634. Why not go a step further and make the Commissioners the appointing authority?—We have other sources of appointment as well; we get a few from nominations by Heads of Departments.

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14635. Could not the Commissioner consider those? —He could. I think it is better to have a provincial list. As a matter of fact Sub-Deputy Collectors are posted to divisions.

14636. Does it not result sometimes, in a Sub-Deputy Collector going from a division where he knows the language and people to a place where he does not?—They are not moved very freely from one division to another; and when they are, it is usually because of the demands of the Settlement Department. The Director of Land Records at the beginning of the cold weather asks for a fresh staff, and a lot of men may be nominated from one division who have to be replaced by transfers; as far as possible, we try to keep Biharis in Bihar and Bengalis in Bengal, but we cannot do it altogether.

14637. As the Commissioner has power of allotment for minor works, would you not go further and give him a regular little budget, including Public Works, which he might sanction?—We are going one step in that direction this year by increasing the works for which he can sanction funds up to Rs. 5,000 instead of Rs. 2,500.

14638. But you only give him Rs. 10,000 in all. The idea would be to increase his grant very largely; would you be in favour of that?—I think I should be in favour of that.

14639. Would you be prepared to give a Commissioner more control over the educational work of his division, with regard to expenditure on schools and so forth? With regard to primary education, the District Board has the control; with regard to secondary education, I am rather doubtful; I think if the Commissioner had any views on the subject he would be always listened to by the Director of Public Instruction.

14640. To put it generally, one view which has been held is that the Commissioner should be regarded more as a sub-governor; does that view recommend itself to you?—Yes, it does, but I think in most matters he has a great deal of control already and a great deal has been done of late to increase his powers.

14641. Are there not a great many appeals in regard to administrative matters to the Board of Revenue? —In most cases it is a matter of revision, not an appeal, when a case gets to the Board of Revenue; the Board have power to revise, but they do not exercise it very freely.

14642. The power can be exercised so as to make it a complete appeal?—There is no cause of complaint in that respect.

14643. Might it not be possible to limit the procedure in this respect?—No, I do not think it would; I think it might be possible to abolish the Excise Commissioner.

14644. At any rate an economy could be effected somewhere?—Possibly.

16445. (*Sir Steyning Edgerley.*) Do you think the function of the Government of India in relation to Local Governments is simply to settle the principles and rules of administration and that everything with regard to particular detail is the work of the Local Government?—Yes.

16446. Would you make that an absolute line of division?—I would lay that down as the principle. Of course there might be cases where it could not always be applied in practice, and the Government of India would have to decide where exceptions should be made.

14647. Would you advocate a general revision of the Civil Service Regulations and the Government of India Codes on that basis?—I think it would probably suffice if the latitude which I advocate were given to the Local Government to make exceptions in certain cases.

14648. In fact you would bridge the gap by a system of delegation, subject to the submission of a return. Would that be sufficient?—There would then be two safeguards; one is that the Accounts Officer, if he does not think anything reasonable, can insist on a reference, and the other is the return you refer to.

14649. But do you think that would get over the difficulty of construing the relations between the Government of India and the Local Government?—I should not put much reliance on a periodical statement; things are very likely to be overlooked, and unless they were very fully stated, it would be very difficult for the Government of India to know exactly what was the case in point. A return, to be of any use, would take much trouble to prepare.

14650. Supposing a general delegation took place, would you base it on that principle, namely, that the functions of the Government of India should be simply to lay down principles of general policy, and that all details and particular cases should be left to be disposed of by a lower authority?—Yes, I certainly would.

14651. Taking it broadly, would that be your principle, subject to whatever exceptions there might be? —Yes, that would be the general principle.

14652. As to the Delegation Act, taking it altogether, you are in favour of a general Act?—I am in favour of a general Act, but I think there ought to be certain safeguards.

14653. The safeguards are, I take it, preliminary notification, the sanction of higher authority, and the power to withdraw?—Yes.

14654. As regards the sanction of higher authority, supposing your preliminary notification disclosed that there was no objection at all, would it be necessary?—No. It would only be necessary in cases where there was a conflict, or where objection had been raised.

14655. Was it not suggested that it might be possible to define certain spheres which a general Delegation Act should not touch?—Yes, we have thought it over, and we think there would be great difficulty about it.

14656. One sphere, for instance, was taxation, which it has been suggested should be dealt with by specific legislation; what do you think about that?—It is difficult to lay down rules.

14657. Do you think the other safeguards sufficient? I cannot quite say that, but I cannot see any practical safeguard which one could add.

14658. As to the expert advisers of the Government of India, whether they are called Inspectors-General or Directors-General, would you limit them to offering advice on principles only?—I see no objection to their advising on details if the Government of India pass on that advice simply in the form of comment which the Local Government may adopt or not.

14659. But if the functions of the Government of India are confined to principles, what is the object of their advising on details?—If the Local Government send up a scheme which requires the sanction of the Government of India, the Government of India goes into it as a whole, and if certain criticisms on minor points present themselves, which very likely may be improvements, it is desirable that they should be stated for the consideration of the Local Government.

14660. They would say: "Our expert advisers have noticed these matters of detail which we hope you will consider?—Yes.

14661. In certain cases you rather object to the advice of the Inspector-General being obtained before the Local Government has expressed its opinion?— I would not mind the local officer consulting the Inspector-General at any stage informally, but I should object to its being laid down as a rule that he was to consult him.

14662. Taking the illustration which was given in Burma of forest working plans, they go from the Chief Conservator to the Inspector-General, and then to the Local Government which passes final orders. Do you see anything in that to object to?—We have had one or two cases in which the criticism has been valueless, perhaps due to ignorance of the local conditions, but I do not object in the ordinary way.

14663. If the Inspector-General's criticisms preceded those of the Local Government would it not make the former very much more careful how they dealt with these matters?—I do not think so, and I think it would tend to make the correspondence more cumbrous.

14664. Assuming the procedure that I put to you were adopted, would it not be possible for the Government of India to say to themselves: "Our expert

has advised, or will advise, therefore we can at once give the Local Government final power?"—Yes, it might be so.

14665. And they might in that way become an instrument of further decentralization?—I am not quite sure on that point; it might or might not.

14666. You used the word "inspection," with regard to the advisers of the Government of India; do you mean inspection, or do you mean study?—I would go further than study. Take, for instance, the case of an experimental farm: I think it would be a very good thing that the Inspector-General of Agriculture should make an inspection, the result of which he would not necessarily send to the Government of India, but to the local Director of Agriculture for his information.

14667. Then assuming you once permit inspection, would it be right that the Inspector-General should, on leaving a province, send a memorandum of everything he has seen in the province to the Lieutenant-Governor?—Yes; or to the Head of the Department.

14668. Is it the case that they occasionally take information past the Local Government, and the first you hear of it is by letter from the official department of the Government of India?—I cannot think of any case, but I cannot help thinking it might be likely.

14669. The other system suggested would prevent that?—Yes, I think so. In fact we have just suggested that in connection with the proposal made by the Inspector-General of Forests to send a man to report on our working plans.

14670. Have you not had to deal recently with the proposals of the Police Commission. You mentioned a controversy with regard to the beat system in Calcutta which arose out of the Police Commission proposals?—The beat system which we proposed to introduce was the system recommended by the Police Commission, and which the Government of India had previously, more or less, approved of.

14671. And you told the Government of India that you did not like the alternative scheme?—We have not replied to it yet.

14672. Have you had any great difficulty in carrying out your proposals with reference to the Police Commission?—No, not generally speaking.

14673. One witness mentioned that certain proposals with regard to inspectors had been negatived; that would be against your principle, and is an illustration of interference?—I do not remember the case.

14674. Can you give any illustrations of Acts of general delegation passed in Bengal?—I have here two lists of statutory provisions in force in Bengal authorizing delegation, and also a list of delegations made under those Acts.

14675. Are you aware whether the existence of such provisions, or the use of them, has led to any public complaints?—No, not to my knowledge.

14676. Supposing you were laying out the area of Bengal again, what would be your constitution of the province with regard to the Local Government?—I think I should advocate the existing one.

14677. You would have the Board of Revenue plus the Commissioner?—Yes.

14678. Do you know that a system of Chief Commissionerships has been recently publicly suggested?—Yes.

14679. Do you think that a system of six Commissioners with very large powers under the Local Government would be a good one?—It is practically our system now, except that we think the Commissioners might have more powers; we already have only six Commissioners for 54,000,000 people.

14680. Would it be a good change in your opinion to increase the number of your Commissioners, and simply to absorb the Board of Revenue in the Local Government?—I do not think the Board of Revenue could be done away with; they correspond on the revenue side to the High Court on the civil side; you must have some central revenue authority, and zamindars have great faith in the Board of Revenue.

14681. Do you think the Government so constituted could not deal direct with the Commissioners?—I do not think you would have the same continuity as now when the two most experienced men in the province are members of the Board; I think you would have the risk of friction and divided responsibility.

14682. What would be your criterion for a division of functions as between the Local Government and the officers subordinate to it?—I think the Local Government should deal with questions of policy or principle and other matters of general public importance and leave the subordinate authorities to deal with the details of local administration and matters of local interest.

14683. Practically, are you in favour of the principle of maintaining as much power as possible in the higher offices?—It is very difficult to think of any powers now exercised by Government, other than those included in the schedule of proposed delegations, which could be delegated with advantage and safety; you want a certain amount of uniformity of procedure throughout the province. We have for some years been engaged in delegating powers which can be safely delegated.

14684. It was suggested in Burma that the principle should be to vest powers as low down as possible with safety; what do you think as to that?—I agree.

14685. The difference of attitude would probably be that you would build up from the bottom instead of unloading from the top?—In preparing our schedule of proposed delegations we examined the tables of cases disposed of by Under-Secretaries and the Proceedings of Government for the last three years and the Acts and rules under which references to higher authority are now required. We have proposed to delegate all powers which it is considered safe to delegate, especially in matters which are found to involve frequent references under the present system.

14686. With your present system of working with the Board of Revenue, how do you provide for a separate record; do you duplicate the whole record?—No; if it is an unprinted case it is kept as the Board's record, but if it is a printed case, we take out the papers which would otherwise form the Government record and print them only.

14687. Will that cause any difficulty, say, twenty years hence?—Of course it is a thing that wants watching. I have found difficulty in some respects owing to delays, but I think difficulties of that kind will be avoided as the system settles down.

14688. You have six Commissioners in Bengal: how far do their charges represent natural linguistic divisions?—The Orissa Commissionership is confined to the Uriya-speaking people; in Chota Nagpur the language is chiefly Hindi; in Bihar, where there are two Commissioners it is Hindi; and in the Commissionerships of Bengal proper the people speak Bengali.

14689. With regard to transfers, it has been suggested that it would be possible to avoid them in some small degree by distributing the reserve of officers. At present the whole reserve is kept in the lowest grade of Civilians, is it not?—Yes.

14690. The suggestion was that in order to be able to provide for leave and a reserve for special duties there should be two or three Collectors in excess of the number of districts?—Yes, either that or our proposal for extra Joint-Magistrates.

14691. Would it be a good thing to have several extra Collectors?—I think if you had the extra Joint-Magistrates, you could do without them.

14692. What is a Sub-Deputy Collector exactly?—He was originally intended to be an officer for local enquiries, but he has gradually developed into a Magistrate of a subordinate grade, either at district or subdivisional headquarters; if he is at subdivisional headquarters, he generally does treasury work.

14693. One witness has pointed out the great hardship to people engaged in petty cases, in getting their cases disposed of at present; where does a petty case come for disposal?—A great many of them are tried by the ordinary Magistrates.

14694. If the Sub-Deputy Collector could be developed into a revenue enquiry officer and residential

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Magistrate, would that add considerably to the convenience of the people?—Yes, but you would have largely to increase their number.

14695. Could some reduction then be made in the police force?—No, I do not think you could do that. Our thanas are very big as it is; there are very few thanas of less than 100 square miles.

14696. But you could relieve them from all this outside work?—You could, but still I do not think it would be possible to reduce their number.

14697. Would you allow compulsory retirement for Civilians who had failed, on the same terms as retirement under a medical certificate?—Yes.

14698. That is to say you would put inefficiency on the same footing as misfortune?—I think it would be an administrative gain to get rid of incompetent men even on those terms; and in order to avoid hardship as much as possible, I would treat them liberally; I might have said, perhaps, that unsuitable men should be retired on the same terms as were allowed until recently for those who have to go on medical certificate. The rules for the latter have recently been made more liberal than they were formerly.

14699. Have you a strict probationary period for the Provincial Service?—We have probationers, but there are very few cases in which they are not confirmed.

14700. From the point of view of pensions, would it not be wise to considerably lengthen the period of probation so as to enable you to fully test a man?—It would be so in theory, but it might make it more difficult to recruit the same class of men; men who are willing to come to us now, might not come if they thought they were liable to be turned out.

14701. Does any recruit come into any Service with the idea that he is going to be a failure?—No.

14702. Then how will it affect you?—Because a man might see another cast adrift after a time, and he would say to himself that it was not safe to run the risk of a similar fate.

14703. *(Chairman.)* Has the Commissioner power to post officers, not merely in the subordinate ranks of the Provincial Service, but in the Civil Service?—No, the only officer he can post is the Sub-Deputy Collector; he has no power to post Deputy Collectors, but I think he should have. It has already been decided to give him this power when the recent increase in the *cadre* becomes effective.

14704. What is the training for an Accountant-General?—The Accountant-General is generally a Civilian who has been dealing with general work for several years; then he is transferred to the Accounts Department as an Assistant Accountant-General, and after serving as Assistant Accountant-General in several provinces, he is promoted to Accountant-General.

14705. Is he an officer of sufficient experience and capacity, as a rule, to be entrusted with the rather large powers which you propose to give him?—Yes, I think so, you might have an eccentric man now and again, but generally I would entrust him with all those powers.

14706. Are you certain, as a class, that Accountants-General could be trusted with the delicate and extensive powers which you propose?—I do not consider that I have proposed to give him extensive powers; I have proposed to define the cases in which he might insist on reference to India.

14707. Are there a great number of manuals in existence?—Yes.

14708. Has any attempt been made by the Government of Bengal to codify them, or amend them and bring them up to date?—That is being done constantly.

(The witness withdrew.)

The Hon. Mr. H. C. STREATFEILD was called and examined.

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14709. *(Chairman.)* You are Officiating Secretary to the Government of Bengal in the General and Judicial Department?—Yes.

I do not consider that any great extension of financial powers can safely be given to Local Governments. There are many points of detail on which the control of the Imperial Government is vexatious and leads to delays and unnecessary correspondence; but the main principles of that control are salutary. The importance of continuity in our administration is supreme; frequent change in the main lines of policy must necessarily cause uncertainty in the minds of the officers of Government and confusion and dissatisfaction in those of the general public. The Head of the Local Government changes of necessity every five years, frequently at shorter intervals; and while the impress of a personality on the administration is often healthy, it is most undesirable that the principles of the administration should be fundamentally altered at short intervals according to the personal predilections of its Chief. The control of the Government of India has the effect of preserving a general continuity of policy, and I should therefore regret to see it relaxed: and this control can best be exercised by means of financial rules. I am not therefore in favour of any general relaxation of the existing financial rules. Though there are numerous details in which those rules might be modified with advantage.

As regards principles, the control exercised by the Supreme Government is not unduly close: but Local Governments should have a free hand where no questions of principle are involved. There is a general feeling that the proposals and schemes of Local Governments are unduly delayed and hampered, and their officers discouraged, by unduly detailed criticism on the part of the Government of India. In my own short experience a number of cases have occurred, especially in regard to educational matters, where it has been impossible not to feel that a hypercritical attitude had been taken up by the Supreme Government. Much delay and friction might be avoided if it were understood that where the proposals of a Local Government are accepted in principle, that Government should be trusted to work out details, and criticism on points of detail should be confined to suggestions, which the Local Government should be at liberty to accept or reject after considering all the circumstances. Schemes should not be returned for revision on points of detail unless this course is for special reasons unavoidable.

There are objections to the delegation by executive order of powers conferred by Statute on a particular authority. For instance, the authority by whom a certain power is to be exercised may very well be a matter on which a Legislative Council has strong views; and it seems to me doubtful whether those views, once incorporated in the law, should be modified otherwise than by a change in the law itself.

The right of appeal to higher authority is greatly valued by the people, and is in accordance with the traditions of the country. There is no question, however, that, with approved communications appeals have become infinitely more frequent, and that a result of this is general disregard for authority. The protection afforded to officers in Government Service by the existing system of appeals unquestionably adds greatly to the prestige and value of that Service. I would not, therefore, recommend any curtailment of the existing rights of appeal. However, more authority would rest with the local officers if it were understood that appeals, except where made under a provision of law, should not be considered in detail as a matter of course, but should be summarily dismissed unless there is *prima facie* reason to believe that a mistake has been made. I hold the same views about appeals to Local Governments as about those to the Supreme Government.

As regards the relations of provincial Governments with the authorities subordinate to them, any general modification is impracticable. Unless the system of Government is to be completely altered, the Head of a provincial Government must have absolute discretion as to his control over subordinate authorities. Anything in the form of a constitution is outside the form of practical politics. A great deal in the way of

devolution in matters of detail has been done in Bengal of recent years—and probably more might be done—but I see no opening for any general change.

As regards Court of Wards' work the final authority might rest with the Board of Revenue, who should have a specialised officer under them who would work direct with the managers, Commissioners and Collectors being only advisory authorities with no definite responsibilities. The necessity of relieving District Officers of some portion of their work is generally admitted. Court of Wards' work is of a specialised nature; and, except on certain points, requires little local knowledge. On the other hand, the work, especially where newly-assumed, encumbered, or litigious estates are concerned, falls very heavily on the Collector. Expert managers are rare, and the Collector is constantly called on at a moment's notice to go into complicated legal questions and decide off-hand the action to be taken with regard to pending litigation.

Allotments to local officers for special objects may be made more freely than at present, but the idea of separate budgets for divisions and districts seems to be quite impracticable. This would necessitate small local Secretariats and greatly increased audit offices.

There can be no question that the authority of local officers has fallen off of late years. This is in part due to the pursuit of departmental efficiency. For instance, in the Registration Department, the old system of part-time local Registrars has been supplanted by a highly qualified whole-time provincial establishment. But in the main the improvement of communications has made this inevitable—formerly the difficulties of appeal to higher authority rendered it wiser to accept the decision of local officers. There is now no doubt that in a great part of the province the order of a local officer is regarded merely as a vehicle for an appeal to higher authority. Transfers also have much to do with this. It is vitally important that a District Officer should know his people, and even more important that his people should know him. Transfers are certainly far too frequent, but this is owing to unavoidable circumstances, specially the shortness in the supply of officers capable of managing important districts. In Bengal the difficulties of avoiding transfers are increased by the unhealthiness of many of the districts, and the language difficulty is accentuated by the fact that the Bengali-speaking districts are, as a rule, the least desirable in every respect. No officer would wish to be in the Bengali area longer than he can help, and has therefore little motive to become expert in Bengali. No officer should be confirmed in the charge of a district until he knows its language really well, and special allowances should be attached to those districts of which the amenities are the least.

Office work is certainly too heavy to allow sufficient contact with the people. Many districts are too large, and the absence of competent subordinates ties the District Officer to his desk. A good Joint-Magistrate is a necessity for every large district. Selection of officers on a freer scale than at present is desirable. If obviously unsuitable candidates could be weeded out before the open competition, it would save much vexation later. At the same time every safeguard is necessary to ensure that the power of selection is used reasonably—it would ruin the Service, and with it the administration, if any suspicion of personal animus governing promotion once got established. There is no question that we are short of officers in Bengal, and that the ever-increasing demand for picked officers for special work has lowered the average qualifications of District Officers. The ordinary district administration is in the lump infinitely more important than any department, and it would be lamentable if the idea were established that it was carried on by junior men and comparative failures.

I am not in favour of the grant of larger powers to local bodies or the creation of Advisory or Administrative Councils until, by a revised election system, or some other means, we have contrived to arouse more general public interest in local institutions than exists at present. In my personal opinion the village community in Bengal is defunct past any possibility of resuscitation.

14710. With what matters do you deal?—I have to deal in the General Department with education, emigration (that is inland emigration and emigration to the colonies), registration, ecclesiastical, and miscellaneous matters such as mines, factories, explosives and things of that kind. In the Judicial Department I deal with all questions directly affecting judicial matters, criminal and civil appeals in which Government is concerned, departmental appeals of all kinds from all departments, and with the Jail Department.

14711. Have you any remarks to make upon Mr. Earle's suggestions as to making the Director of Public Instruction a Joint-Secretary to Government?—I am not in favour of that proposal myself. Educational matters, when they come up from a specialist such as the Director of Public Instruction, should be considered from a non-departmental and general point of view before they are finally submitted to the Lieutenant-Governor, and although it might be very well that matters should be discussed by the Director and Secretary before the Director formulates his proposals in an official letter, I think it is right that he should have the opportunity of putting generally what he has to say in a final form before it is criticised by the Secretary, as it would be very difficult for the Secretary to criticise it before he had the proposals in a complete form before him.

14712. Is the Director of Pubic Instruction invariably a specialist?—At present he is not, but as a general rule he is.

14713. Would your objections to this principle be fatal?—I think it would be better for his own sake that the Director should have a chance of fairly stating any scheme which he might wish to push through.

14714. While you think the Local Government should have freedom in detail, is there any objection to there being some control in matters of principle?—No.

14715. How are you going to draw the line between principle and detail?—The principles, I should say, were laid down by the financial rules. For instance, if a scheme costs more than ten lakhs of rupees, it would have to go up for sanction. Possibly principle and detail are hardly the right words to supply, but what I mean is if the Government of India objected to a scheme *in toto*, they have a full right to veto it, but, on the other hand, if they approve of a scheme, it leads to a good deal of delay and discouragement on the part of the officers who have sent it up, if it comes back on minor matters of detail, such as the class of construction and site, and other things of that kind.

14716. You have referred to a work costing ten lakhs of rupees which you have now power to sanction. Have the Government of India an adviser in the Public Works Department?—Yes.

14717. Suppose on examination of the principle of your scheme their expert adviser detects serious defects in details, are the Government of India to make any objection?—Certainly, I should say they could make an absolutely final objection in that case.

14718. But they ought not to object to details although they might object on matters of principle?—Where they simply advise alterations in matters of detail, it should be left to the discretion of the Local Government to accept those amendments or to go on with the scheme as originally devised; but where fatal objections, even in the matter of detail, were discovered by the Government of India, it is only right that they should say the scheme should be altered.

14719. Who is to be the judge of whether an objection is a fatal one or not?—The Government of India themselves.

14720. Therefore they must examine the details?—I think they should examine the details.

14721. Then with regard to educational matters, you think there has been rather a hypercritical attitude taken up by the Government of India? Will you give an example of what you mean?—The transfer of the Sibpur Civil Engineering College, which was a very large scheme, came back with a suggestion that the playground and laboratories of the College should be amalgamated with those of another College. The suggestion did not cause any

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delay, but it might have been taken for granted that the Local Government would be able to deal with a point of that kind.

14722. But upon the details of education, do you imply that they are supersensitive?—No, I do not, and I am not prepared really to say that in any particular case the objections of the Government of India have been unreasonable, but a large number of schemes have come back during the six months I have been in the office and the experience has been such as decidedly to discourage the sending up of big schemes.

14723. Do you say that a large number of matters have come back to you in the last six months?—Four or five matters. Upon smaller matters, such as the salary proposed for a Head Mistress and things of that kind.

14724. Do you know whether that would be because there were similar classes employed by other provinces at a rate similar to that which you proposed should be paid?—No, I think in that particular case of the Training College for girls at Patna the idea of the Government of India was that a lower salary would have been sufficient, and that a lady employed in the country would be as good as a lady got out from home.

14725. Is the Director of Public Instruction inclined to correspond, without your cognizance, with the Director-General of Education?—I have never heard of such a case.

14726. As a matter of fact, does such correspondence as he carries on with your knowledge shorten your labours?—I do not think, while I have been in the office, there has been any correspondence with the Director-General, which has come to my knowledge at all.

14727. Or any conference?—Just recently there has been a conference which tended to help matters, I think.

14728. Would you alter the title of the Director-General to that of Adviser-General, as rather connoting what his duties ought to be?—That might be of advantage.

14729. Have you ever found in disciplinary matters the Director-General has trenched unduly upon the functions of the Local Government?—I have only been six months in the Department, and during that time the permanent Director-General has been on leave, so that nothing of the kind has come up.

14730. So far as you know, has there been any trace of it in former times?—No.

14731. Do matters connected with the Court of Wards come before you?—No.

14732. You say that the final authority as regards the Court of Wards work might rest with the Board of Revenue; whom does it rest with now?—The final authority is the Board of Revenue, and my proposals were that they should be brought into direct touch and control of the whole thing. I think the Board of Revenue should be brought into control through a special officer who should be advised by the Commissioner and District Officers, but that these officers should no longer be directly responsible, as they now are, for the management of any estate.

14733. Would that not tend to put a fifth wheel into the coach; things must go through the Collector and Commissioner?—The thing I was principally thinking of was litigation in which the Court of Wards is concerned. In one case I had to enquire into, and immediately come to a decision upon, a legal matter, although I am not in the least a specialist as regards Civil Law matters.

14734. Was it a case of a question of law, or a question of fact, in regard to the administration of the estate?—It was a question of debts, and whether we should admit certain claims.

14735. Surely that is more a question of common sense than of law?—No, there were some very complicated matters to deal with. It is principally with a view to relieving the Collector of what, by experience, takes up a great deal of his time that I make this proposal.

14736. And you would like to see an expert Director at headquarters?—Yes. It is a very special branch of work.

14737. Have you been a Commissioner?—Only for four months.

14738. Is the idea of separate budgets for districts and divisions quite impracticable?—I do not think it would be practicable. It would require petty Secretariats, as it were, to keep control of the budget, the expenditure and so on, and there would be a lack of continuity generally. I would rather see the present system continued.

14739. Are transfers too frequent and are there difficulties with regard to the vernacular?—Yes.

14740. Are many transfers caused by illness and officers going on sick leave?—A considerable number certainly are due to such causes.

14741. Is that due in any way to the fact that officers stay out here too long on their first appointment. They come out here and have to stay for eight years, have they not without leave other than privilege leave?—Yes.

14742. Is that too long to stay in the country straight on end?—I cannot think of a case of breakdown attributable to that fact.

14743. But does it lead to a man getting attacks of fever and so on?—After four or five years a man should certainly have six months' leave.

14744. Are there many officers in this province who get as much as two years' leave straight on end?—I have had it myself, but 18 months is more usual.

14745. Is that too long a time to be away, from the Government point of view?—No, I do not think so.

14746. Has a man the same command of the vernacular on his return, and the same knowledge of what is going on, as he had before?—Of course he has lost touch with regard to what has gone on in the interval, but as regards the work of his district I do not think there is any difficulty. In fact, he seldom returns to the same district after long leave.

14747. Should there be greater selection and the exercise of more discretion in regard to promotions and so on?—Considerable safeguards are necessary, in order that there should not be a possibility of any idea getting abroad that one bad report might seriously affect a man's whole career, and lead to his being shelved.

14748. Do you think the Local Government are perfectly capable of, and ought to exercise, a considerable power of selection?—Yes, I certainly do.

14749. (*Sir Steyning Edgerley.*) With regard to the desirability of the Government of India control for the purpose of ensuring continuity, does that mean that you have practically come to the conclusion that you think a Lieutenant-Governorship does not make for continuity of policy?—I think it is very possible that it may not.

14750. Do you mean that a man comes and has his way for five years, then goes, and is replaced by another who has his way for five years?—I do not say that it is so, as a matter of experience, but there is a possible tendency to that result.

14751. That result would, of course, be less marked if the Government consisted of a Council?—Yes, it would probably be less marked in that case.

14752. Is your position as to the relations between the Surpreme Government and the Local Government that the Government of India should pass orders as to matters of principle, but not as to matters of detail?—I think where a scheme is before them, and they require the details, they should examine them fully.

14753. Do you mean that they should pass their orders as to principle, and deal with the details by suggestion?—Yes, that is my idea.

14754. Should their expert advisers be bound by the same sort of self-denying ordinance?—If you mean the Directors-General and so on, I think they should be certainly consulted as to matters of detail.

14755. Should the Local Government concerned see what they write?—I should be inclined to recommend consultation with the Director-General by the local Head of the Department before the Government expressed its opinion.

14756. How long would it take an expert adviser of the Government of India to become able to advise

with authority upon, say, a Bengal matter?—The only Director-General I know anything about is the Director-General of Education, and I should have thought that directly he came out he might recommend on matters like the training of teachers, though, of course, subject to criticism by people with local knowledge.

14757. Should the suggestions of the Director-General of Education come first to the knowledge of the Local Government, or should they go direct to the Government of India?—I think there can be no objection to their coming before the Local Government.

14758. With regard to appeals, you wish for some understanding that they should not be considered in detail as a matter of course, but how would that understanding operate in practice?—That is a question for the appellate authority really to decide for itself, as to whether it will send a case back and call for a report on matters of detail.

14759. Have you any suggestion to make by which it could otherwise be secured?—I think there is too great a tendency to treat the matter almost as a legal appeal which has to be considered in all its details.

14760. Should there be an appeal in all cases as a matter of course?—In many cases, yes.

14761. Are you against limiting the right of appeal?—Yes. When I said that the order of a local officer is regarded as a vehicle for an appeal to higher authority, I was alluding more to the case of ordinary executive orders which are not so much the subject of a regular appeal as a reference to a higher authority, in order to get an order set aside. Departmental appeals against punishments and supersessions are on a different footing.

14762. Are the appeals laid down by law in most cases?—By law or rule.

14763. With regard to the Court of Wards, you suggest a special officer such as we know in Bombay as the Manager of Encumbered Estates. What is the total number of encumbered estates under management in the province?—It is very large, and it is increasing.

14764. Could one man do that work?—Perhaps not.

14765. Would it not practically require one man for each division?—That is quite possible.

14766. In other words a new department?—Yes, I am afraid it would mean that.

14767. Might not another remedy be to decentralise and to delegate the work to the authorities below the Board of Revenue?—That is another remedy.

14768. With regard to the question of litigation, what assistance has the Collector got in dealing with these estates?—None, except the Government Pleader, as a rule.

14769. Does the estate pay the Government Pleader?—Yes, some estates pay their own pleaders, but the standing rule is for the Government Pleader to be employed.

14770. Does he advise the manager in litigation?—My experience is that he comes to the Collector and goes through the whole thing probably in company with the manager.

14771. Mr. Earle, and some of the other witnesses, complained very much of the difficulty in getting the stores they wanted; have you had any experience with regard to that, or found there is any difficulty in that respect?—Only one case has come to my personal knowledge, and that was with regard to some machinery which was required for an Engineering School; it was a lathe and some other machine which ought to have been got from home but we found it necessary to get them locally, which was more or less an evasion of the rules.

14772. Supposing that in one of the schools they wanted a Singer's sewing machine, how would you get that?—I think it would have to come direct from the Director-General of Stores, unless it was urgently required.

14773. You can see them in every village in East Bengal, and it would be quite possible to get a thing of that kind without going to the India Office. Could not a schoolmaster be trusted quite as much as a villager to get as good a one as he could?—I think so.

14774. (*Mr. Meyer.*) You say that allotments to local officers for special objects might be made more freely than at present; but that the idea of separate budgets for divisions and districts seems to be quite impracticable, as it would necessitate small local Secretariats and a greatly increased number of Audit Officers; why do you think that?—Because I do not think a Commissioner would be able to control a budget under some of the various heads under which expenditure occurs in his division without, at any rate, a financial assistant, or something of that sort, and I think there would be a tendency for departmental subordinates to gather round him.

14775. There has been a point, which was put before us in Burma, as to whether the Commissioner should not decide which Public Works should be executed and provide for the cost out of funds available; have you considered that possibility?—I have had very small experience as a Commissioner, but I should think that that is quite practicable.

14776. But would that require an accountant's staff and all the rest of it?—But the Superintending Engineer does everything surely, and the Commissioner would simply be consulted.

14777. But the suggestion is that instead of being consulted, the Commissioner should have a say as to the allocation of funds, the professional control remaining with the Superintending Engineer, as now. Do you think that would not be a bad thing, and that it would not involve any special staff for the Commissioner?—Yes.

14778. If you gave him a small allotment from which to make any payments, would that involve any Secretarial functions?—No, possibly not, but if you gave him a dozen or fifteen heads under which he had to make definite budget allotments, it would be very difficult for him not to exceed the amount under certain heads and there would be difficulties about re-appropriation.

14779. But would not the Accountant-General see to that?—I take it, it would simply be an allotment from Government, and I do not think there would be any difficulty. The objection that I should have then would be that there would be a tendency to increase expenditure, because you would have to allow each Commissioner a reasonably liberal allowance, and he would make a point of spending it, instead of its being distributed, as wanted, from headquarters.

14780. Is not one of the complaints now that there are constant lapses?—Yes.

14781. And so far, assuming that the Commissioner spent the money wisely, it would be rather an advantage?—Yes, if he dispensed it wisely.

14782. Then you are not against giving Commissioners larger spending powers, subject to budget allotment, provided it does not mean starting a small Secretariat?—Certainly.

14783. You referred to the Registration Department as having assumed the authority of local officers—will you tell us how?—Previously a Rural Sub-Registrar was a local zamindar, or pensioner, appointed practically by the District Officer, and he did the registration of documents in his spare time; but gradually, in addition to the checking of documents to see that they were not forged, he was called upon to classify them under various heads, which required more or less the work of a specialist, and the result is that now they are appointed from headquarters like everybody else.

14784. How does it interfere with the authority of the District Officer?—Because formerly he had the appointment in his own hands.

14785. Then the District Officer has lost a little patronage?—And his authority as regards that department.

14786. Is it not a department which was bound to increase as time went on?—It is as things are now, but I do not know that it was so at the beginning; it was intended formerly merely as a check upon fraud, I imagine, and not as a statistical department in any way.

14787. You say that every safeguard is necessary to ensure that the power of selection is used reasonably; do you see objections to selection by one man, however highly placed?—No; but I see objections to any

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one man having a final power of supersession. I think every man superseded should have a second period of three years, or something of that sort, and be tested again; and that there should not be any feeling that merely the dislike of a certain superior officer might result in the ruin of a man's career.

14788. Taking the case of a man not fit to be a Collector, would you leave that to the entire discretion of the Lieutenant-Governor, subject to an appeal to the Government of India, or is it your idea that there should be a Committee selected to sit and decide the point?—I do not think you could lay it down as a rule that representatives of the Service were to be consulted, and thereby limit the powers of the Government in the matter.

14789. But it would not be limiting the powers of the Government if a man had to be found unfit by a carefully selected Board, and the sentence had to be confirmed by the Lieutenant-Governor. That would afford a safeguard against any individual prejudice?—Yes.

14790. Would you allow, in that case, an appeal to the Government of India?—I should think so, certainly.

14791. Taking the case of a man who has been passed over for a Commissionership, would you allow him to appeal to the Government of India, or should the decision of the Local Government be final?—I think he should have an appeal.

14792. You spoke about evading some rule with regard to stores; is that frequently done?—No, I do not think it is.

14793. But there is a tendency, if a rule happens to be unpleasant, to try and evade it?—I suppose there is a tendency, but I think, on the whole, the rules are loyally obeyed, though there are occasions when attempts have been made to evade them.

14794. And if there was a dispensing power vested in the Local Government, or any other authority, with regard to Articles of the Civil Service Regulations, might there not be a tendency to use that dispensing power so as to break down a rule altogether if it was found to be an unpleasant one?—No, I think not, if the responsibility was placed on the Government.

14795. (*Mr. Hichens.*) Would you add that the Local Government would interpret the rule in accordance with the interests of the province as a whole?—I think so.

14796. And if the rule was found to be undesirable in the view of the Local Government, the probability is that it would be a bad one as far as the province was concerned?—I think so.

14797. You say that the control of the Government of India has the effect of creating a general continuity of policy; is that because the leading officers of the Government of India are more permanent?—I do not know whether it is that, or whether it is that they simply work more on precedents and so on. I have no experience of the Government of India myself.

14798. Is it not conceivable that the Government of India might be just as liable to be influenced by new ideas as a provincial Government?—That is so, but I think the originating authority is more likely to vary its lines of policy than a controlling authority, as a general rule.

14799. At any rate you did not mean that the Directors-General, for example, were more permanent?—No, that was not my intention at all.

14800. It was simply on the general ground that the critic, that is to say, the Government of India, would be more likely to be conservative?—Yes.

14801. But, on the other hand, the Government of India might initiate, in which case they would not be the critic, and in that case your general principle would not apply?—No.

14802. How is primary education financed?—The money is disbursed by the local authorities, but it originally comes from a Government grant; the local cess pays only for communications and certain local requirements, and a contribution is made to meet the cost of education.

14803. Is nothing paid out of the District Cess Fund in aid of education?—Theoretically they pay nothing. The municipalities pay something, but the Road Cess is supposed to be devoted to communications and one or two other matters of that kind.

14804. Does the money for education come from provincial sources?—It comes from provincial revenues.

14805. Does it come from any definite cess?—No.

14806. Have District Boards a free hand with regard to the disposal of that money?—Technically they have, but practically the requirements for grants and so on are drawn up by the sub-inspectors who are under the Education Department, and the Board, as a whole, very rarely criticise them; the District Officer, as Chairman of the Board, may do so.

14807. After the budget is drawn up, is it submitted to the Education Department?—Yes.

14808. And approved by them and then sent on to the Board, and if they differ, is it sent back to the Education Department?—I am not quite sure.

14809. At any rate, speaking as the Secretary in respect to education, would you say that the control exercised by the Government was complete?—Now it is. Sub-inspectors have recently been placed under Government. They were formerly under the District Boards.

14810. Might some independence be given to the District Boards?—I doubt it; as they are at present constituted, we do not get on the District Boards men with a real knowledge of the interior who would be able to say that a certain village school required more help.

14811. If you were satisfied that the District Boards were more representative of public opinion, would you give them a freer hand in matters of primary education?—Yes.

14812. What would you say with regard to secondary education?—I do not think I would be prepared to extend the power with regard to secondary education at present, and by secondary education I mean the high schools. I think that those schools should not be under the Boards, for the present at any rate.

14813. It was stated in Madras that the tendency of the District Boards would be to encourage secondary education, because the class of men who got on the Board was rather composed of those who would require education of that class—what do you say with regard to that?—That is a tendency which has to be fought against.

14814. (*Mr. Dutt.*) It has been suggested that the power of transferring Judicial Officers may be delegated; at present is leave to all Gazetted Officers granted by Government?—Yes.

14815. Is there any strong reason for changing that rule?—Questions of leave and transfers do not come to me in the Judicial Department; they are all done in the Appointment Department, but I should think there is no particularly strong reason.

14816. Of course leave would very often necessitate transfers?—One man's leave necessitates the transfer of another man, and possibly of a string of men.

14817. With regard to the appointment of Honorary Magistrates, they are now appointed by Government?—They are appointed by Government.

14818. A question has been raised with regard to giving Commissioners of divisions power to appoint Honorary Magistrates with third class powers; is there any strong reason for making any change?—I know of no strong reason beyond the general desire to delegate powers, as far as possible, to the local officers.

14819. Would not the Honorary Magistrates themselves rather like to be appointed by Government?—I take it they would sooner be appointed by Government.

14820. And similarly in vesting ordinary Magistrates with powers, is there any reason for taking that out of the hands of the Government and giving it to Commissioners?—It is purely a formal matter; if a Commissioner recommends that second class powers should be given to a certain man, Government would practically never refuse it, and I do not suppose the man would know whether the Commissioner empowered him, or whether the Government did so

14821. But it would appear in the Gazette?—Yes.

14822. Then there is no very strong reason for changing the present procedure?—No, there is no very strong reason.

14823. A proposal has been made that the promotions and postings of Provincial and Subordinate Educational Officers might be delegated to the Director of Public Instruction; are not the Provincial Educational Officers sometimes officers of standing?—Officers of the Provincial Service are often of considerable standing: the Subordinate Service goes up to about Rs. 200.

14824. Would you not rather keep that in the hands of the Government?—I am inclined to think that promotions and transfers in the Provincial Service should remain in the hands of the Government, of course on the recommendation of the Director.

14825. It has been said that the village community is practically defunct in Bengal and past all hope of resuscitation; has any endeavour been made during the last fifty years or so to create any of these communities and invest them with large powers beyond giving them powers under the Chaukidari Act?—Not that I am aware of. I do not consider that the chaukidari panchayats are village communities at all.

14826. Would it not be worth while to make an endeavour to give them some limited powers, and to allow them to look after village matters under proper supervision?—Do you mean, by village matters, sanitation and things of that kind?

14827. Yes, and also the disposal of petty cases, both criminal and civil. With regard to the disposal of cases, either criminal or civil, I do not think now-a-days it would be tolerated that cases should be disposed of summarily without proper record, and the preparation of a proper record gives a great deal of trouble. Even now, in certain cases where Honorary Magistrates are doing excellent work, there is constant trouble with regard to procedure when their cases go before appellate authorities, and I think the same trouble would arise in the case of Village Magistrates.

14828. If third class powers were given and fines limited to Rs. 10, and good men were selected, would that meet the difficulty?—If a practical scheme could be evolved, it would be highly desirable that these petty cases should be dealt with on the spot.

14829. It would prevent a large number of people having to come to the Courts?—Yes, and being unnecessarily worried, and it would also prevent matters being appealed in a great number of cases.

14830. Might such a thing be tried?—If a practical scheme within a certain area could be worked out, I should certainly support it, but my point is that unless you have a hereditary village headman, it is very difficult to create an artificial community where the old village community does not exist.

14831. (*Sir Frederic Lely.*) With regard to the work under the Court of Wards, which you say is specialists' work, does it not mean the management of land, or landed estates?—Yes.

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14832. I suppose if he had time, no one would be more fitted for that special work than the average Collector?—As regards the actual management of the land and the getting in of the rents, that is so; but where an estate is heavily encumbered, and there are complications as to successions and so on, then I do not think he would be more competent to deal with the matter than any one else.

14833. Would your objection be on the ground of the time occupied?—Yes.

14834. Would he not be a valuable link as between the land-owner and the people?—In a case of a genuine Ward's Estate, and where one is actually saving the property for a family, I think so; but my experience has been with regard to estates where the families are usually opposing the Collector.

14835. But it is recognised pretty well amongst the people, that the connection of a Collector with an estate like that is ultimately of great advantage?—I think it is.

14836. And in this province you could ill afford to lose a link like that?—Probably not.

14837. Do you endow Second Class Magistrates with powers to commit to the Sessions?—No; in practice I do not think it is usual to empower Second Class Magistrates to commit to the Sessions.

14838. (*Chairman.*) Does the Director of Public Instruction communicate directly with you, or do his letters go to the department?—I see all his letters that are of importance, and generally I discuss them with him personally.

14839. There is no intermediary in practice between you two?—Practically none; there may be a little delay in the office, but correspondence always comes to me very quickly.

14840. Are the bulk of his communications answered by you, or by your Under-Secretary?—By the Under-Secretary. Anything which is of any importance would be answered by me; purely routine things, like promotion of officers or anything of that kind, would be answered by the Under-Secretary.

14841. Of what standing is the Under-Secretary?—He has about eight years' service.

14842. Speaking generally, are these matters of routine which your Under-Secretary disposes of all purely questions which the Director of Public Instruction is perfectly competent to dispose of himself?—In the majority of cases he would be perfectly competent, but there may be circumstances in which it is necessary that Government orders should be passed on the grounds of principle and the precedents underlying them. A Director knows perfectly well what orders would be passed, and I cannot think of a case in which there would be any objection to his passing them himself.

14843. What proportion of your correspondence is answered by your Under-Secretary?—As regards education, I should think it would be about half and half, but I am speaking entirely from recollection.

(*The witness withdrew.*)

The Hon. Mr. C. E. A. W. OLDHAM was called and examined.

14844. (*Chairman.*) You are Financial Secretary to the Government of Bengal?—I am officiating as such, since one month.

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The authority of the Local Government in budgeting for requirements under the several provincialised heads should be more final than at present, subject to the reservation that the working balance in normal years shall not fall below the minimum prescribed by the Government of India (twenty lakhs in the case of Bengal). Reductions in the estimates of the Local Government should be made only if its forecasts of the revenue appear to the Government of India to be over-sanguine and not justified by facts and past actuals. On the other hand, the Local Government may properly be authorised to sanction expenditure in excess of the total provincial budget grant, provided that the provincial balance, as estimated in the Financial Statement, is not reduced.

Much has already been done in the direction of separation between imperial and provincial finance during recent years, and the existing settlement is a great improvement on preceding settlements; but even now the revenues assigned to the Local Government are barely sufficient, even taking into account normal expansion, to meet the increasing demand for development in the different departments of the administration. It would be an improvement if, omitting railways, opium, and salt, which might be retained in the imperial account, the whole of the remainder of the revenues collected in the province were transferred to the provincial account, a certain fixed percentage (calculated with reference to the respective requirements of the Imperial and provincial Administrations) being reserved for imperial purposes and the balance, after making due provision for insurance against famine, made over to the

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provincial Government. I am not prepared to say that Local Governments should be given borrowing powers.

At all events in respect of the provisions of the Civil Service Regulations in regard to travelling allowances and pensions, all the powers now vested in the Government of India might, without objection, be delegated to the Local Government. In regard to other restrictions imposed by the codes and regulations, what is wanted is not the abrogation of such restrictions, which are salutary on the whole, but that a Local Government should be allowed a wider discretion in giving effect to the rules and in sanctioning a departure from them in special cases for adequate reasons.

In regard to the application to local conditions of general lines of policy laid down by the Government of India, it should be recognised that the Imperial Government should not interfere with the discretion of a Local Government in matters of detail, except by way of suggestion.

The most satisfactory way of dealing with any relaxations which may be comtemplated of restrictions imposed by law or by rules having the force of law, would be by a general Act authorising the Local Government to delegate powers reserved to the Local Government or other authority to subordinate authorities where, in the opinion of Government, such delegation might be made without detriment to the public interest. It would be a good thing if the Local Government had authority to vest with powers, at present reserved for higher authorities, specific officers subordinate to such authorities in whom Government could place full confidence that they would exercise those powers with propriety and discretion. This would act as an incentive to officers to merit by their work and conduct the confidence of their Government.

Occasionally cases do occur which point to a tendency to consider matters too much from a purely departmental standpoint, but such cases are rare. The best remedy is to select for Secretariat appointments officers with adequate *mufassal* experience and of tried administrative capacity.

The proper sphere of work of Directors and Inspectors-General is to inspect and to make suggestions. In cases in which proposals made by a Local Government are submitted to such an officer, who is regarded as a specialist, and where his recommendations are against the proposals of the Local Government, the Local Government should be allowed an opportunity of seeing the views expressed before its proposals are overruled by the Imperial Government.

It will be highly undesirable to lay down that no appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. I would not curtail the right of appeal at present existing.

In this province allotments are now made to Commissioners of Divisions to enable them to make grants on the spot for purposes of a public nature, or to remedy small defects brought to their notice at the time of inspection, with a view to avoiding correspondence and consequent delay. Small grants might be made on the same principle to District Officers.

Sufficient weight is not always given to the views of the Commissioner in matters other than those appertaining to the Land Revenue Department. It should be definitely understood that the Commissioner of a Division has full authority to take cognizance of any irregularities or other matters calling for remedy in any department of the administration that may come to his notice, and either to deal with them himself, or advise the departmental authorities, or the Government, how they should be dealt with.

Opportunities of personal contact with the people undoubtedly exist, though Executive Officers are sometimes prevented by excessive clerical duties from availing themselves of them; but the chief obstacles are insufficient acquaintance with the vernacular and the customs and prejudices of the people, and, in the case of some officers, exclusiveness. I consider that far more attention should be paid to the acquisition by young Executive Officers of a thorough knowledge of the language and acquaintance with the religious and social customs and feelings of the people.

Transfers are at present undesirably frequent. The staff is insufficient. There should be a senior Joint-Magistrate and Covenanted Deputy Collector at the headquarters of almost every district in the province. This is a matter of the utmost importance.

Municipalities have ample powers under the existing law. In the case of District Boards, if their constitution be amended so as to give due representation to the various classes of the community, further powers might perhaps be given them. My experience of Local Boards is that they are ordinarily of little or no use. Something might be done in the direction of giving greater powers to the village community. In this province the panchayats might be further utilised, especially with a view to arbitration in petty criminal and civil cases.

14845. Before you became Financial Secretary, you were Director of Agriculture?—I was.

14846. Is there any connection between your duties as Financial Secretary and your duties as Director of Agriculture?—No, except from a finance point of view.

14847. Probably the training you received as Director of Agriculture is entirely thrown away in your present department?—I cannot say that, because one acquires general experience of the province as Director of Agriculture.

14848. Do your duties as Director of Agriculture help you in dealing with financial questions?—In purely financial questions, they do not.

14849. Previously to that you had been Under-Secretary in the Financial and Municipal Departments?—Yes.

14850. Were your duties as Under-Secretary in those departments of any use to you as Director of Agriculture?—Not specially.

14851. Looking at it from a Government point of view, might it have been very much better to have kept you either on the financial side or on the agricultural side when you were in the Secretariat?—I do not see how I could have been kept on the financial side in the Secretariat, because the term of an Under-Secretary is limited to three years.

14852. When you were brought back, would it have been more useful to have brought you back to the Financial Department?—I have been brought back to the Financial Department; the Agricultural Department is not part of the Secretariat; it is a department under the Board of Revenue.

14853. It is rather a distinction without a difference?—It is not a department of the Secretariat.

14854. I understand that you are Secretary, not only with regard to finance, but for municipal and Local Self-Government?—Yes.

14855. And also for medical, plague, sanitary matters, and *inter alia*, the Botanical Gardens?—Yes.

14856. Do you find it difficult to combine all these duties? Take, for instance, municipal questions; you have practically, I suppose, all the municipalities, with the exception of Calcutta, under your observation?—Yes, and matters come up from the Calcutta Municipality as well.

14857. Are the municipal budgets submitted to you?—The Calcutta Corporation budget is not submitted to Government.

14858. Are the budgets of the other municipalities submitted to you?—We review the accounts in the annual reports; they do not come up to Government for sanction. They are dealt with by the Divisional Commissioners.

14859. What is the composition of the Sanitary Board in Bengal?—It consists of the Second Member of the Board of Revenue, the Secretary of the Public Works Department, the Secretary of the Irrigation Department, the Sanitary Commissioner, and the Sanitary Engineer.

14860. Are its proceedings sent to you?—Yes, if necessary; if the Board has to refer anything to Government.

14861. Have they any power of decision?—Practically none.

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14862. Do all their proceedings come up to you as recommendations, and do you submit them for the orders of Government?—The Board deals chiefly with drainage and waterworks schemes which ordinarily come up to Government.

14863. Have you, as Secretary, any power of decision?—If I thought a thing did not need a reference to His Honour, I would deal with it myself; if it were a routine case, I would deal with it; but if it were a matter which required the attention of the Lieutenant-Governor, I would send it to him.

14864. Supposing a scheme came to your department involving, say, an expenditure of Rs. 2,000, would you feel that you were competent to deal with it?—If it were a new scheme, it would go to His Honour; but if it were a matter of intermediate detail, I might be able to dispose of it.

14865. As Financial Secretary, have you any professional knowledge of sanitary questions?—I have no professional knowledge with regard to sanitary questions; but there are the Sanitary Commissioner and the Sanitary Engineer both on the Board.

14866. In what capacity does it come to you?—It may come up to me on a financial question, and it may come up on an administrative question of general policy.

14867. Would it be possible to prevent this reference to you; the scheme, as a scheme, having once been sanctioned in principle, what is the necessity of its passing through your office?—Ordinarily there would be no necessity.

14868. Then you are in charge of the Medical Department?—Yes.

14869. Do you deal with the promotions of Medical Officers, or is that a question which goes to the Government of India?—Promotions in the Indian Medical Service are regulated by the Army Regulations. Appointments such as those of Assistant Surgeons and Civil Hospital Assistants are dealt with by the Inspector-General of Civil Hospitals and by the Local Government.

14870. Have you any reason to suppose that there are in the Indian Medical Service officers under you who, from the point of view of a Local Government, it would be desirable to get rid of?—As to particular officers I cannot say—I am not aware of any such.

14871. It has been stated in evidence before us that it is extremely difficult, owing to the intimate connection between the Medical Officers under the provincial Government and the Indian Medical Service, to get rid of undesirable officers. Do you know whether that is the case in Bengal, or not?—I cannot say that any such case has come before me.

14872. You state that reductions in the estimate of the Local Government should be made by the Government of India only if the forecasts of revenue were over-sanguine, and not justified by facts. Do you wish to eliminate from the powers of the Government of India over provincial finance the power to object to the expenditure of money by the Local Government?—I do not object to the power of the central Government generally; I think that the Local Goverment might have more finality.

14873. We have been told that the objections of the Government of India frequently take the form of saying to the provincial Government: "You are not able, by comparison with the past, to spend what you desire to spend, therefore we limit your expenditure." Why do you think that is an unfair and undesirable power for the Government of India to possess?—I think it is carried too far. I have seen a few cases in which small amounts were cut down in a way which seemed to be quite unnecessary. In some cases they have been, no doubt, correctly cut down, but in others not, and the estimates of the Local Government have been found to be more correct eventually.

14874. Is the provincial Government's estimate of its capacity to spend a given sum within a financial year, as a rule, correct, or incorrect?—I think it has the best means of deciding what it is able to spend itself.

14875. Do you desire to have full power over expenditure subject to the provincial balances being kept intact?—That is the suggestion.

14876. And if there is an accidental surplus of revenue, do you think that the Local Government should be able to spend that up to the hilt?—I think that would be only reasonable.

14877. Do you desire that the Local Government should not be overruled until it has had an opportunity of criticising the remarks of the Government of India?—Not of the Government of India, but of the specialist advisers of the Government of India.

14878. Would you like to see those specialists' criticisms in detail?—I think it would be useful to the Local Government to have them before it.

14879. Might it not hurt the individual who made those criticisms, subsequently?—It might, no doubt.

14880. As Financial Secretary, are you in agreement, not only with the grants now made to the Commissioners for various purposes, but with the extension of the same principle to District Officers?—I think so.

14881. To what extent?—I would say a grant of one or two thousand rupees to each Collector according to the size and importance of his district.

14882. Would you carry that principle lower down, and apply it to a Deputy Collector?—I would not.

14883. (*Mr. Hichens.*) Do you rather object to the interference of the Government of India with your own estimates?—I do not object to the general principle of a power of control vesting in the Government of India; but the power of control is at times carried too far.

14884. Do you mean that they alter your figures sometimes?—Yes, sometimes.

14885. Why do you mind that—how does that hurt you?—It creates a feeling of insecurity, and the Local Government do not know whether their figures are going to be accepted or not.

14886. Does it give you much bother, for example, in the way of having to cut down your estimates to meet their requirements?—It might do so. I have heard of a case in practice in which a budget was cut down; a lump deduction was made, and it caused a good deal of trouble in re-arranging the various items of the budget.

14887. Would that be the main objection, or does any other objection occur to you?—The chief object was that the Local Government might fairly be allowed to spend any unforeseen increase in its revenue.

14888. I was rather speaking of the actual alteration of the figures in your budget on the ground that the revenue was unduly sanguine, or the reverse; have you any objection to the power of control exercised by the Government of India in that respect?—I have not. Sometimes estimates may be over-sanguine.

14889. You say that the authority of the Local Government in budgeting for requirements under the several provincialised heads should be more final—what do you mean exactly by that?—That it should be made more final than at present.

14890. Do you mean that to apply to the disposal of their moneys?—Yes, and to cases of unnecessary reductions, and small deductions under specific major heads.

14891. You do not object to the Government of India cutting down your estimates on the ground that they are faulty?—In some cases it might be necessary for them to do so.

14892. But what you do object to is their curtailing your expenditure in any way?—I object to their curtailing our expenditure unnecessarily.

14893. But do they do it in practice?—I cannot cite a case yet.

14894. Would you give the Government of India certain revenues, and transfer the remainder of the revenues to the provincial account, leaving any deficiency in the imperial revenue to be made up by means of a species of tribute from the various provinces?—I have thrown out a suggestion which might simplify matters, I think. It would be a certain percentage—it would not be a fixed tribute, but a percentage, and, therefore, liable to increase as the revenues expanded.

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14895. Would not the position be that the Government of India would make up their budget, and would leave any deficit there might be to be distributed *pro rata* amongst the different provinces in proportion to the revenue of each province?—No; the percentage to be paid by each province should be fixed for each province separately, in consultation between the Imperial Government and the provincial Government.

14896. In what way would that be simpler?—It would be fairer, because in some provinces there are certain expandable heads of revenue which do not occur in others; in Bengal, for instance, our land revenue is practically fixed—there is very little increase or decrease in it owing to the permanent settlement, and, therefore, a distribution on the same principle as in Bengal might not be fair to the other provinces.

14897. With regard to the organizations of local authorities, can you give me any information; is not the first thing a union committee?—There are only union committees in a few districts; in every district there is a District Board.

14898. Am I right in assuming that union committees have not been a success?—Yes.

14899. Can you give me any reason why they are not a success?—I believe they do no useful work, but I have never been in a district where there is a union, and I cannot speak from personal experience.

14900. As Head of the Municipal Department, what is your opinion?—That is generally the accepted opinion of the officers who have had to deal with union committees. I think it is because there is no moving spirit upon the union committee to guide and direct.

14901. What is the next body?—The Local Board; for each subdivision there is ordinarily a Local Board. Then comes the District Board.

14902. How is that recruited to-day?—Partly by nomination, partly by election from the Local Boards in the district.

14903. Can you give me any information with regard to the financing of the Local Boards?—The Local Boards are financed from the District Boards' funds.

14904. Does the Local Board get the amount of the cess collected within its borders?—No.

14905. Do they get a certain portion of the cess?—That is not the case in this province. The distribution is made at the discretion of the District Board.

14906. Is there not also a Government grant made to District Boards?—Certain specific grants are made for certain specific purposes.

14907. Does not the Government of India give a specific grant of a certain amount which has to be distributed amongst the District Boards?—They give it to the provincial Government, to be distributed amongst the District Boards.

14908. What is the principle upon which the Government distributes it amongst the Boards?—The Commissioners of divisions are asked to state their requirements.

14909. Does the provincial Government distribute the amount received *pro rata* on any fixed scale?—No, it is distributed according to supposed local requirements.

14910. Although a District Board cannot count for certain on getting anything, in practice would they not get something, although they would have to make out a very good case in order to get a big sum?—Yes.

14911. Does the provincial Government add to the contribution of the Imperial Government at all?—It makes grants over and above that contribution sometimes; at present it makes large grants for communications. They are not annual and recurring grants, but they have been made now for several consecutive years.

14912. Are they for some capital work, such as the construction of a new road, or the construction of a water-works?—Yes, they are made sometimes for the construction of a new road; or bridge, and in some cases for metalling a road; it is not a permanent endowment.

14913. Therefore, the District Boards are really dependant on what they can collect locally, *plus* what they obtain from the Government of India?—Yes.

14914. Is there a fund called the provincial Cess Fund which is collected by the provincial Government?—Yes.

14915. Is that distributed among the District Boards?—It is assessed on each district separately according to the rates laid down in the Act, district by district; the Cess is assessed on the land.

14916. By whom is this money collected?—It is collected by the District Officer.

14917. Has he got the spending of it?—The District Board has the spending of the Road Cess, but not the Public Works Cess.

14918. Is the Public Works Cess collected by the District Officer?—Yes, along with the Road Cess; they are both collected together.

14919. Does the District Officer have the spending of the Public Works Cess?—No, not under the present rules.

14920. The position with regard to that is that all the money collected in respect of the Public Works Cess is centralised?—Yes.

14921. And then it is doled out?—I do not control the doling out of it.

14922. Would it be advisable, instead of giving the Boards an indefinite amount—an amount that they cannot count on annually—to give them a definite *pro rata* contribution each year so that they would know where they were?—The amount available for expenditure by a Board is not so indefinite as you seem to think. In respect of the Government contribution it might, perhaps, be more settled.

14923. With regard to loans, have district authorities any powers whatever of raising loans?—District Boards can only raise loans at present with the consent of the Government of India; they can obtain loans from the Local Government.

14924. Has the provincial Government a reserve sum which it can put at the disposal of the District Boards?—Yes, I think all ordinary requirements can be met, but such applications are not numerous.

14925. Should you say that reasonable facilities exist for a progressive District Board to get any money it is justified in asking for at a reasonable rate of interest?—I think so.

14926. Is the financial endowment of District Boards, whether through the District Cess, or otherwise, sufficient to enable them to carry out a reasonable policy of improvement and progression?—No, I do not think their total funds are sufficient for their requirements; but now that the Government of India are coming to their rescue, I think it may be so.

14927. And that being done, would your opinion be that the financial resources are adequate?—I think that then their financial resources will be adequate.

14928. Is the maximum cess which they collect half-an-anna per rupee on the annual value?—Yes.

14929. There is no elasticity with regard to the revenue?—Not with regard to the Road Cess.

14930. Is it desirable that there should be any elasticity?—No, because that would mean fresh taxation. I am not fully prepared to give an answer.

14931. Do the municipalities get the main bulk of their revenues from an assessment rate?—Yes, a local rate either levied on holdings, or on persons.

14932. Is the maximum that they can raise laid down by law?—It is.

14933. Can you tell me from your knowledge of the work whether they raise the maximum, or not, in practice?—Yes, the maximum is generally raised in regard to the rate on persons and holdings, but in the case of certain other rates they do not always impose the maximum—for instance, in the case of the water-rate.

14934. Would you say again, broadly speaking, that there is no elasticity with regard to the revenue of municipalities?—No.

14935. Have they ample powers of increasing their rates if necessary?—Yes, I think so.

14936. Do they receive any Government grant?—They get certain small grants but there are no large grants given to municipalities.

14937. Are they what one might call *ad hoc* grants?—Yes.

14938. Is there any differentiation between a municipality and a District Board; is it fair to argue that because a District Board receives a grant in-aid a municipality should have it too?—It has been generally found that District Boards have shorter funds than municipalities have.

14939. Is there anything in the argument that land throughout a district pays heavier taxation to the country than land included in municiple areas does?—I do not see how that argument can apply.

14940. Is there any reason why a municipality should not have a grant-in-aid from the Government?—Ordinarily, their resources are sufficient to meet the requirements of their administration

14941. Are their powers of taxation sufficient already to enable them to carry on?—I think so, but for special work, such as water-works, or large schemes of drainage, they come up for assistance from the Government, and Government is always very liberal in granting that assistance.

14942. Might the Government make a grant towards making certain local water-works, while the local authority would not have enough money to run them when they were made?—I think they ought to be able to arrange for the upkeep.

14943. (*Mr. Dutt.*) You are in favour of a General Act authorizing the Local Government to delegate powers to subordinate authorities?—Yes.

14944. When certain powers have been reserved to the Government by specific Acts, and the Government delegates those powers to the Commissioner or Collector under a general Act of devolution, do you not think that, to some extent, public expectation is defeated?—I think the public ought to have the right to object; any such intention to delegate power ought to be notified in the Gazette so as to give the public an opportunity of raising an objection, if they have any, by memorial or petition.

14945. But when an Act is passed and certain powers are reserved to the Government, is that not done with the idea that such powers shall not be delegated except by another Act?—Yes.

14946. Therefore would it not be a better procedure, to delegate those powers by an amending Act?—That would be a troublesome process.

14947. Looking at it from the point of view of the public, or of the Government Officer?—There are very few cases in which the public would have any reason to object to delegation; the Local Government would only do it when it was satisfied that there would be no detriment to the public interest.

14948. But there would be no opportunity of raising a debate in Council; the public would only have an opportunity of sending a memorial?—But the question might be raised in Council in the shape of an interpellation.

14949. Do you make any recommendation for curtailing the existing rights of appeal?—Personally, I do not.

14950. You think that the existing rights are good in the way of fostering a sense of security in Government officers?—I think they are regarded in that light.

14951. As a District Officer, you have been Chairman of the District Board?—Yes.

14952. Have you had elected members who are really anxious to help and advise you?—I have.

14953. And who have proved useful and prudent advisers?—Yes.

14954. Then you are not prepared altogether to support the criticism that a system of election will not secure persons who would be both good and useful?—I have not said that all the elected members are of use to the District Officer—there are some no doubt who are. I think the system of election might be improved on, and that we might get better representation than we have at present.

14955. But you do not agree that the present system of election will not secure such persons?—Not always.

14956. With regard to nominated members on District Boards, I suppose you have found many who are respected and whose action is independent?—Yes.

14957. A nominated member is not necessarily an object of suspicion by the people?—Certainly not.

14958. And he is not often the object of vituperation by his own countrymen?—I do not think so.

14959. With regard to the appointment of Europeans, the Government of Bengal has asked for power to appoint in cases where professional or technical qualifications are required? Are such cases very rare?—They are.

14960. Therefore there is no urgent necessity for the Government of India to withdraw their power in that matter?—It is a power which the Local Government ought to have; there would be many more references from other Local Governments.

14961. But so far as the Local Government of Bengal is concerned, the necessity is not urgent?—It is desirable that they should have it.

14962. Would it save very much trouble and work if that power was granted?—Not very much, but it might be that an urgent matter might arise; for instance, in the Marine Department an urgent case might arise, and it is very undesirable that the matter should have to be referred, say, to Simla.

14963. Is the rule made by the Secretary of State?—It is a rule of the Civil Service Regulations.

14964. Recommendations have been made that Municipal Commissioners should be appointed by the Divisional Commisioner instead of by the Government; Should the power be kept in the hands of the Government?—No, I think it could be properly delegated to the Divisional Commissioner.

14965. When a Chairman is elected under the present law, his election is sanctioned by the Government?—Yes, it is a mere formality.

14966. A recommendation has been made that such election should be sanctioned by the Commissioner of the Division; do you agree with that?—It would save a great deal of unnecessary correspondence; it is a pure formality.

14967. But does it give the Government very much work?—Yes, it does; I do not know how many cases there have been, but there have been a large number.

14968. But does it involve much work in each case?—Yes, two or three letters have to be written.

14969. Would Municipal Commissioners themselves prefer appointment by the Divisional Commissioner or by the Government?—I do not think they would trouble much about it.

14970. There is a recommendation that Assistant Surgeons, who, I understand, are Gazetted Officers, should be posted by the Head of the Department to actual vacancies?—Should not their appointments rest in the hands of the Government?—I do not think it is at all necessary; in fact, the Government is practically bound to accept the Inspector-General's nomination.

14971. I find that there have been only 34 such appointments made during the last three years, so that there would not be much saving of work?—If you take individual cases, of course, there would not be, but taking them altogether there would be an enormous amount of work saved.

14972. In that matter also you do not know exactly what the Assistant Surgeons themselves would like?—I cannot say.

14973. (*Sir Frederic Lely.*) In one respect you have had rather an exceptional experience, having been five years a Collector of a district. Can you give us any explanation as to why you remained so long?—Simply because I remained there, and did not take any leave.

14974. Do appeals from the Board of Revenue come through you?—Yes, any matter coming to the Government comes through me.

14975. Does a great portion of your work consist of appeals?—Appeals are generally dealt with by the Board of Revenue.

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14976. Do they virtually terminate with the Board of Revenue?—I think so.

14977. (*Sir Steyning Edgerley.*) If a general delegating Act were passed, would it be passed by the same Legislative Council as passed the original Act, or would it be passed by a superior Legislative Council?—Probably by a superior Legislative Council.

14978. If such an Act were passed, would the public cease to expect the Government to proceed by specific legislation?—Yes, I imagine so.

14979. (*Mr. Meyer.*) As a matter of fact, are the budget estimates as modified by the Government accompanied by a letter from the Financial Secretary explaining that such modifications as have been made are made in the interests of financial accuracy, and that there would be no objection to Local Governments spending more if they can find the money?—Latterly that has been done, but I do not know if it was always done.

14980. Is not the position that the Local Government can make reappropriations within its own budget, so long as the total of the budget estimate is not exceeded, but if the total is exceeded, they have to go to the Government of India?—That is so.

14981. Have you ever had to go up as regards that?—I have only been in charge for a month.

14982. It would be necessary, in any case, that you should inform the Government of India of any extra allotments you are making?—Yes.

14983. You are in favour of an arrangement under which the Government of India, after taking certain imperial heads of revenue, would get a fixed percentage from the provincial heads? Is not that the system in force now, and does not the Government of India divide the heads with you?—Certainly.

14984. And you get the whole of the rest?—Yes.

14985. Then what is the difference between your proposed system and the present one?—We do not get a share of the customs revenue.

14986. Do you think you should get a share of it?—Yes. It is a very expanding revenue. I have not suggested railways, because I do not think the Imperial Government would ever give that up.

14987. With regard to customs, a great quantity of goods which are consumed outside Bengal pays the original duty in Calcutta?—I cannot say.

14988. Who pays for the goods eventually—the persons who consume them?—Yes.

14989. Therefore, you would be levying a tax on the consumer in, say, the United Provinces?—Possibly.

14990. Is the chief object in having a change to get more revenue?—More of the expanding revenue, yes.

14991. You propose that all the powers vested in the Government of India with regard to the Civil Service Regulations should be transferred to the Local Government?—Not all; only those in respect of travelling allowances and pensions.

14992. Are not pensions largely paid by the Government of India?—Yes. Local Governments would naturally only deal with the pensions paid from provincial funds.

14993. You say there should be a senior Magistrate in every district—do you mean a personal assistant to the Collector?—At present the Joint-Magistrate is not a personal assistant to the Collector, or at least cannot be described as such, but he generally disposes of all the more important criminal work, and to relieve the District Magistrate of that would enable him to devote more time to his revenue functions.

14994. Are you in agreement with other witnesses who have suggested that the best way to relieve the Collector is to have a Sadar Sub-Divisional Officer?—I think he ought to have that *as well*. One of the chief functions of a Joint-Magistrate would be to preserve continuity. When an officer goes on leave, or is removed from his district, or from any other cause, the Joint-Magistrate would hold charge.

14995. Then you want the Collector to be relieved of the work of the sub-division and to have this officer as well?—Yes.

14996. Is that done in Bombay?—I do not know. The Collector in Bengal has not immediate charge of the Sadar sub-division; he has immediate charge of the whole district, but there is no separate administration for the Sadar sub-division. The criminal work is done by the Deputy Magistrate at headquarters; the revenue work is done by the Deputy Collectors at headquarters.

14997. Is there no separate officer with territorial responsibility over the Sadar sub-division?—No, there is not; in Bengal those territorial duties are practically nil; there are no separate revenue functions to perform in respect of the sub-divisions as distinct from the general revenue work of the district which is done at headquarters.

14998. Is the Sadar Sub-Divisional Officer to act as a Magistrate?—Yes, his functions would be almost entirely magisterial and police.

14999. Mr. Gait explained the new system introduced by the Lieutenant-Governor under which cases were dealt with, which had to come from the Board of Revenue to the Government; is the method described by him that which prevails in your department?—Yes.

15000. Taking the case of a municipality starting a waterworks scheme to which you give assistance in regard to the capital account, is it able to levy a rate in support of the scheme?—Yes.

15001. And the persons benefiting by the water are supposed to pay?—Yes.

15302. In most provinces there is a land cess of one anna in the rupee, the whole of which is taken by the District Board; in Bengal, as I understand, there is a system under which only one half goes to the existing District Board and the other half is taken by the Local Government as Public Works Cess; on the other hand, out of that half does not the Local Government give about a half again—that is to say about a quarter of an anna in the rupee, to the various District Boards in the shape of subsidies?—It makes grants equal to a quarter of the Public Works Cess.

15003. Not rateably to each Board as a whole, but to the Boards collectively?—Yes.

15004. Reference has been made to the fact of the District Engineer being taken away from the control of the Board; would that be altogether satisfactory to the Board?—Personally I do not; as Chairman of a District Board I have had a good deal of difficulty with the District Engineer, and I think he ought to be entirely under the control of the District Board.

(*The witness withdrew.*)

The Hon. Mr. W. A. Inglis was called and examined.

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15005. (*Chairman.*) You are Chief Engineer in the Public Works Department and your duties are more particularly concerned with irrigation?—Yes. I am also Secretary in the Bengal Public Works Department.

In Bengal there is no absolute separation between the Irrigation Branch and the Buildings Branch of the Public Works Department. Executive Engineers in charge of Canal or Embankment Divisions have also charge of the Government roads and buildings within the territorial limits of their charges. At the same time there are certain divisions and circles which deal only with buildings and roads. There are two Chief Engineers and Secretaries to Government. One deals with buildings and roads. The other with irrigation, embankments, navigation and drainage. It follows that the Chief Engineer of the Roads and Buildings Branch has dealings with the Superintending Engineers of all Circles, while the Chief Engineer of the Irrigation Branch deals only as a rule with the Superintending Engineers of Irrigation Circles.

The following is the present strength of the Gazetted staff of the Public Works Department in Bengal, as a whole :—

Chief Engineers	...	2.
Superintending Engineers	...	8.(*a*).
Executive Engineers	...	27(*b*), (*c*).
Assistant Engineers	...	24(*d*).
Temporary Engineers	...	6.

The sanctioned *cadre* of the province provides for 30 Executive Engineers and 30 Assistant Engineers. There are also 114 members of the Upper Subordinate grades on salaries ranging from Rs. 80 to Rs. 500 a month, whose appointments and promotions, etc., are notified in the Gazette, and who, to a large extent, hold the sub-divisions of the executive charges and are in the position of Resident Engineers. The officers of the Department have to design, construct, and maintain all provincial or imperial works. The Superintending Engineers are also Inspecting Officers of local works, mainly roads.

I control, as Chief Engineer, the working of the Irrigation Branch of the Department. I also, as Secretary, advise the Lieutenant-Governor on all matters connected with canals, rivers, embankments, and drainage. As Secretary in the Marine Department, I have to deal with questions relating to the Bengal Pilot Service, of which the Port Officer is the executive head; the Calcutta Port Trust; the various acts relating to shipping, including appointments of Courts of Enquiry in cases of casualties and the survey of vessels, both sea-going and inland; the administration of the Steam-boilers and Prime-movers Act and the Smoke Nuisances Act; and the Petroleum Act. In the Railway Branch I have to deal with Bengal Tramways Act and with light railways and the Darjeeling-Himalayan Railway. The Bengal Government has no control over, or responsibility for, the larger railway systems, but questions have to be dealt with in respect to the acquisition of land for railway purposes. Also in cases of projected lines the opinion of the local Government is given with respect to general alignment and to the provision of waterways and road crossings.

The sanction of the Government of India is required to rules made by the Local Governments under the provisions of most of the Acts which we administer in the Marine Department. As these Acts have mostly a general application throughout India, it is right that the rules should be considered by the Government of India, and no relaxation is required.

There is a tendency in the direction of making regulations which are too rigid and which do not allow sufficiently for varying local conditions. For instance, it is, in many parts of this province, hardly possible to comply with the regulations in the Public Works Code, on the subject of the provision of residences for Government officers, and deviations have to be referred to the Government of India and are not always received sympathetically. The Local Government might be given a wider discretion, and it might be left to the Financial Department of the Local Government to exercise a check on any tendency to extravagance. Again, in respect to the scheme now being carried through for housing Officers in Calcutta, or for giving a house allowance in lieu of a Government residence. It is a mistake to try to make one set of hard and fast rules which shall be applied to all Departments. The conditions as to salaries and pensions vary materially, and I see no reason why there should be absolute uniformity in the matter of house allowances. The Indian Engineers who, as a rule, always preferred service in Calcutta on account of social amenities and educational advantages, are distinct gainers, while the European and Eurasian Engineers are distinctly worse off than they were before the present scheme was initiated. It would be better to let each department or branch of the Service work out its own scheme to suit its own conditions.

(*a*) Of these one is Sanitary Engineer, and four have charge of Irrigation Circles which include buildings and roads. Three have charge of buildings and roads only.
(*b*) Of these seven are Assistant Engineers with temporary rank.
(*c*) Twenty-four imperial, three provincial.
(*d*) Fourteen imperial, ten provincial.

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A broader view might with advantage be taken in discussing schemes suggested for irrigation and navigation which, though desirable in themselves, do not promise to yield a sufficient profit on the capital outlay to bring them within the category of productive public works as defined in the Public Works Code. More consideration should be given to the value which such works have to the State, over and above the direct cash return to Government. To illustrate this, we have at present in this province a scheme for an irrigation canal from the river Damudar. The net revenue which can be safely reckoned on is sufficient only to pay 4 per cent. on a capital of 30 lakhs. It does not appear probable that the capital outlay would be less than 40 lakhs. The scheme has therefore to be put on the shelf, as the conditions of the country commanded, in regard to scarcity or famine, are not such as would justify outlay on a purely protective work. In the season just past, when there was a great need of irrigation, sufficient water was flowing uselessly down the Damudar to provide for nearly 100,000 acres of rice, and if this could have been supplied, it would without doubt have been of great value to the country. In the case of schemes such as this a grant-in-aid might be made from ordinary revenues, whether provincial or imperial, which would rank as deferred stock. The appropriation from loan funds might then be permitted up to that sum, on which the revenues of the project could be depended on to give a return of at least 4 per cent.

We have under consideration a scheme of considerable magnitude for a canal to allow inland steamers and flats more direct access to Calcutta. It is doubtful if the estimate can be kept within limits which would admit of its being classed as a productive public work, and the same question arises whether it would not be proper to supply a certain amount of the capital from ordinary revenues without seeking a profit. In several European countries much money is expended by the State in giving such facilities as a measure of general administration, and without expectation of direct gain to the State revenues. It seems to me that a departmental spirit and desire for direct return on all outlay does here obstruct the general consideration of what is a very important matter of administration. Similarly, this Government has asked for some time that a general enquiry may be made into the possibilities of improving the natural waterways. So far this has received no apparent consideration by the Government of India.

The only Inspector-General with whom I am brought in contact is the Inspector-General of Irrigation. His sphere should be to criticise and suggest in regard to the technical or engineering aspect of a scheme, and it is better that he should not intervene in regard to the administrative aspect.

As far as the Public Works Department is concerned, the existing regulations on the subject of appeals are suitable.

The Government of India have recently suggested that Superintending Engineers and Executive Engineers should be given wider powers to enable them to deal finally with details of designs and estimates of works to which administrative sanction has been previously given, and also in respect to making contracts. I am in agreement with those proposals.

The tendency of the provincial Secretariat is not unduly departmental or unduly dominated by considerations of revenue. The provincial Government, having a more intimate acquaintance with the requirements of the case, takes a more general and broader view than the Government of India.

In the administration of the canals our Executive Officers are brought into constant contact with the cultivators. The vernacular question is rather difficult in Bengal, as a knowledge of three vernaculars is required, viz., Hindi in Bihar, Bengali in Bengal proper, and Uriya in Orissa. It is desirable that officers employed on canals should be encouraged to have a better knowledge of vernacular than they possess at present, and also to study the history and the religion, and the manners and customs of the people.

In the matter of transfers, there is not much to complain of in regard to the Public Works staff. It

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is impossible at times, *e.g.*, cases of illness or emergent work, to avoid transfers which are in themselves undesirable, and I am unable to suggest any remedy.

The Bengal Government has recently appointed District Committees to advise Government in respect to projected schemes for embankments, minor irrigation works or drainage. At present it would not be advisable to give such District Committees any executive authority.

The sale of water for irrigation by volume to village communities has always been regarded as an ideal to be aimed at, but there does not seem much prospect of putting it in practice. In my early days on the Sone canals, when I was in close touch with the cultivators, I often discussed the question with them. They always said that they preferred to have the Government officers to make the detailed assessment, as they would be unable to do it themselves with fairness and without quarrelling. If, however, self-government is ever to be more than a name, it must begin with simple matters of this nature in which there is a strong local interest affecting the whole community.

15006. You say that there is no absolute separation between the Irrigation Branch and the Buildings Branch in the lower ranks?—Up to the grade of Superintending Engineer there is no distinction. The distinction comes in above that.

15007. Is that an advantageous system?—It is obligatory under the condition of the province. The irrigation works are on a small scale in Bengal, and the Irrigation Engineers are quite able to look after the roads and buildings under their charge.

15008. Have you a Provincial Service under you?—The Provincial Service and the Imperial Service run together; there is no distinction in regard to the duties; only in salary.

15009. How do you appoint to the Provincial Service?—The Government of India appoints on our nomination under certain fixed rules.

15010. Might the system be altered advantageously to the Service?—Yes, I think so.

15011. Who appoints to the Subordinate Service?—The Local Government; the Secretaries nominate, and the Lieutenant-Governor appoints.

15012. Do you find as a rule that the opinions of Local Government, with regard to matters with which you are concerned, are treated with respect?—I think so now.

15013. Has your position, therefore, with regard to the Government of India improved of late?—I think so; much more attention is paid now to the wishes of the Local Government.

15014. With regard to residences for officers, you desire to see some relaxation made?—The Local Government might be given extended powers of discretion. At present if a residence costs more than a certain sum, which is calculated on the salary of the officer, the sanction of the Government of India is necessary, although the money is entirely spent from provincial revenue funds.

15015. Is the difficulty which exists in connection with these buildings due to the Public Works Code?—The rules are those of the Code.

15016. Is that not an exceedingly complicated Code?—Yes. It is contained in two large volumes. It is issued under the authority of the Government of India.

15017. And some of it, no doubt, under the direction of the Secretary of State?—I presume so.

15018. Has any attempt within your knowledge ever been made to simplify this Code?—I do not know of any attempt.

15019. Could it be advantageously simplified?—Yes, I think so. It would require an examination of it in detail to say in what particular direction.

15020. Are both you, as a department, and the Government of which you are Secretary, landed in ludicrous positions on account of the provisions contained in that Code?—Yes, in certain cases, such as, for instance, if a lead pencil is bought—things of that kind are ludicrous.

15021. We have heard of a witness who had to live in a house for two years without doors or windows in consequence of some regulation. Was that due to the Code?—I should have thought it was due to a want of common sense on the part of the officer in not disregarding the provisions of the Code.

15022. Is there due consideration on the part of the Local Government first, and secondly on the part of the Government of India, in respect to the projects they sanction, having regard to revenue?—Perhaps more consideration should be given to the indirect advantages of irrigation works.

15023. Is a work which is unproductive from the point of view of revenue therefore more useful to the public generally than a work that produces revenue?—Not more useful, certainly not.

15024. If the work which produces revenue is equally useful to the public, what is the harm of executing that work rather than a work which, though of equal use, brings in less revenue?—I quite admit that the preference should be given to the more productive work, but it means then that certain localities would have to remain almost indefinitely without works which would be very useful.

15025. Are you speaking of works constructed from capital or from revenue?—If it is a non-productive work, it must be constructed from revenue.

15026. Would it not be rather difficult to find, say, 40 lakhs of rupees from revenue?—The suggestion I make is that 10 lakhs should be found from revenue and 30 lakhs should be found from loan funds.

15027. If 10 lakhs had to be found from revenue that would mean that something else would have to go without?—Yes.

15028. But might there not be an outcry in regard to other schemes?—Undoubtedly.

15029. Therefore, there is considerable difficulty in deciding as between the schemes of various kinds?—Yes, great difficulty.

15030. And it might be that the work which produced revenue would be equally valuable to the public and equally wanted?—The question would also arise not only between revenue-producing works, but also roads, which are unproductive. The revenues are limited and there are many claims upon them, and I only plead for a share of the surplus revenue of the province for my particular branch.

15031. Is there undue favouritism with regard to, say, works of irrigation which produce revenue as against roads which do not produce revenue?—No, I should not say that.

15032. Have your officers a good knowledge of the vernacular?—Fairly good. I would not say more. I think it desirable that they should have a better knowledge.

15033. There is very little irrigation work in Bengal?—We irrigate about 800,000 acres—a comparatively small area compared with other provinces.

15034. Under whose responsibility is the actual distribution of the water?—Under the responsibility of the Canal Engineers. In this province we have probably more complete control than in any other; we not only distribute the water, but we collect the water-rate.

15035. Do the people of the districts in which there is any irrigation come quite naturally to you?—Quite, and they are in immediate touch with our Canal Officers.

15036. (*Mr. Meyer.*) Referring to the Calcutta housing scheme, you say that tends to favour the Indian engineers, but are there many Indian engineers concerned?—We have about half and half. We have about as many Indian engineers as Europeans.

15037. Do you count Eurasians on the European side?—About one-third are pure natives.

15038. You mentioned some matter with regard to the Public Works Department Code; is not the general feature of it excessive centralization?—The Superintending Engineer has very wide powers of sanction. The whole of the funds for maintenance, which are large sums, are entirely at the disposal of the Superintending Engineer, who sanctions all estimates for repairs and maintenance.

15039. How much can he sanction in the way of new work?—With regard to new work he has very limited power—up to Rs. 2,500.

15040. Is that not undue centralization?—Yes, I think so, and the proposal which the Government of India has made is to extend that power.

15041. Up to what?—A distinction has to be made between administrative sanction and sanction of a detailed design. It is proposed by the Government of India that the Superintending Engineer should deal finally with sums up to Rs. 50,000 for imperial works and one lakh for provincial works. Occasionally, some Superintending Engineers are allowed at present to sanction up to Rs. 10,000, but it is not very often exercised.

15042. Until the Government of India proposed the other day to decentralize, no one moved in the provinces, or at any rate in this province. Were you satisfied with these restrictions?—It is not a matter which makes very much practical difference. The period of the administrative sanction is that at which the work is considered first.

15043. The administrative sanction is one with which other people are concerned besides the engineers?—Quite so; we are not directly concerned with the administrative sanction.

15044. Your own powers really come in when the estimates are being discussed?—Quite so.

15045. Will you explain your proposal with regard to productive works and non-productive works?—Under the rules of the Public Works Code no work can be classed as a productive work for which money can be given from loan funds unless it will bring in 4 per cent., but if the probable revenue represents, say, only that percentage on 20 lakhs, and you require 30 lakhs for the work, then if you advance the 20 lakhs from loan funds, upon which you can earn your first dividend, the other 10 lakhs might be advanced from provincial revenues which will take its chance of getting a return or not.

15046. But is that not juggling with figures?—It seems to me it is not an improper use of loan funds, and it is not adding to the unproductive debt of the country.

15047. In speaking of the difficulty of financing projects of this sort, is it not always open to the Government to give money from current revenues?—Yes, but the current revenue could only finance up to a moderate sum.

15048. You might possibly, with regard to one of these projects, apply for an advance from the Government of India?—Yes, and we have done so in some cases.

15049. As regards the Inspector-General of Irrigation, you say his sphere should be to criticise and suggest in regard to the technical or engineering aspect of the scheme, and he should not intervene as to the administrative aspect. What do you mean by the administrative aspect?—Perhaps I might illustrate it by a case. We have at present a scheme for a canal to connect the Bidhiadhari river with the Hooghly. This Government wished to act in conjunction with the Port Commissioners of Calcutta, and certain works would have to be done at the expense of the Port Commissioners, but the Inspector-General criticised the scheme rather severely, and treated the Port Commissioners as if they were more or less in a position of a different power and rather the enemies of the Local Government; that, it seems to me, was not an engineering question but an administrative question. Then there was another instance in connection with another projected canal where the Inspector-General criticised the scheme rather severely as regards the action of this Government in the past in giving water for a very small rate.

15050. The canal, if it had been carried out, would have been a project for which you would have tried to get money from outside?—That would have been a large scheme costing 60 lakhs, and we should have had to come to the Government of India.

15051. Then was not the Inspector-General of Irrigation quite warranted in asking you to consider whether the Port Commissioners might not do it?—It was not a question of the Port Commissioners making the canal; it was a question of our trying to adapt our works so that they would fit in with the works of the Port Commissioners and assist each other.

15052. Is it not sometimes difficult to draw the line between technical and administrative matters? You will admit that in the case of a productive irrigation work the Inspector-General is entitled to criticise the estimates of the revenue to be obtained, I suppose?—Absolutely.

15053. A suggestion which was made in Burma was that, subject to financial rules, the appointment of the *cadre* of the Subordinate Engineering Service should be left in the hands of the Local Government—would that meet your views?—Yes; the Government of India have usually accepted our proposals.

15054. It was also suggested in Burma that the Local Government should have the same power of appointing Superintending and Chief Engineers as the Governors of Madras and Bombay; that is to say, that they should have their own superior engineering *cadres*; do you agree with that?—No, I do not; the Service is too small.

15055. You have eight Superintending Engineers?—One is a Sanitary Engineer, four have charge of irrigation works, and three have charge of buildings and roads.

15056. Does the Government of India, as a matter of fact, interfere with the appointments of Superintending and Chief Engineers?—Some years ago when an alteration was made in this province, by which most of the provincial Public Works Divisions were abolished and the provincial buildings and roads were placed under District Boards, the Government of India said that every second vacancy to a Superintending Engineership in this province should be filled from the local administration, and they have supplied a good many Superintending Engineers who have come to Bengal from other provinces.

15057. Speaking generally, do you find that satisfactory, or have you had any reason to complain about it?—No, we have had no reason to complain.

15058. Has your engineering *cadre*, then, been since increased?—It was reduced, but it has been increased a little again for building purposes.

15059. Who are the District Board Engineers—what class of men are they?—The majority of them are recruited from the local engineering schools.

15060. Are they men who would be sub-engineers in Government service?—They would be Provincial Engineers.

15061. Are they good men on the whole?—My personal opinion is that they ought to be better.

15062. What is the salary they can rise to?—I think there is one District Engineer who gets Rs. 1,000, and others can go up to Rs. 800.

15063. Have you officers over them called Inspectors of Works?—The Inspector of Works is a purely inspecting officer; he has no control over them. Each Superintending Engineer is an Inspector of Works.

15064. Is the Superintending Engineer able to do superintending work satisfactorily in addition to his ordinary work?—It is an administrative question—I think in many cases he is not.

15065. District Board Engineers to a certain extent do Government work?—There are now only four districts in which they do Government work in the Burdwan Division. They used to do it to a larger extent.

15066. Why has the practice been given up?—In some cases the District Boards disliked it; they disliked having their Engineer under two masters; and in other cases the Government did not like the way in which the works were carried out.

15067. Was the original idea economy?—Yes.

15068. And you found it not to be economical in practice?—I think it was shown that there was no marked economy and not so much efficiency.

15069. Would you be in favour of placing District Engineers in a provincial list?—That I understand is the practice in the United Provinces, but I have no experience of it. The advantage claimed for it is that you can transfer men from one district to another

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easily, but, personally, I have no direct work with District Engineers, and I am not prepared to speak upon it.

15070. Have you made any proposals as to larger powers for the Port Trust?—I have made no proposal. I do not think larger powers are needed.

15071. What is their power with regard to sanctioning their own work?—They can sanction works up to Rs. 50,000.

15072. Have they a qualified engineering staff?—Absolutely.

15073. Do you not think they might be allowed a little more power than that?—I think one might say in nearly all cases it is a nominal power which is exercised by the Local Government, but it is more a question as to whether the Government should know how much the Trust is spending, and whether it has the money to pay.

15074. But that comes separately into the financial sanction?—If they started a set of big works they would carry them out by a loan, to which they would have to get the sanction of the Local Government, would they not?—New works, yes.

15075. And again, they have to submit their budget to you?—Yes.

15076. So that you would see what large projects were contemplated and whether there were ways and means for them?—It is only the estimate that will be seen.

15077. This is rather a different matter—this is what one may call the professional sanction?—In the Marine Department we do not give any professional sanction as regards the technical part of the work itself because it is not required by the Act: we give the sanction which the Act requires.

15078. Suppose you could alter the law, would you alter it?—I think as far as the sanctioning of the technical work is concerned it is unnecessary, especially as far as any engineering questions are concerned.

15079. Do you know of the proposals put before us here and in Burma as to the Commissioner having a sub-budget of his own from which he might sanction, financially and administratively, smaller Public Works, the professional powers of your department remaining, of course, as they are?—Yes, I think the Commissioners should be given an increase beyond their present powers of sanctioning, which is up to Rs 2,500.

15080. The suggestion goes a good deal beyond that. It means that they might have a couple of lakhs of rupees a year, or so, from the present budget, keeping only the main works and provision for them at headquarters?—I think that would be a good thing.

15081. (*Sir Steyning Edgerley.*) Have you found any difficulty, in the matter of language and so on, with Superintending Engineers coming from a different province?—I do not know of any practical difficulty having arisen.

15082. With regard to the District Board Engineers, if they work for you, do you pay them?—Yes.

15083. And if you do work for them, do they pay you?—We have never done any that I know of. We do not charge for inspection.

15084. Would it be a good thing to revise the Public Works Code on the basis of placing power as low down as it can safely be placed?—Yes. The question of the audit of accounts is the chief thing; that is what involves the largest amount of correspondence.

15085. Could that be simplified?—That I can hardly say. It is a very thorough, a very complete, and a very efficient system, but it is also very laborious.

15086. Is the Bengal Pilot Service under the Port Trust?—No, that is under Government.

15087. Do you know why that is so?—It dates back to the days before there was a Port Trust, and the practice has always been to keep the Service under Government.

15088. Does it bring in any revenue to the Government, or do you spend all the money?—Practically all the money is spent; we have recently purchased two new steam pilot-vessels which cost a large sum of money.

15089. (*Sir Frederic Lely.*) Have the younger members of your department to pass an examination in the language?—They are all obliged to pass the Lower Standard.

15090. (*Mr. Dutt.*) I understand that Canal Engineers realise the irrigation rate in Bengal?—Yes.

15091. Is it a very small rate?—Not so very small; on the Sone Canals it is Rs. 3 an acre. That is the rate there for rice crops. It varies according to the crops.

15092. Is it entirely separate from the land revenue?—Entirely.

15093. And is it entirely voluntary?—Entirely. It is done under a system of leases for a term of years.

15094. What is the percentage of profit on the capital sunk?—On the Sone Canals we are earning about $3\frac{1}{4}$ per cent., but the other canals earn nothing, practically.

15095. (*Mr. Hichens.*) Has the Commissioner any direct control over the Superintending Engineer, or his subordinates?—No, none at all.

15096. Has he not a certain amount of administrative control?—He has to be consulted on all points, but he cannot give an order to the Superintending Engineer.

15097. Do you approve of that position?—Yes, quite.

15098. Should not the Commissioner be the local Head as to Public Works?—I think it would cause a great deal of friction if he was.

15099. And would it lead to extravagance in the sense that the Commissioner might not know what to do as well as the Engineer?—I think it would certainly be undesirable, but I am hardly prepared to say it would create extravagance..

(*The witness withdrew.*)

Adjourned.

TWENTY-FIRST DAY.

CALCUTTA, *Saturday, 28th December*, 1907.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

RAJA BAN BIHARI KAPUR, C.S.I., was called and examined.

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15100. (*Chairman.*) Where is your residence?—At Burdwan. The last occupation I had was serving the Government as manager on behalf of the Court of Wards of the Burdwan Estate for a little over 17 years.

The present financial settlement made with the provincial Government is a good one. I do not advocate complete separation in any way between imperial and provincial finances. I would delegate powers to the provincial Government up to a certain salary to sanction the creation of new appointments and the enhancement of pay of the officers and others, and I would relax the restrictions imposed by the Civil Service Regulations and Civil Account Code to a certain limit, so as to reduce formal correspondence.

The sphere of Inspectors and Directors-General should be limited to the inspection of the main principle and application of the funds allotted by the India Government to any particular work only, and the detailed working of the province should not be interfered with. Keeping in view the general principle of administration, I would advocate leaving the provincial Governments to develop their administration on their own lines.

I would grade the salaried servants of the Government, and limit their appeal to different grades of officers and different heads of administration. It would not be proper to lay down that the person preferring an appeal must get a certificate from the officer against whose order the appeal is made. I would not curtail the existing power of appeal on personal matters in any way.

Executive Officers have not sufficient opportunities for personal contact with the people. They are too much overworked. A Joint-Magistrate should be added to the district and the work of the District Officer divided to a certain extent. Where this is not possible, a senior and experienced Deputy Magistrate should be appointed as personal assistant to the District Officer, to assist him generally and to dispose of routine work in particular. I would not ordinarily divide districts. Officers are not sufficiently acquainted with the vernacular. The majority possess a limited knowledge only which serves them in carrying out their business.

I think greater care should be shown in the selection of officers, and care should always be taken to delegate powers to the officers of tried merit. Special care should be taken of the whimsical as well as men with hobbies.

No officer should be transferred at least for five years from a district. This applies to all officers, *i.e.*, the District Officer, Judge, Deputies, Subordinate Judges and Munsifs, District Superintendent of Police and his Assistants or Deputy Superintendent of Police and Subdivisional Officers.

From the Secretary of State downwards, delegation of powers should be made with a view to curtail and prevent unnecessary correspondence, reports and returns, &c. The Viceroy acts as a post office in many cases; he has no real power, and this should be given. Similarly provincial Governors and Lieutenant-Governors should have powers on matters dealing with their own provinces.

15101. Are you satisfied with the general management and the general relations of the Court of Wards with the Government?—Yes, generally, I am satisfied.

15102. You do not approve of any curtailment of the right of appeal?—No, I do not want any curtailment. The present right of appeal gives satisfaction, and perhaps injustice might be done if the power were curtailed.

15103. You think there ought to be some increase in the number of Joint-Magistrates?—Yes, there ought to be a Joint-Magistrate in every district, and wherever a Joint-Magistrate is not available, a competent Deputy Magistrate should be provided to give the Magistrate and the Collector general assistance. Also I would have some division of work between the Collector and his Assistants, so that the Collector might have some time to spare, because, as it is, he has too much to do.

15104. Does that prevent Collectors seeing and coming into contact with the people in their districts?—I think it does. When I was manager under the Court of Wards, if a person came to see me and I was too busy to see him, the natural feeling on my part was "What a bother," and I am sure the Collector must think the same. If a visitor calls, the Collector, although he may see him, cannot help feeling that it is a bother, and that it is interfering with his work, because he has too much to do. Similarly, when I was a manager, I had a lot to do, and if during business hours any one called, I had to see him, but I always felt annoyed. Therefore, I think if Collectors had a little more leisure to go about and more time to spare, they would be very glad to see the people and make their acquaintance.

15105. Is there a constant change of Collectors and Joint-Magistrates?—Yes.

15106. Does that also prevent them becoming acquainted with the people of a district?—I think it does.

15107. Is the feeling on the part of the people: "This officer is only here for six months, and it is not worth while going to see him"?—Yes, and there are other things; unless an officer remains longer in a district, he cannot learn the district and its people. If an officer remained longer in a district, he would naturally come to know his district and the people living there, and he would be able to judge for himself what help they could give him, whom he can trust and so on; but if a man is only there for a short time, he has no opportunity of doing it.

15108. How long ought a District Officer to remain in a district?—Not less than three years—I should say three to five years.

15109. Would you say not more than five years?—Not more than five years, because they have to rise gradually to higher appointments, and it is better that they should get an insight into other districts as well.

15110. Would you apply that to officers of all ranks—Collectors, Assistant Collectors, Judges, Munsifs and so on?—I would apply it to all ranks.

15111. Ought there to be something like an Advisory Council to the Commissioner, and should it be

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selected from the Deputy Magistrates and Honorary Magistrates?—I would leave the Commissioner quite free to choose his men.

15112. Do you think an Advisory Council, the members of which would perhaps know how to deal with sanitary questions and so on, and who would be fully acquainted with the circumstances of the districts, ought to be appointed?—I think the Commissioner ought to be able to choose his advisers. He might call the medical practitioner, for instance, into Council when dealing with sanitary matters; he might call the zamindars or the middle men into Council when he was dealing with questions of famine, and so on. I would rather leave him free to choose his own men.

15113. Would you like it to be a rule of the Government that the Commissioner should have an Advisory Council, but that he should be free to call them together when he thought best and also to select whom he should summon?—Yes, that is my opinion.

15114. What sort of number should such a Council consist of?—I have not considered that; it ought not to be very large—perhaps ten or twelve.

15115. (*Sir Frederic Lely.*) Have you been much in contact with the people in the course of your life, so that you know pretty well what the prevailing impressions are amongst the people in average villages upon most matters, and their relations to Government especially?—Yes.

15116. Is there a prevailing impression among the people that if a man has a little grievance he cannot get access readily to the responsible authority in order to state that grievance?—That is a very difficult question to answer, but I think they consider they have not got enough privilege in the way of stating their grievances.

15117. What, in their view, are the obstacles?—In the first place a villager's life is different from town life; the uneducated poor masses do not know how to come and lay their grievances, and if, for instance, several tenants are suffering in a village, their only course is to lay their grievance before the Magistrate, who will either depute the Deputy Magistrate to enquire into the matter, or enquire into it himself. If at the time of the enquiry they are able to represent their case properly, it will be heard, but, in many instances, if it is a case against some of the subordinate officers, it will not be heard, because things are manipulated in such a way that the proper persons who could throw light on a particular subject are not brought forward.

15118. Why not?—That is the difficulty—something will happen which will prevent them coming forward and saying what their answer is.

15119. But the aggrieved person in any case can always get access to the responsible authority and state his grievance?—Theoretically he can, but practically he cannot.

15120. Why does not the practice accord with the theory?—People are supposed to get relief from their grievances, but in all cases they do not.

15121. If a man has a grievance and he gets it put down on paper, surely he has a means, and he knows he has a means, of bringing that grievance before the person who can assist him?—Yes—he would go to someone who can write for him and put in his petition, but in the majority of cases he will probably say to himself: "I shall not get any remedy, I will not trouble."

15122. Then really the cause is more his own diffidence than from any actual reception he may get?—No, I think it is difficult for him to get redress.

15123. Supposing a man wants a grievance removed and he draws up a petition to the nearest European officer, what is there to hinder him going to that officer, presenting his petition, getting it read and receiving an answer?—There is no difficulty in getting the petition written, or presenting it, but the difficulty is to have it heard.

15124. You do not mean to say that the European officer would not listen to the petition?—No, he will fix a day to hear the application, but if it is a complaint against some minor official, or against some other villager, probably there will be pleaders appearing on both sides, and I do not think the real truth would be got out.

15125. Is that in consequence of any action of the minor official?—Yes, that is exactly it.

15126. In your experience do District Officers make arrangements for seeing everyone who comes to see them every day or every other day, or at any fixed hours?—Probably some officers see persons coming in at any time, but other officers fix two days, or one day, in a week between certain hours to receive visitors.

15127. Do you find, as a rule, that every District Officer does have a certain time during which anyone, and everyone, can make sure of getting a hearing?—Anyone who goes with a written petition or complaint must go to the office.

15128. Is such a person sure of seeing the Collector?—I think he would have more chance of seeing him there, but the Collector does not always go punctually to his office, and the petition will be received by whoever is acting for the day.

15129. As a rule would you say a raiyat can get access to his superior?—Yes.

15130. Do you hear much about the *chaprasies* and whether there is any difficulty with them?—It is a common and well-known thing that anyone who wants access to the Commissioner must pay the *chaprasi*, and the person making the largest payment gets his hearing first.

15131. Would it be useful to issue an order by the Local Government that waiting rooms should invariably be provided to which any respectable person might have access as a matter of course, without asking the leave of the *chaprasies* or anyone else, and that his case should be taken in its turn?—Yes, that might be done. It would be useful, because if a respectable person goes to see the Magistrate, and he has to wait any time, it would be good to have a waiting room.

15132. As a matter of fact, is it a generally felt grievance amongst the people that arrangements are not made for the reception of respectable people who wish to state anything they have to state to the Collector?—That is the general feeling, and that there is not enough courtesy shown to them.

15133. (*Mr. Dutt.*) Objection is made to the present arrangement that there is no link between the Sub-Divisional Officer and the villagers except through the police; is that not the only link between the people and the Government?—That is so.

15134. Could that be remedied by the appointment of Revenue Officers in local circles, so that the people might be able to go to them upon general matters and to the police station upon criminal matters. Would that mend matters a little?—I doubt very much whether it would, but it might. It depends very much upon the officers; if it is known that a particular officer is a considerate gentleman, and anyone going to him will get a hearing, then there would be no difficulty, but the majority of them have no time because they are too much hampered with work, and others do not want the bother, if possible, and they are not easily accessible.

15135. At present the Sub-Deputy Collectors are stationed at the headquarters of sub-divisions?—Yes, and also at the headquarters of the district.

15136. Supposing Sub-Deputy Collectors were appointed to be in charge of small circles consisting of one or two thanas, would not the people be able to meet them more frequently than they could meet the District Officer, or the Sub-Divisional Officer?—Certainly, but it would depend very much on what his functions were to be.

15137. At present all the work which has to be done in villages beyond general administration, such as the relief of epidemics or relief in cases of famine and the distribution of cholera pills, has to be done by the police?—Not in all cases, it used to be so, but sometimes now it is done through the panchayats and the post office.

15138. Do you not think if a Sub-Deputy Collector were appointed in charge of one or two thanas specially to look after the panchayats and foster them it would have a good effect, and would bring him in touch with the people of the villages?—If you did that I think it would bring the people more in touch with the Sub-Divisional Officer.

15139. During the 17 years that you were a manager under the Court of Wards, did it strike you that sometimes there was a great deal of delay in obtaining sanction from the Board of Revenue in regard to ordinary matters?—Sometimes.

15140. In small matters would a devolution of powers to the Commissioner or Collector facilitate work?—Yes, and remove unnecessary correspondence. In my case the Government was pleased to grant some extra power in small petty matters; I had larger powers than any other officer, so that I did not find any difficulty with regard to small affairs, but still there were cases in which there was delay, and I consider that in a matter where formal sanction only is necessary, and where no alteration has to be made, powers may very well be delegated in succession from different authorities.

15141. You would recommend the formation of Advisory Boards under Commisioners; would you advise the formation of similar Boards under District Officers for their own districts?—No, I would not.

15142. Do you not think a District Officer could get any real help by consulting the leading men in his own district?—I think if he desires any help he can very well ask them to come and see him without making a formal Committee of it.

15143. Would a rule compelling District Officers to meet the leading men of the district once a year, or once in six months, to discuss important matters, be a good thing?—I would not do that. If the Collector is not inclined to consult them, the rule will not make him consult them.

15144. You recommend that District Boards should have the power of supervising the work of small municipalities in their own districts, but is not the work of a District Board quite different from the work of a municipality?—Yes, quite separate.

15145. Do you think, therefore, that that would lead to any practical results?—I do not think it would lead to any practical results, but the supervision at present lies with the District Officer, so that if it was removed from his General Department to a District Board Department, I think it would be useful.

15146. In that case the members of the District Board would have power to approve or disapprove of municipal matters; would that be a desirable thing?—The small municipalities might not like it, it is true.

15147. As to the creation of village communities, is it desirable and possible to give village communities greater powers with regard to the disposal of local affairs than they have at present?—Yes.

15148. You refer to sanitary matters and things of that kind?—Yes, and trying small cases.

15149. Would you give them limited civil and criminal powers?—Yes. In the old days village panchayats used to exercise them, and when I visited the Madras Presidency, a few months ago, I found the village munsif, who was getting Rs. 8 a month, had power to try small cases, and it answered all right.

15150. Do you recommend the introduction of a similar system into Bengal?—Yes.

15151. In that case would there have to be an increase in the numbers of the panchayat and a selection of proper men who could be given power to try petty civil and criminal cases?—Yes.

15152. Would you place their work under some sort of supervision?—Yes.

15153. Would that do a great deal of good in the country?—I think it would, only you must select the panchayat. There are some panchayats now who think that their appointments are dependent upon keeping the Collector in a good humour, but if you choose good panchayats who will not consider such things, then I think you might delegate certain powers to them; but as long as we are not able to improve the status of the panchayat, I would not extend the powers very much, because there are some panchayats now who collect more than it is proper or legal for them to collect.

15154. (*Mr. Hichens.*) What were you alluding to just now when you used the word "panchayat"—did you mean a body of persons?—I simply meant a person who has been nominated as a member of the panchayat.

15155. How would you select them in a village?—My present idea is that some of the villagers should be asked to select a panchayat. At first the police used to send in the name of the panchayat, but now I believe the villagers do it. There are factions in some villages, and one faction sends in the name of one man, another faction sends in the name of another man, and a selection is made; but if the panchayats status is raised a little, I think we might get good men. There are men who do not want to serve as panchayats because they know that they would have to serve the interests of a particular party.

15156. How would you raise their status?—I would attach some responsibility to the post, and I would treat them better than they are treated at present.

15157. Are there any union committees in your district?—There are.

15158. Have they worked satisfactorily?—I have not seen much of their work yet—they have only been started a short time.

15159. You said you thought that additional small powers might be delegated to the Commissioner in regard to the Court of Ward's works; would it be possible to delegate the whole of the work to Commissioners and give them full responsibility in regard to the Court of Wards, thus avoiding all appeals to the Board of Revenue?—I do not think there is any harm in delegating the whole of the powers, but it would all depend upon the Commissioner; all Commissioners might not be the sort of people to whom I would wish to have the powers of the Board given.

15160. (*Mr. Meyer.*) What were the sort of things as to which you had to make a reference to a superior authority during your work as a manager under the Court of Wards?—For instance, in regard to works costing about Rs. 500 we had to make application for the sanction of the Board of Revenue, but anything up to Rs. 500 the Commissioner had power to sanction.

15161. Did those go through the Collector or straight to the Commissioner?—Through the Collector—he is the medium.

15162. Could the Collector sanction anything?—Yes, he had power to sanction up to Rs. 100.

15163. Supposing you wanted another clerk or two, what happened?—Everything with regard to the permanent establishment, even to the extent of one rupee, must be sanctioned by the Board of Revenue.

15164. Supposing you wanted to give some remission of rent to tenants in a bad year, who would deal with that?—The Commissioner had the power to deal with that. He had full power.

15165. And I suppose every year you drew up a budget of receipts and expenditure showing how you proposed to allot your money?—Yes.

15166. Who sanctioned that?—The Commissioner, but in sanctioning the budget the Commissioner generally used to say that on certain heads the Collector could sanction up to Rs. 500, and in other cases he would say "This is sanctioned, but no amount should be spent without the previous sanction of the Commissioner."

15167. Then you were really under three authorities—the Collector for small things, the Commissioner for some large things, and the Board for some larger things still?—Yes.

15168. And you think that the Commissioner might replace the Court of Wards? Would you do that with regard to every estate—a great estate like Burdwan, for instance?—It would all depend on the officer.

15169. I am assuming that you have an able Commissioner?—Yes, but it is not only an able Commissioner that is wanted, but you might have persons with hobbies, and they might initiate certain things which would not be profitable.

15170. And the Collector at the same time might have some larger powers with regard to works and establishment?—Yes; at present he has not much authority.

15171. That is to say, speaking generally, what the Board of Revenue does now a Commissioner might do, and what the Commissioner does now the Collector might do?—Yes, and what the Collector does now, he might delegate.

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15172. At present the Collector has the largest sub-division of the district in his hands, more or less?—Yes.

15173. In Madras the whole of the district is divided into sub-divisions with every division under an officer—would a similar system in Bengal assist the Collector?—Yes.

15174. As regards Advisory Councils to Commissioners, if a Commissioner differed from the Advisory Council would you allow him to act on his own judgment?—Yes, I would not hamper him; I would allow him to have the benefit of any person's views, and he must act as he thinks best.

15175. In a matter which he could not decide, but which he had to report to the Board of Revenue, should he say that his Advisory Council held different views from his?—Yes, he should do so.

15176. Are you in favour of a selection system and of making the Commissioner much more of a Sub-Governor than he is at present?—Yes.

15177. Have you sufficient knowledge of administration to say that the Commissioner is now a person more in the nature of a post office?—As regards that I think the Viceroy also is a post-office; a delegation of powers from the Secretary of State downwards is necessary.

15178. Would you like to see the Commissioner vested with larger powers of control over Public Works expenditure and education and other matters outside revenue work?—At present he has them, and I would give him that control.

15179. A suggestion was made in Madras that the Collector of a district should become, as it were, a Collector in Council, like the Governor in Council; that he should have two experienced Indian colleagues to advise him, who would deal with the minor work; that all important matters should be submitted to the Collector; and that it might be a matter of consideration whether he could overrule his colleagues at once, or, as one witness suggested, refer the matter to the Board of Revenue and Government. Would you be in favour of any such system?—No, I would not, because the work would not go on.

15180. (*Sir Steyning Edgerley.*) Is there in your Court of Wards Act any section which allows the Court of Wards to delegate powers or the Lieutenant-Governor to delegate powers?—Yes. It was under that provision that I was given the extra powers to which I have referred.

15181. Do you remember when the Court of Wards Act was passed—was it in your time?—No, it was before my time, but an amendment has been made twice in my time.

15182. Can you say whether those amending Acts were the subject of much discussion in the legislature?—Yes.

15183. Having had so much experience with regard to delegation under the general section of the Act, and seeing that a great deal of the work of decentralization must be the getting rid of power from a higher authority to a lower, of the two suggestions which have been made to us, which would you be in favour of—one is to proceed by a general section, and the other to go to the Legislative Council on every occasion and say, "Please pass a specific Act making this delegation?"—Having to go to the Council in each case I think would be very cumbersome. I think if there was a general law that the Lieutenant-Governor, or the Board of Revenue, could delegate their powers, it would be better, provided there was some safeguard.

15184. Have you thought about it sufficiently to say what sort of safeguard you would suggest?—No, I have not considered it sufficiently, but I think some safeguard would be necessary.

15185. Have you considered at all the question of the touring system?—At present there is a touring system, but I have not considered it in any special light; it takes a Magistrate, I think, at least 90 days now to tour.

15186. Do you think that that takes the Magistrate sufficiently out into the villages in his district?—He must put in his 90 days; whether he be in one sub-division, or whether he is able to go through all the sub-divisions, he must put in 90 days, but wherever he goes he carries his work with him; he has to spend lots of time in disposing of his bundles, and his bundles increase, so that he has not much time for outdoor work, and whenever he is in camp he has not much time to see people.

15187. Can he remain out at present for a month or six weeks at a time?—He cannot remain months—I believe only a fortnight or three weeks.

15188. With regard to Advisory Councils to Commissioners, do you suggest that a Commissioner should consult people on different subjects?—Yes.

15189. Would you suggest that he should keep up anything in the shape of a roster of gentlemen who would be satisfactory advisers in districts on any subject?—I think as Commissioner of the Division he should try and find out all the persons he could consult.

16190. Of course there is a darbar list, but suppose a new Commissioner came, and has a big subject to deal with a month afterwards, the darbar list would not disclose to him anything with regard to the knowledge of the people on the darbar list?—No.

15191, Then would you have anything in the shape of a list kept up, or would you leave each Commissioner to find out what the respective qualifications of the people might be?—I should leave the Commissioner to find out. If each Commissioner in succession left a note in his office, probably that would help a newcomer to find what good men he could consult.

15192. With regard to Sub-Deputy Collectors, would you give them magisterial powers?—Yes; they have got some kind of magisterial powers now to try small cases.

15193. If you introduced that system might you possibly do with fewer appeals?—I have not given any thought to that, but I do not think so.

15194. Have you a system of Honorary Magistrates?—Yes.

15195. Is that capable of expansion usefully?—I think it might be.

15196. You said you thought it advisable to improve the position of the panchayat, but will not that necessarily follow if magisterial and civil powers devolve on him?—At present, as constituted, I do not think they have any position excepting the collecting member of the panchayat, who has some slight position.

15197. You said that there might be a risk in entrusting certain powers to Commissioners, because some Commissioners had hobbies and so on. Is it not from the Commissioners that the members of the Board of Revenue are selected?—Yes, that is true.

15198. You have known a good many members of the Board of Revenue?—I have.

15199. I do not want any names, but do you think any of them had hobbies?—I think one had during my term of service.

15200. You have known a good many Lieutenant-Governors too?—Yes.

15201. Do you think any of them had any hobbies?—Yes, certainly.

15202. Then I suppose you must take the risk somewhere. If you are to have appeals as a protection against hobbies, where is it going to stop?—That is true, but it should be remembered that when a person becomes a member of the Board of Revenue, or a Lieutenant Governor, he is not likely to have a hobby because he will have gradually acquired experience; the Collector is the person who should be watched more for hobbies than the Commissioner.

15203. Does a Commissioner get his Commissionership, after 23 or 24 years' service?—Yes, and after he has acquired a good deal of experience.

15204. Do you not think, from your experience of Europeans in this country, that about that period constitutes the cream of their usefulness?—Yes, undoubtedly.

15205. And if ever they are to be worthy of confidence, they should be worthy of it by the time they have lived amongst the people for 20 years?—Yes.

15206. Then is there any very great risk in conferring powers upon men with that experience of India?—No, there is no great risk; but I referred more particularly to the delegation of powers to Collectors.

15207. Then you would not feel inclined to delegate powers of the Court of Wards to Collectors?—I would delegate some of the powers to them and the rest to the Commissioners.

15208. One of the Court of Wards' Acts allows the Court of Wards to delegate all or any of the powers of the Court to any other person, and I suppose he might not be an official at all, or he might be a Deputy Collector or anybody?—Yes, anyone who is in the service of the Court of Wards for the time being.

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15209. (*Chairman.*) Would you prefer that power with regard to the Court of Wards in the management of estates should be in the hands of an expert adviser, or that it should rest, as it is, largely with the Commissioners and Collectors?—I should keep it as it is. May I venture to say, when you asked me about Commissioners and their 23 years' service, the present condition of our service is that many junior men act as Commissioners.

(*The witness withdrew.*)

RAJA PEARY MOHAN MUKHERJEE was called and examined.

15210. (*Chairman.*) You are a zamindar of the Hooghly district?—Yes.

15211. Have you been a member of the Bengal Legislative Council?—Yes. I was a member twice, once in 1879 and the next time in 1906. I have also twice been a member of the Viceroy's Legislative Council, once in 1884, and again in 1886.

The principles which regulate and the rules which govern the financial relations between the Imperial and provincial Governments are equitably based on the results of large experience. In justice, however, to the Local Government and the people of Bengal, a portion of the customs revenue may well go to the provincial revenues. It would be in consonance with the practice which obtains in the United Kingdom, where a sum of £203,104 18*s.* 4*d.* was granted from Customs revenue in aid of the local taxation of England, Scotland, and Ireland in the year 1905.

I am opposed to the grant of borrowing powers to Local Governments. The possession of such powers leads to extravagance and to the permanent increase of expenditure. It adds to the burden of interest, and thereby cripples the resources of future Governments, and compels them to have recourse to additional taxation.

I would not curtail the right of appeal wherever it is granted by law or practice. Owing to the immense increase of work of the Secretaries of Local Governments, appeals from the orders of Divisional or District Officers do not receive the requisite amount of attention and consideration. The abolition or curtailment of appeals would make matters worse. Even at present a Local Government may withhold sending an appeal to the Government of India, if in their opinion no reasonable grounds for it exist.

I would allow the rules regarding appeals by public officers to remain as they are, subject to the existing restrictions.

The right of appeal to the Local Government, allowed by law or by executive practice, should be allowed to remain intact. To restrict that right by a provision for a certificate as to the reasonableness of the grounds of appeal would be a virtual denial of the right.

The Local Governments are not unnecessarily liberal in disposing of petitions of appeal against orders of dismissal and other orders affecting public servants. In justice to these officers such petitions should receive more lenient and liberal consideration.

In the matter of establishing new ferries and declaring an existing ferry to be a public ferry, Local Governments are led too much by considerations of revenue regardless of the rights of riparian landholders.

Want of leisure and of sufficient knowledge of the vernaculars are the great drawbacks in the way of Executive Officers coming into closer contact with the people. The work they have to do is unnecessarily heavy and multifarious. A number of the returns, reports and statements they have to submit periodically should be done away with.

So far as my knowledge extends, the divisional and district administrative staff is sufficiently large, and there is no district of which the area need be reduced.

The practice of transferring an officer from a district after three years' service is founded on a sound principle. It gives officers the necessary training for higher appointments. A knowledge of the customs, institutions, systems of land tenure, and of the agricultural and industrial resources of different districts, is a necessary equipment for public officers. Districts should be given their turn of good and bad officers. A long tenure of office in a district is likely to engender friendships and prejudices which are inimical to just administration.

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The powers exercised by municipalities are large enough. It is a standing complaint of ratepayers that the municipalities interfere too much with their domestic affairs, and that assessments are made of their holdings on the basis of a valuation much above their real value. It is desirable that the Municipal Commissioners should be vested with absolute control in the matter of assessment of holdings, and that Section IIIA of the Bengal Municipal Act, which empowers the Government to get the assessment done by an assessor on the requisition of the Commissioner of the Division, be repealed.

The powers of the District Boards, too, do not admit of enlargement.

Advisory or Administrative Councils would be of little use either to the District Officers or to the people themselves. As members of municipalities and District and Local Boards the people have a voice through their representatives in all the important affairs of the districts. Few persons would take kindly to the obligation of having to attend the Magistrate's office periodically. At the meetings of the Agricultural Association we have rarely a quorum.

The constitution and functions of the two bodies are so totally different that it would serve no useful purpose to make municipalities subordinate to District Boards. In many municipalities the Commissioners are, on an average, persons of a higher social position than members of District Boards, and it is an established fact that municipal elections evoke much keener competition than elections for membership of District Boards.

Village communities, as they existed in old times, are rarely to be found at present in a large number of districts. The panchayats do not represent the community, nor are they composed of desirable men. If not treated, as at present, as servants of the State, the constitution of panchayats will improve, and they will gradually be composed of men who command the respect and confidence of the village community. It is then only that civil and criminal powers may be given them.

15212. You think that in certain cases Local Government has been rather influenced in its policy towards the people by considerations of revenue rather than of equity. Will you state briefly what it is that you refer to?—You will find from the regulations of 1816 and later that the right of establishing ferries was granted to Government only in cases where a ferry was necessary for connecting a line of road used for the purpose of marching troops and other important matters, and it was not intended to be a source of revenue to the Government. The right of zamindars to establish ferries has always been recognised, and it was so decided by the Judicial Committee of the Privy Council not long ago. I think it unjust to us, the landowners, for the Government to establish ferries according to their own sweet will and pleasure regardless of the rights of zamindars to establish them. It may be contended that private ferries are not subject to that control to which public ferries are

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subject, and that, therefore, there might be risk of life and greater risk of accidents if the number of private ferries were allowed to be increased, but there is a law by which all private ferries are subject to very strict control by District Officers, so that a public ferry is not more free from risk of accident than a private ferry, because both are equally subject to the same control.

15213. To some extent, by this action of the Government, the revenues of the zamindars have been interfered with?—Yes.

15214. Are there a very great number of returns and periodical statements which you think could be done away with?—Yes, particularly the agricultural returns. Most of them are worthless.

15215. Taking the returns of what are called vital statistics, do you think that they are very inaccurate?—Yes, they are very inaccurate.

15216. How are they obtained in Bengal?—Mostly through the police. When a child dies in a man's family, naturally he is not in a condition of mind to think of his duty in the way of reporting the death to the police, and I know of several cases which have come before me, when I was a Magistrate, of default to give notice to the police. In these cases to inflict a fine or any sort of punishment upon the men is sheer cruelty.

15217. Do you mean that heads of families do not report cases to the police, and that the police in making returns of deaths are not really aware of the number that have taken place?—Yes; they do not get exact information, and as to the nature of the disease that, too, is doubtful. For instance, a man may die of cholera, and it may be reported as a case of fever, or *vice versâ*.

15218. Do you therefore think that these returns might very well be abolished?—Yes.

15219. Did you hear the last witness say that he would keep a District Officer in a district for a period of five years?—Yes, but I am opposed to that—I think three years is long enough.

15220. Could an officer get round his district sufficiently in three years?—Yes; an officer could learn everything connected with his district, if it was not too large, in a month or two months. He would get to know the principal men and the principal institutions in the district, and the features of the district; that would not take him a long time to learn.

15221. Why do you think three years long enough?—In the first place for the training of officers it is necessary they should have a knowledge of the customs, and the institutions, and the agricultural and natural resources of a number of districts before they can be qualified for higher appointments, and to deprive them of that training, as you would do if you kept them five years in any one district, would be wrong.

15222. In the old days had officers greater knowledge of their districts than they have now?—Yes, a good deal more.

15223. How long did they stay in their districts then?—In some cases they had a long tenure of office in a district, but that was by private influence, I should think.

15224. Are the powers exercised by municipalities large enough?—Yes, quite large enough; I would rather curtail them than make any addition to them. I think with Mr. Herbert Spencer that a country least governed is best governed. If a man wants to add a room to his house now he has to go to the municipality, and in many things they have to go to the municipality for permission, but why should it be so?

15225. Would they not use any further powers more usefully than they use those which they have now?—Yes.

15226. Does the same thing apply in your opinion to the District and Local Boards?—Yes.

15227. Could anything be done in the way of extending the power of village communities?—Village communities in the sense in which we read of them in books do not exist in the neighbourhood of Calcutta, or in the Bengal districts.

15228. Therefore you think that nothing really can be done in that way?—Yes, and the panchayats are composed mostly of men who are quite undesirable—the respectable and worthy men of a village will not consent to serve on the panchayats; a large number of the members are undesirable men.

15229. (*Sir. Steyning Edgerley.*) Do you suggest that in the matter of ferries Government rather look after their own interests?—Yes, why should they make it a source of revenue?

15230. In Bombay, all the revenue from the ferries goes to the District Board. Is that the case in Bengal?—Yes.

15231. Then Government, as such, gets nothing out of them at all?—Except indirectly by saving the money which they would otherwise have to give to the District Boards.

15232. When you said that a District Officer could get to know his district in a month or two, you did not mean that he could personally visit the whole of it, but that he could only learn about it?—If he were an intelligent officer and knew the language, and had some experience, he might easily learn about it.

15233. But you do not mean that he could personally visit the whole district in that time?—No, of course not.

15234. How long would it take him to do that?—Collectors finish their tours in two months in the cold season.

15235. But would it take him one touring season or two?—Collectors do not visit every place; there are certain places which no officer visits, because there are not, perhaps, convenient roads or places where they can get food.

15236. (*Mr. Meyer.*) Do you desire that a portion of the customs revenue should go to the provincial revenues?—Yes.

15237. Do you mean any large proportion?—A small proportion—in the proportion which the local taxation in England, Ireland and Scotland receives assistance from the customs.

15238. You mentioned the sum of £200,000 as having been granted from customs revenue to aid local taxation in England, Scotland and Ireland, in the year 1905, but are you aware that the customs revenue in the United Kingdom amounts to many millions of pounds?—Yes.

15239. So that the sum you mention is quite an infinitesimal percentage?—Yes.

15240. What is to be gained by granting this infinitesimal percentage in Bengal?—I think Bengal should have a hold on the sources of the revenue which are principally fed by the consumption of the people themselves.

15241. But a considerable part of your customs revenue represents the consumption of all the people in the United Provinces?—Yes, but we do not get our share of the customs revenue.

15242. You say that you are against any restriction of the right of appeal? On the other hand you say that owing to the immense increase of work of the Secretaries of Local Governments, appeals do not receive the requisite amount of attention and consideration. Is not the increase of work, of which all officers complain more or less, very largely due to the frequency of appeals, and are not appeals made much more freely than used to be the case 30 or 40 years ago?—I think not.

15243. Has not the work greatly increased?—The work has greatly increased on account of the large increase of subjects. Questions with regard to District Boards, and other matters come up to Government which did not come up before.

15244. But you admit that the Local Government may withhold sending an appeal to the Government of India in certain cases where there is no reasonable ground for sending it on?—Yes, but I know of a gentleman who was dismissed by a local officer and wanted to appeal to the Government of India, but the Government of Bengal said they thought there were no grounds for appeal. The man came to me for advice.

15245. Do you think, then, that in everything there ought to be an appeal right up to the Secretary of State?—No, not to the Secretary of State, but to the Governor-General in Council.

15246. You say that the municipalities do not do much good. There are a number of quite small municipalities in Bengal with a population of less than 10,000 people?—Yes.

15247. Would you abolish those and convert them into Local Fund unions or would you keep them on?—It would not do to abolish any riparian municipality because for the purpose of carrying out comprehensive schemes the joint action of a number of municipalities along the banks of a river becomes necessary, but in regard to an outlying municipality if it consisted of small agricultural villages, I think it would be much better that it should be converted into a union.

15248. Two or three witnesses have suggested that the Collector should cease to be the Chairman of the District Board—is that your view?—No.

15249. Should he remain the Chairman because it gives him a valuable means of finding out the requirements of the district?—Yes, for that reason, and also the Collector is a much better read man than any of the members of the Board. I suspect that if you left the entire control of the District Boards to unofficial gentlemen there would be very great risk of matters not being conducted in a proper way—I mean few, if any, of the members of the District Board have taken the trouble to read through carefully the Local Government Act or the Civil Service Regulations, so that in the matter of granting leave or sick leave, and those kind of things, the District Collector certainly knows more than anybody else. In fact few members know anything about these matters. I would make the Collector head of the Board.

15250. (*Mr. Hichens.*) If you gave these non-official people some responsibility might they not rise to it? I am not an advocate of honorary work; I think paid work is much better done, and only in exceptional cases do you find that a non-official gentleman will take the trouble to qualify himself thoroughly to be Chairman of a District Board.

15251. I understand you to say that the Chairman of a District Board should be a paid official?—Yes, if he be a paid servant, whether he is an Indian or an Englishman would not matter much, because a paid man would feel the responsibility of qualifying himself for the post.

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15252. You do not think that the other members of the Board should be paid too?—No, I do not think they need be paid.

15253. (*Mr. Dutt.*) Do you say that if they were not treated as servants of the State the panchayats would improve?—Yes.

15254. At present the panchayats are, to some extent, under the control of the local police?—Yes.

15255. And therefore respectable people do not like to serve on the panchayat?—They do not.

15256. If you are to improve the panchayat, should they be made completely independent of the police?—Yes.

15257. Under those circumstances, and if proper men are appointed, will the panchayat command the respect and confidence of the villagers?—Yes, and much good might be done by conferring on them civil and criminal powers.

15258. Will you kindly explain in what matters?—In the matter of any breach of sanitary rules or regulations and such like things, I think criminal powers might be vested in the panchayat, and also in the case of disputes as to irrigation and boundaries, and such things. Those things might be very profitably handed over to the panchayat to deal with.

15259. And that would save people the trouble of going a long distance to have their cases judged?—Yes, and there would not be so many false cases as at present. The people try to throw dust in the eyes of a Magistrate, but they would know very well that if they tried to bring any false case before their neighbours it would not stand for a moment.

15260. (*Sir Frederic Lely.*) What part of Bengal are you specially acquainted with?—I have estates in six districts of Bengal.

15261. With regard to village communities, do you say that they are rarely to be found at present as they existed in the old times?—That is so.

15262.—Does that apply to Chota Nagpur?—No, there are still panchayats there. I am speaking of Bihar and Bengal.

(*The witness withdrew.*)

MAHARAJA MANINDRA CHANDRA NANDY OF COSSIMBAZAR was called and examined.

15263. (*Chairman.*) Where is your residence?—I live at Cossimbazar, in the district of Murshidabad. There is considerable scope for further decentralization and delegation of power to Local Governments and local authorities; and in order that such extended powers may be exercised to the best advantage of the administration and the people, some machinery should be devised whereby the Local Governments and authorities may be placed in possession of authoritative local opinion, to which definite recognition should be extended.

I would give to Local Governments the power of borrowing money in the open market up to a certain limit and subject to the revisional authority of the Government of India. The Corporation of Calcutta and the Calcutta Port Trust which are subordinate bodies possess this power. There is no reason why the Local Governments should not be invested with the same power. I would allow them to create new appointments, carrying salaries, say, up to Rs. 250 a month, and to enhance salaries of subordinate appointments up to the same limits, the essential condition being that the budget limit of expenditure should not be exceeded.

The two most notable reforms which have been inaugurated in recent years, viz., Local Self-Government and the expansion of the Legislative Councils, proceeded from the Government of India. Local Self-Government was Lord Ripon's work. The expansion and reform of the Councils was recommended by Lord Dufferin. In my opinion provincial Governments should not be permitted to develop their administration on their own lines, adopting or not at their discretion suggestions from other provinces. In a matter of this importance they should be under the controlling authority of the Government of India, the effect of which would be to secure greater uniformity in these reforms.

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I would not impose any limitations upon the right of appeal as it now exists. The right of appeal is highly prized; and even where it is a hopeless case, it is some consolation to the appellant to know that he can go up to the highest authority and obtain a hearing. The curtailment of this right would be highly unpopular.

I would delegate larger powers to Magistrates and Commissioners of Divisions, subject to the condition that they are assisted by Advisory Councils. These Advisory Councils would place the local authorities in closer touch with the people than now, and would go far to adapt local administration to local environments and needs. Two-thirds of the members of the Advisory Council should be elected, and one-third nominated by the Magistrate, or the Commissioner of the Division, as the case may be. The elected members of municipalities and of District Boards should form the constituency for the election of the members of the Advisory Council. They should be consulted in regard to all important matters except judicial, and they should have the right of offering advice even when not consulted upon any matter which they deem to be of sufficient importance. The Advisory Councils would prove highly useful, as Executive Officers have not sufficient opportunities for personal contact with the people. The chief obstacles in the way of personal contact are the want of time, unfamiliarity with the vernaculars, in the sense that

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they are not able to hold conversation in the language of the people, and the presence at many district headquarters of a fairly large European population, with whom, naturally, European officials prefer to spend their leisure. The creation of Advisory Councils would go far to remove the obstacles to which I have referred.

District Officers must always be carefully selected. Everybody is not fit to be a District Officer. It is an office of high responsibility which needs the exercise of great tact, judgment and care. The delegation of larger powers will, of course, involve more careful selection. But if there are Advisory Councils, the risks of an unhappy selection are very much minimised.

I do not think that any general increase in the district staff is required. Their work would be lightened by the creation of Advisory Councils. Some districts may appear too large, as, for instance, Midnapore in Old Bengal and Mymensingh in the new province. But there is a very strong feeling against partition of any kind, and local feeling should be respected. Sometimes District Officers are kept too long in a particular district, and they imbibe prejudices which a prolonged association with the environments of a particular place is apt to produce. Sometimes again transfers are too frequent; and an officer is sent away just as he has got in hand the threads of the administration, or is in the middle of a local undertaking of importance.

As regards municipalities, I would strongly recommend an extension of their powers. In Bengal the municipalities under Lord Ripon's Local Self Government Resolution were created in 1884. Nearly a quarter of a century has now elapsed; but their powers remain the same as at the time of their original creation, although Lord Elgin's Government, in a formal resolution, declared that the local bodies had, on the whole, been successful throughout India. At present the Magistrate exercises a minute control over the smallest details of municipal administration. I think this control should be relaxed and should be confined only to the major heads of the budget. In selected municipalities which might be named in a schedule, even this measure of control might be withdrawn and the municipalities permitted, as in the case of the Calcutta Corporation, to frame their own budgets in their own way. I would not invest District Boards with the power of supervision over municipalities. A Central Board like the Local Government Board in England might be formed, consisting of two or three members, one of whom should be an experienced non-official Chairman of a municipality, to control the municipalities of the province.

As regards the District Boards the Magistrate and Collector, who in Bengal is always the Chairman, should be released of this responsibility and a non-official gentleman should be appointed. The work of the Board is often practically done by the Vice-Chairman, who is a non-official member. The District Board is practically a department of the Government, and the Executive officer and the Government exercise minute control over its operations. Its powers in respect of education, medical aid and sanitation are largely controlled by the Government; and the power of making rules reserved to the Government regulates and restrains the functions of District Boards in the exercise of many of the functions.

It is both possible and desirable to group together a number of villages and invest them with powers in the disposal of local affairs relating to revenue, police, sanitary, educational and other matters, such as the disposal of petty civil and criminal cases.

15264. Are you in favour of giving the Local Government power of borrowing money in the open market up to a certain limited extent?—Yes.

15265. Are you engaged yourself in any occupation, or in finance, in such a way as would lead you to know what the state of the local money market is?—No, not particularly.

15266. Can you tell us whether there is, at all events in Bengal, a rupee market which is untouched by the issues of the Government of India at present?—The whole of it is already touched.

15267. Would you like to see, in the case of Bengal, the Head of the Government assisted by an Executive Council?—Yes. Such an Executive Council should consist of two or three members.

15268. Then would you like to see very much larger powers given to the Commissioners so as to make them like the Commissioner in Sind.—Yes. I have been in Sind once, but I am not acquainted with the Government.

15269. You do not wish to see the control of the Government of India removed from the Local Government? Will you tell me why?—Because if there is to be any check it must be done properly.

15270. Are you afraid if the control were removed that the Local Government would get out of hand?—Yes.

15271. Would you leave the Commissioner the right to nominate persons upon the Advisory Council?—I think that should be done by the higher officers, and, of course, the Council for a Magistrate would be nominated by him with elected members.

15272. You would like to see the Commissioner's Council partly elected and partly nominated?—Yes. I think two-thirds should be elected, and one-third nominated.

15273. Would you like the Collector to have a similar Council?—Yes. There would be two Councils, one for the Commissioner and one for the Collector.

15274. Do you think that on the whole, the District Officers know the people who live in their districts pretty well?—No, from my own personal knowledge I can say that the District Officer does not know them pretty well.

15275. Which particular district do you live in now?—I live in Murshidabad; I have been in many districts in Bengal, and from my personal experience I know that the Magistrate and the local officers are not acquainted with many of the people.

15276. Are they intimate with you?—Yes, of course, they are with me.

15277. But not with persons who are in a lower social position?—Quite so.

15278. Do you think that they, perhaps, go to see the gentlemen of high position and do not go amongst the people?—Generally the Magistrate does not go anywhere; we go to him to pay our respects, and when we go to him he asks questions about the district, and whenever he goes out on tour he usually goes to a European resident of the place. Of course if there is anything important to enquire about, he enquires about it, and then goes back.

15279. When the District Officer comes into that part of the district where you live, does he make a call upon you, or do you go to see him?—I go to see him.

15280. Does he return the call?—No. Some Magistrates pay return visits but not all.

15281. Does the Commissioner pay you visits?—Not always; sometimes.

15282. Do you think it would improve things if, when the District Officer went round and native Indian gentlemen called upon him, he always returned their calls?—Yes, that would be a good thing no doubt because he would find out the proper state of things.

15283. And then, perhaps, he would have a greater knowledge as to whom to put upon the Advisory Council?—Yes, he would meet gentlemen who could give him all sorts of information with regard to different parts of the district.

15284. Do you find in any cases complaints that District Officers are not very courteous to people who come to see them?—I have seen it, but not with regard to all.

15285.—You have found them discourteous once or twice?—Yes.

15286. That is very regrettable and tends to keep the people at a distance?—Yes.

15287. Have you noticed that more lately, or has it been less than it was?—Some three years ago a Magistrate was posted in our district of that nature.

15288. And, of course, the people kept away from him?—Yes.

15289. The last witness stated that he did not think it was very much good giving increased powers to

municipalities. Do you agree with him?—I think that increased power should be given to district municipalities.

15290. Do you think that a Magistrate exercises too much control over its budget?—Yes, and not only the budget, but as to minor details. I would like to see his power confined to major heads.

15291. Supposing that that control was very largely removed, do you not think there would be some unwise spending of money by the municipalities?—Yes, but the people would pay more attention to their affairs, whereas if the Chairman and Commissioners know that what they suggest will be checked by the Magistrate, they will not take much interest in them.

15292. You think that if the control of the Magistrate was removed, although there might be wasteful extravagance, still there would be an improvement in time?—Yes.

15293. Would there be at first a certain amount of corruption?—No, because there are several persons on the Board.

15294. When the municipality were able to spend money more as they liked, would there be a certain amount of corruption, as, for instance, some one might want to put his brother, or his cousin, into some place?—I do not think so, because the Municipal Chairman and the Commissioners are all gentlemen and men of education, and they would always take care of that.

15295. But there might be extravagance. Would you say the same thing with regard to District Boards?—The District Boards are different. At present in almost all districts in Bengal the Magistrate is the Chairman of the Board, and it is a Government office. There are some elected members, but they follow the advice and orders of the Magistrates, and therefore at present it is a Government office, and the power of making rules is in the hands of the Government, so that the Government power is increased. If more power is entrusted to the elected members, and if an influential gentleman were appointed as Chairman of the Board, I think it would be an improvement

15296. If it ceased to be a Government office would the members of the Board take greater interest and feel greater responsibility in their work?—Yes.

15297. There again there might at first be some extravagance?—No, I think not, because the money would be checked by a Government auditor, and there is very little chance of extravagance.

15298. Do you not think a District Board, if freed from the control of the Magistrate, might want to raise the pay and salaries of its servants, for instance?—That would be at the discretion of the Board, but I think if there is any necessity for increasing the pay, it should be considered by the whole of the members and the Chairman and Vice-Chairman.

15299. Do you agree with the other witnesses that something might be done to increase the powers of the village communities?—Yes.

15300. Might there be found in a village respectable men who could be joined to the panchayat and made into a village Bench for the purpose of trying petty criminal and civil cases?—Yes.

15301. Would that tend greatly to the building up of a sort of Local Government?—Yes.

15302. (*Mr. Meyer.*) For what purpose would you allow Local Governments to contract loans?—Sometimes for public business they require more money, and it cannot always be allotted.

15303. The Government of India already borrows money for railways and irrigation works which more than pay the charges, including interest?—Yes.

15304. Do you wish to alter that system?—But the Government of Bengal requires money sometimes.

15305. You mean for something, perhaps, which does not pay its way—such as a navigable canal, for instance?—Yes.

15306. Do you say that you would not reduce the right of appeal even where the appellant is absolutely wrong?—I do not mean to say where the appellant is absolutely wrong, but, if he thinks he has not been fairly dealt with, I would allow him to appeal.

15307. But does that not mean a large waste of time to superior officers?—What I say is that even where there is some hopeless case the appellant would get some consolation if he has the power of appeal and getting a hearing in the upper Court.

15308. The petitioner gets consolation, but the Magistrate or the Lieutenant-Governor, as it may be, has his time wasted in reading over the papers merely to reject them?—I do not speak in that sense. I am taking the case of a poor man whose case has been dismissed, and if he has the power of appeal, he has a chance of winning his case; but if he has no power of appeal, or any hope of appealing to the higher authority, he may think that justice has not been done him. I am not for an appeal in a case which is not a true case.

15309. You want to give larger powers to Commissioners, I understand? But if everything they do is to be appealed against to the Lieutenant-Governor, or the Board of Revenue, will it be much good giving them larger powers?—Yes, they can do something, I think.

15310. Do you mean the Advisory Council you suggest to be purely advisory?—Whenever an important case came before him, and he wanted the help of the Advisory Council to decide it, I would let them advise him.

15311. But supposing the majority of the Advisory Council said, "You are to do this," and the Commissioner said, "No, I do not think that is advisable, I want to do something else," what would happen?—In that case there must be some Appellate Court, no doubt.

15312. And therefore you would refer to the Government or the Board of Revenue?—Yes.

15313. And the same with a Collector?—Yes.

15314. You say that the work of the District Officer would be lightened, but how could that be if he has to consult a number of people, and then refer to a higher authority if he did not carry the opinion of his advisers with him?—I think if the true circumstances of the case were brought before him there would be very few appeals. Generally appeals take place in cases which are not properly represented, and the officer trying the case does not know the facts and there are mistakes in his judgment; but if he is enlightened with the help of the other members, he can decide whether the case is a true one or not, and I think then the number of appeals would be lessened.

15315. But you say that they should not have the right of intervening in judicial matters?—Yes.

15316. Would you have this Advisory Council elected by members of the District Board and others?—Yes.

15317. Would you get a proper representation of the people in that way?—Yes.

15318. Would it not be likely that you would get a great many pleaders and people of that kind on the Board?—Not only pleaders—you would also get people of the merchant class and the educated class, and zamindars—you would get all sorts of men.

15319. But do large zamindars like yourself usually occupy a seat on the Board?—There are some who take a seat on the Board.

15320. Would you get quite a good Advisory Council simply from the District Boards and municipalities?—Yes.

15321. You speak of a Board of Control at headquarters over municipalities like the Local Government Board in England. Are you aware that the Local Government Board in England is a mere fiction, and that the whole of the work is done by a single Cabinet Minister with his staff?—We only know that there is such a body in England.

15322. Do you desire to dissociate the Collector from the presidency of the District Board, and would you also take the magisterial work from him?—Yes.

15323. If you take him away from the presidency of the District Board, do you not dissociate him from the work in connection with roads, sanitation and education? You would make him a mere collector of revenue and a trier of cases?—Yes.

15324. Is that a satisfactory position for a Collector?—The Collector has power to deal with all the officers of the district; being the District Magistrate and Collector he has power to deal with education, irrigation, roads and everything.

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15325. But you said that the District Board should have power to allot money and do everything that is wanted?—Yes, and that the District Magistrate should see to it from time to time.

15326. But would not the Chairman of the District Board become a much bigger person in a district than a Collector. The real person to whom the people would look to do things for them in the way of roads, schools and drainage would be the elected Chairman of the District Board, and the Collector would cease to be the real representative of Government then?—Yes.

15327. You say that there are certain municipalities which you would like to treat like Calcutta; do you mean the very large ones, or a great number of them?—I mean the very large ones—not a great number.

15328. (*Sir Steyning Edgerley.*) You think that a preferable constitution for a province would be a Governor and Council and Commissioners. You did not make it quite clear whether you required a Board of Revenue under that system?—Yes.

15329. If you magnify the Commissioner's powers and also add a Governor-in-Council, is not the Board of Revenue rather squeezed out—what useful work could it do?—I think not; they would have something to do. I would still leave the Board.

15330. With regard to appeals you suggested that there should be no change, but do you refer simply to appeals by officers, or to appeals by litigants?—I refer to appeals by litigants and officers also.

15331. As regards litigants, there are always two parties concerned, and in obtaining your suggested consolation for an appellant are you not rather ill-using the man who has won his case in two or three Courts?—That may be so, but in some cases it would not be so.

15332. Supposing a case where the two first Courts were absolutely concurrent and certain about the facts, would it not be rather worrying a man who had won to allow an appellant to carry him on from Court to Court?—In some cases it might be. It is very difficult to say, but my point is that an appeal should be granted notwithstanding the hardship.

15333. You have recommended certain Advisory Councils and village panchayats, and various things of that description, but would you not want legislation if you once had election to these Councils?—Yes.

15334. How would you proceed; would you proceed by an Act which should endeavour to make an exact constitution for each Council, or would you have a very general rule-making clause which would enable you to make experiments?—I would have a general rule.

15335. So that you might try one thing in one district and another thing in another?—Not in that way; an experiment in one district would do.

15336. But you would not try to be precise in the first instance?—Yes.

15337. Would you try a precise Act, or would you try a very general Act giving power to make rules?—I would have a general power to make rules.

15338. (*Sir Frederic Lely.*) How do other people regard a District Board in a district; do they regard it as really representing them, and do they consider that they have an interest in its proceedings?—The people think that it is a Government office.

15339. Do they not evince any interest in its proceedings?—No.

15340. Then it is not, in any true sense, a representative body?—No, it is not at all.

15341. In Bengal villages is there a good deal of faction, and a great deal of jealousy of the panchayat, for instance?—Not in every village, but there are villages, or village people, who have jealousies.

15342. As a matter of fact, if power is given to anyone in a village, would not that usually mean in Bengal power to the zamindar?—No.

15343. Is not the zamindar all powerful on his estate?—But you do not find a zamindar in every village.

15344. Practically every village is in some zamindar's estate?—No.

15345. Most of them?—No; in many cases the zamindar never interferes with village matters. In some cases, such as boundary questions between two villages, and with regard to money matters and other things, he does act.

15346. Do you think generally in village matters the zamindar would leave the people to themselves and not interfere with them?—Yes.

15347. Is your proposition that District Councils are to be elected by municipalities and District Boards?—Yes.

15348. Then the lower castes would have no representation?—Yes, even in the lower castes you can get good men now-a-days, but I do not say in every village.

15349. Do you know of any District Board at present which has a low caste representative member on it?—No.

15350. Or any municipality?—Yes, I do, he was elected.

15351. Do you know of more cases than one?—No.

15352. Would a low caste man have much chance of being elected to the District Council?—I cannot tell you whether he would be elected by the people, or not.

15353. Would you yourself stand for election?—Yes, I am Chairman of the municipality. I was elected.

15354. (*Mr. Dutt.*) The members of the District Board are now partly nominated and partly elected?—Yes.

15355. Are the zamindars and men of social standing prevented by the prevailing feeling of the country from seeking election?—I cannot speak as to that.

15356. Would they willingly appear as candidates for election do you think?—Yes.

15357. They would not be disgraced in the eyes of their countrymen if they stood as candidates?—No.

15358. When pleaders are elected as members of the District Board, do you, as zamindar, think that your interests are neglected?—Yes, if only pleaders are elected, of course in that case I should think my interests were neglected.

15359. Do zamindars themselves sometimes elect pleaders as their representatives?—Formerly it was the custom, but now-a-days it is not.

15360. Have zamindars elected pleaders as their representatives on Councils and District Boards?—Yes, but not as pleaders, but as their qualified representatives.

15361. A proposal has been made that every class should return a member from their own class so that cultivating raiyats should return such a member; in your opinion, in a small sub-division, would the raiyats be able to find a properly qualified raiyat to represent their interests on a Board?—No, I do not think they would be able to find such a man among their class, but in some places you can find them.

15362. So that if you restricted the selection to their own class, their interests would suffer?—No, their interests would not suffer; but it would be better if there was a representative for all classes of people; if, however, a representative cannot be found from each class, they should be allowed to select one from some other class.

15363. Would you allow the people to select a representative from any class they liked?—Yes.

15364. With regard to nominated members, when men of position and local standing are nominated members of a Board, do they lose the respect of their countrymen?—Yes.

15365. They are no longer respected by their countrymen?—No.

15366. What is the cause of that feeling?—Because it is felt that they will follow the advice of the Magistrate.

15367. But supposing they are independent men?—If such a man be an independent man he will be regarded as a respectable man, no doubt.

15368. So that depends more upon his own personality?—Yes.

15369. (*Mr. Hichens.*) Does your work as Chairman of a municipality take up a lot of your time?—Yes, at least two hours a day.

15370. Would there be any difficulty in getting unofficial people to take that work up?—There would be no difficulty in Bengal; I cannot speak for other provinces.

15371. Are the other members interested in the work?—Yes.

15372. Are there any committees or sub-committees in your municipality?—Yes.

15373. Do they take an interest in the work?—Yes, a great interest; they always help in the administration of the municipality.

15374. (*Chairman.*) What are the population and size of the municipality of which you are Chairman?—The population is about 25,000.

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15375. Are the returns and statistics and general work of the municipality in English?—Yes.

15376. Is that a good thing?—At the present day it is a good thing, no doubt, because every one knows English—previously it was not so.

15377. Does that not increase the number of papers and returns and correspondence?—Yes, no doubt it does.

(*The witness withdrew.*)

RAI KISORI LAL GOSWAMI BAHADUR was called and examined.

15378. (*Chairman.*) Where do you live?—At Serampur, in the district of Hooghly. I am a zamindar. The people of this country do not want the controlling power of the Government of India over the provincial Governments to be in any way relaxed or diminished, or the right of appeal to the Government of India to be curtailed in any way. A strict central control should be exercised in such a way as not to unduly restrict the legitimate degree of local independence of the provincial Governments.

The most important official in direct touch with the people is the Collector, who, under existing arrangements, has to perform the two-fold duties of Collector and Magistrate. I beg to suggest that—

The Collector should be purely an Executive Officer, directly responsible to the Government or Board of Revenue, and he should actively co-operate with the Heads of the special Departments under the provincial Government in their respective work, and so far as his district is concerned, he should have all the powers now vested in the Divisional Commissioner.

The Divisional Commissioner, as an intermediate authority between the provincial Government or the Board of Revenue and the Collector, is a superfluity. The Divisional Commissionerships were created under Regulation I. of 1829. The reasons given in that Regulation for the creation of this intermediate supervising authority do not now hold good.

The Collector should be an officer of at least 12 years' standing, and should ordinarily hold charge of a district for at least five years at a stretch. At present many junior officers are entrusted with the charge of districts and transfers are much too frequent.

The Sub-Divisional Officer should be shorn of all judicial powers and should be a purely Executive Officer directly under the District Officer. He should be an officer of at least six years' standing, and he should ordinarily hold charge of a sub-division for at least five years at a stretch.

The number of the members of the Board of Revenue will, perhaps, have to be increased if the Commissionerships are abolished, so as to enable them to inspect the work of the District Officers.

The Sub-Divisional Officers and District Magistrates should possess a sufficient knowledge of the vernacular of the district in which they are posted so as to be able to make themselves quite intelligible to all classes of people who can talk only in the vernacular of the locality and to be able to understand what they say. The examinations to test their proficiency in the vernacular languages should be more strictly conducted. They should at least be able to understand petitions written in the vernacular of the district when read to them.

The Executive Officers have sufficient opportunities for personal contact with the people, but they are not generally availed of in a manner which would conduce to establish mutual confidence. The stiffness and overbearing manners on the part of some officers repel the people, and a want of knowledge of the manners and social aptitudes on both sides lead to misunderstanding. Personally I have met with courtesy and attention in all my interviews with the officers, notably with the higher officers.

Some of the districts are much too large for one District Officer, such as Midnapore. The areas of all the districts ought to be revised in the light of the population, area, and the accessibility from the headquarters to all parts of the district.

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The official control over the municipalities and the District Boards should be relaxed. The provision in the Local Self-Government Act for the election of a Chairman of the District Board is practically a dead letter. The experiment of having non-official Chairmen, in advanced districts, where capable persons can be found, ought to be tried. Section 124 of the Local Self-Government Act lays down the circumstances under which the District Magistrate or the Divisional Commissioner can suspend the execution of any order or resolution of a local authority. Unless the injury, or annoyance, or breach of peace be of a *serious* character, this power should not be exercised; *cf.* section 63 of the Bengal Municipal Act. The power given both under the Local Self-Government Act and the Bengal Municipal Act to the Divisional Commissioner to modify the budget prepared by the local bodies is much too wide. His powers of interference should be limited only to cases of contravention of any provisions of the aforesaid Acts or any rule or bye-law having the force of law, or of any specific direction or order of the Local Government.

I am in favour of the creation of Administrative Councils to assist District Officers. It will be very helpful to the officers to understand the popular views and wishes in all important matters. The Administrative Council may be partly constituted on an elective basis. I venture to suggest the following:—

Constitution.

(*a*) There ought to be an electorate of landholders residing in the district having a net annual income of Rs 3,000 or more a year from landed properties ascertained from Road Cess papers or otherwise. They may return four members.

(*b*) The non-official members of the District Board—one member.

(*c*) The non-official members of all the Local Boards of the district—one member.

(*d*) The non-official members of all the municipalities—two members.

(*e*) Three panchayats of the district to be selected by the District Officer.

(*f*) The non-official members of the Provincial Council residing in the district.

Any, or all, of the following officers may be asked by the District Officer to attend the meetings of the Council:—The Sub-Divisional Officers; the Civil Surgeon; the Inspector of Schools or Deputy Inspector of Schools; the District Engineer.

The District Officer may call meetings of the Administrative Council as often as he may deem necessary, to consider such subjects as he may think proper. There should be at least two meetings of the Council in each year. A requisition from half the number of members of the Council to consider any particular question at a meeting should be given effect to by the District Officer. The District Officer should not, without special sanction of the Local Government, do a thing which is opposed to the views of two-thirds of the members of the Council.

I think the Madras system of village administration might be introduced in Bengal. Selected panchayats

might be given the powers which are vested in the village headman in Madras; that is to say, they may be vested with the powers of Magistrates to try petty cases, and may maintain law and order in the village, applying for assistance to the higher authorities, if necessary, and reporting to them the occurrence of crimes and the movements of criminal gangs. They may also act as village Munsifs to try petty cases.

15379. The Commission have had before them other Indian gentlemen who have stated that the Local Government ought to be a self-contained Government which should be capable of managing its own affairs without the interference of the Government of India; will you tell us what your reasons are for holding the contrary view?—As the administration is at present constituted, it would be better that the control exercised by the Indian Government should continue, for in several cases the administrative measures with regard to the provincial Government are controlled by the Government of India in a way which produces very healthy results.

15380. Do you think that a Government which has to do with the affairs of many millions of people, and deal with many thousands of square miles, is not capable of exercising a discretion in large, as well as small, matters?—In my opinion it would be much better that things should continue as they are at present.

15381. But can you give me any particular reason?—We find the control as at present has a very healthy effect in regard to all matters.

15382. Will you tell me with regard to one particular matter how it has?—I think that the very existence of such a control makes the Government more careful.

15383. Should you think it right, for instance, that if the Public Works Department wanted to spend, say, more than 10 lakhs of rupees, it should have to go to the Government of India for sanction to that work?—Yes.

15384. You think that it helps forward the affairs of the locality which perhaps wants some small drainage work, or some public building?—I am not speaking with regard to those small matters; those things are really sanctioned as a matter of course.

15385. But is a reference in those matters to the Indian Government necessary?—In small matters the control might be relaxed.

15386. What are the larger matters in which you think it ought to be retained?—I am speaking of schemes involving large expenditure, which ought to be subject to the sanction of the Government of India.

15387. Have you ever been brought into contact with some of the higher officers of the Public Works Department, for instance?—No.

15388. So that you cannot personally judge of their capacity to execute the work or not?—No.

15389. Have you been brought very much into contact with the higher officers of the Government—with Lieutenant-Governors and members of the Board of Revenue?—Yes.

15390. Do you think, as a rule, that they are not capable of exercising discretionary powers in regard to large questions?—Certainly, I consider them capable, but control is salutary.

15391. You wish us to think that the acquaintance of the Collector with the people is very superficial?—You live in the *mufassal*, and I daresay you have come across a great number of District Officers?—Yes.

15392. Do the people hesitate to go to them?—Yes. Some of them allow ready access to them and treat the people very well, but there are others who are the very opposite, and there is a prevailing feeling that they do not desire the people to approach them, because in many cases the people do not receive the treatment they expect to receive.

15393. Is that owing perhaps to some mistake on both sides?—Yes, it is partly due to mistakes and want of knowledge of the vernacular of the country on the part of the Magistrate, and also to the want of knowledge of the manners of the people.

15394. Would it be possible to collect information with regard to the manners and customs, so that some small book could be written upon each province which would instruct young officers on the subject?—I do not know whether books would exactly enable one to find out what were the manners and customs. It might help a little, but one must be prepared to associate with men and for some little time put up with what appear to be rather strange manners and customs.

15395. You think, then, that there are misunderstandings on both sides?—Yes.

15396. But such a book as I suggest might help a young man coming out first of all?—Yes, I think it would.

15397. It would give him some instruction, which would be supplemented, of course, by contact with the people of the district?—Yes, a tactful superior officer might put him in possession of the way in which to do the thing much more quickly.

15398. Are the superior officers, the Commissioners and Collectors, wanting in knowledge of the manners and customs of the people?—Yes, in several cases they are, and in some cases they are very good men.

15399. Is five years long enough for any District Officer to stay in a district?—Yes. He perhaps may initiate some measure or work, and if he is there for any shorter time he never sees the end of the thing, and his successor, who might be a young man, would possibly drop it. I think the Magistrate should be in a district five years in order to get to know all about it, and take an interest in it.

15400. Ought he to be there longer than five years?—He should not be there longer, I think, than five years, but he should be there as close to five years as possible.

15401. You are of opinion that the Commissioner should be abolished and that the Board of Revenue should take his place? What makes you think that that would be a good plan?—As a matter of fact, so far as I know, Commissioners have not really much to do, and the Collectors, who are both Collectors and Magistrates, are absolutely overworked. That is one of the drawbacks, and why they cannot be quite nice to the people who visit them.

15402. Would the better way be first to give the Collectors and then Commissioners greater powers of decision in settling matters instead of being, as some have called them, mere post offices?—I think it would be much better that the District Officer should not have any judicial work to do, but should be an Executive Officer pure and simple; that is to say, that he should do the Collector's work, and if he is assisted by an Advisory Council, I think the Commissioners would not be required as a second check, in addition to that exercised by the Board of Revenue and the Government.

15403. The Commission were told that a Collector would not have sufficient experience to deal with matters in relation to the Court of Wards, but that the ripe experience and knowledge of a Commissioner would be required—do you hold that view?—I do not think so; if you have, as Collectors, men with mature experience of the Service and selected men.

15404. Do the Commissioners move about much in their divisions?—They go about, and they have a fixed groove to go through; they visit the district officers and inspect hospitals and jails, and talk to a few leading men who are introduced by the Collector; I do not think the Commissioner does much more than that.

15405. Therefore, it would be better to have a stationary officer to deal with these matters?—Yes, and, if necessary, I would increase the number of members of the Board of Revenue in order to do the inspection work.

15406. Then would you have the Board of Revenue moving about?—Some of the members may inspect the district offices.

15407. Are some of the districts too large for one District Officer?—Yes. They might be split up. Some districts as compared with others are very large and too much scattered.

15408. Would you like to see some extra powers given to municipalities and District Boards?—Yes, they have already very large powers under the Act. I have only recommended just a few, but I think they have fairly large powers.

15409. Do you say that a Collector ought to supervise the works of the municipalities and District Boards?—Yes.

15410. Would you have an elected Chairman of the District Board or municipality, and their work supervised by the District Officer?—Yes, but in the case of District Boards one should be very careful to find out a proper non-official gentleman, because a District Board is very different from a municipality where the Chairman has to deal with a small area, while the District Board covers a very large area. I do not think in many districts qualified non-officials, able and willing to devote their time to the work, could be found.

15411. Then you would have your paid Chairman, and the supervision of the Collector?—That perhaps would be better in the case of District Boards.

15412. In the case of municipalities would you have the present arrangement again with the supervision of the Collector?—Yes.

15413. Might something be done in the way of instituting a system of village Councils in the various villages?—Would you give larger powers to the village panchayat?—Yes, as exist now in Madras.

15414. Would you add to the panchayat three or four of the respectable men of the village?—Yes, and if you gave them larger powers it would be possible to get a better class of people to become panchayats; as it is at present, it is hardly considered respectable to be a panchayat, but the contrary.

15415. Is the panchayat rather open to a bribe at the present time?—I do not think they are very good people who act as panchayats now; they are too much under the control of the police.

15416. (*Mr. Hichens*). Do you know that, in Calcutta, the Municipality makes up its own budget without submitting it to the Government?—Yes.

15417. Would you allow municipalities and District Boards to have that power?—No, they should be able to prepare their budget, but should submit it to the Commissioner—that is what I think they should do, but the power of interference of the Commissioner should be limited. He should interfere only in large matters.

15418. Would you have all the members of the municipality elected?—I think the present system is all right—two-thirds elected, and one-third nominated.

15419. Would there be any difficulty, as far as municipalities are concerned, in getting good men to come forward as Chairmen?—No difficulty at all.

15420. Is it true to say that people standing for a municipality do so in order to get a certain amount of prestige and perhaps patronage, and do not care much about the work?—They do not entirely shut their eyes to that, but that is not the main object of their serving.

15421. (*Mr. Dutt.*) Is not your proposal to abolish Commissioners, while increasing the number of members of the Board to permit of their doing inspection work, tantamount to a proposal to give the Board's powers to Commissioners who will travel about, and to ask them to sometimes act in consultation with each other on important and large questions?—The occasions for that are not many.

15422. But supposing the proposal is made to keep Commissioners, while asking them sometimes to meet in consultation on large questions, and to abolish the Board, what would you say?—I would rather keep the Board.

15423. If the Lieutenant-Governor was provided with a representative Council of two members would it be possible to devolve larger powers to him?—I think it might be possible, that is to say, there would be the same organization as in the Bombay and Madras Presidencies.

15424. In that case would you recommend a devolution of larger powers to the Bengal Government?—Yes.

15425. In what respect are the village panchayats under the control of the police?—Practically the police have the selection of the panchayats and the collections are made under their supervision.

15426. If they were freed from the control of the police would you entrust them with small criminal and civil powers?—Yes.

15427. As a rule do you find that the elected members of District Boards perform their duties satisfactorily?—So far as my experience goes they do not.

15428. In what way would you suggest an improvement?—I think the sort of members who generally come on to the District Boards cannot, somehow or other, be quite independent.

15429. Have you any remedy to suggest in that respect?—I think membership of a District Board at present is not very attractive to the best people, because they think that they cannot do much on the Board, and that the will of the District Magistrate will prevail.

15430. Does not the law provide for the creation of sub-committees of the different branches of work under the District Boards?—It does.

15431. Are sub-committees in existence on many District Boards in Bengal?—They exist, but I believe that the Finance Committee is the only committee which really meets.

15432. Does the Finance Committee prepare the budget?—Yes.

15433. Is there any educational sub-committee to look after schools?—Yes.

15434. At any rate your general idea is that the members of the Board should act more independently?—Yes, and the reason why they cannot act independently is because the Magistrate has these very large powers, and the idea prevails that it is sometimes risky to resist his will.

15435. Are nominated members men of position and respectability?—They are mostly officials, such as the Civil Surgeon and Inspector of Schools—most of them are *ex-officio*.

15436. Are there not any leading men on the Boards?—There are just a few.

15437. Are they on the whole fairly satisfactory men?—They are fairly satisfactory, but I think they go with a heavy heart, because they think that things will be done by the Magistrate—that is the whole idea.

15438. When they are nominated by the Government as members of the District Board, do they lose the respect of their countrymen?—I do not think so.

15439. (*Sir Frederic Lely*). Are you a member of a District Board yourself?—No, I am not, but I am Chairman of a municipality.

15440. Then you only speak with regard to District Boards from hearsay. Are you an elected Chairman of a municipality, or nominated?—Elected. I am elected both as a member, and as the Chairman.

15441. You spoke of the want of courtesy shown by officers sometimes, and you said, personally, you yourself had never met with anything but courtesy. Can you mention any particular specific instance of discourtesy to anyone else without mentioning names?—Yes, I know that it has been so in another district.

15442. Can you suggest what the discourtesy consisted of in the cases you have known?—A gentleman who went to see a Magistrate made a mistake in entering the room by one door instead of another, and the Magistrate used insulting language to him.

15443. But was there not a *chaprasi* there to prevent a mistake of that sort?—There were *chaprasies* there, but I know really of such an instance occurring in my own district.

15444. Would you think it a useful rule to be made by Government that at every place where a District Officer sat to receive visitors, there should be attached a waiting-room where any gentleman of position might sit, as a matter of course, waiting his turn?—Yes, certainly it would.

15445. Would it tend to smoother intercourse between the District Officers and the people?—Yes, but it mainly depends upon the man.

15446. With regard to Advisory Councils, it has been suggested that instead of an Advisory Council, the Collector should get into practical touch with the chief people of his district informally?—Yes, that is what is now done to some extent.

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15447. You say that the District Officers should call meetings of the Council as often as they might deem necessary to consider such subjects as they might think proper?—Yes.

15448. Then would it not come to pretty much the same thing as now?—No, a regular constitution would rather oblige Collectors, I think, to refer to these Councils. I have suggested merely to start the thing; it might be developed later on if it is found that it works well.

15449. Would you have compulsory and regularly fixed times, with compulsory subjects?—Yes.

15450. On the other hand would it not take away very much from the cordiality and sincerity of the intercourse between the District Officers and the people?—I do not think so.

15451. Supposing a Collector wanted to get the opinion of the people on a certain subject and sent for a representative of the people, would he not consider it rather an honour to be personally selected for consultation?—Yes.

15452. There would not be that kind of feeling in the case of an Advisory Council, would there?—Yes, I think the members of an Advisory Council would consider it an honour to be members of it.

15453. It would not be considered an honour as between them and the Collector; there would not be the personal feeling of friendship or pleasant acquaintanceship that is implied when a Collector sends for a gentleman, and has some private talk with him for his own information?—But in the case of an Advisory Council it is not necessary that all the members should meet, except to discuss important questions; in other matters particular members of the Advisory Council might be asked for their opinions.

15454. Would you leave such a course as that to the discretion of the Collector?—Yes, but if he has some such official status as a member of the Advisory Council, I think a gentleman would be better treated by the Magistrate.

15455. You say that a District Officer should not, without special sanction, do a thing which is opposed to the views of two-thirds of the members of the Council; but supposing one view of the members was that income-tax should not be collected, ought the Collector to refrain from collecting it?—But that would be against the law; that cannot be done, or anything else, against the special orders of the Government.

15456. (*Sir Steyning Edgerley*). If you have a Governor in Council, as your suggestion is, why do you also want a Board of Revenue?—The Board of Revenue is also under Government, but with larger powers delegated to it.

15457. Then practically the Governor in Council, suggested by you, would administer territorially; next you would have an authority which would administer by subjects, as the Board of Revenue at present does; and then you would go back to the territorial principle for the administration of the divisions and districts?—Yes.

15458. Do you think that the inspection of a province by a Board of Revenue would be at all adequate?—I think so.

15459. Then you suggest various Advisory Councils and Village Councils, but your Advisory Council is not at all the same, as was suggested by the last witness?—No, it is not.

15460. Would it be well to try more than one kind of Council, or would you only try your own proposition?—I would rather like to try my suggestion, because I think people would feel more interested.

15461. Your particular Council would make a pretty fair District Board?—It would be something like it.

15462. Why should you have both an Advisory Council like that and a District Board?—The District Board is engaged in doing a particular kind of work only.

15463. But you could enlarge its functions? If you are going to create anything by legislation, you could make the District Board into a larger and wider body?—If that is done, it would practically come to the same thing.

15464. Would you then be content with one Board?—Yes.

15465. Would you have legislation specific, or would you have it sufficiently elastic to allow of modification by rule?—I would have it by rule in matters of detail in conformity with the main principles embodied in the body of the specific legislation.

15466. Would there be any objection in the case of experiments in regard to these Councils to having a very wide rule-making power?—No.

15467. You say that the Head of the district should be a purely Executive Officer relieved of all magisterial duties, and you say the same of the Sub-Divisional Magistrates simply as to Court work?—Yes.

15468. Any Magistrate has very important powers which he exercises outside the Court, such, for instance, as the control of the investigation of crime, and the prevention of crime?—Yes, but not judicially.

15469. You would not relieve him of that work?—No.

15470. (*Mr. Meyer*). With regard to the control by the Government of India over the provincial Government, do you desire that purely in the interests of uniformity as between one province and another?—No. I do not attach importance to that.

15471. Do you think these provinces are quite separate entities, or do you recognise that there is some common national Indian feeling amongst them?—I think it is coming to that.

15472. Are not the provincial boundaries rather artificial?—They are.

15473. From that point of view, might not the control of a central Government be necessary?—But even in the case of a Governor and an Executive Council, the control of the central Government would not be entirely taken away.

15474. Do you consider that the control of the central Government is essential in any case for India?—Yes.

15475. And there is a certain amount of control exercised by the Secretary of State over the Government of India?—Yes.

15476. Just as the Government of India has control over the Local Government, should the Secretary of State control the Government of India?—Yes.

15477. You say that you wish to relieve the Collector of magisterial case work, and that you also wish to relieve him of the District Board work in some cases? Would he not then sink into a mere Collector of revenue?—No, he would have the power of supervision, because if there is no Commissioner he would possess those functions.

15478. But will he not be taken further away from the people if he stands outside and supervises the District Board, than if he was intimately concerned in dealing with projects relating to roads and sanitation and other matters?—But he would be bound to tour in the district, and he would carefully watch all the proceedings just the same as is done by the Commissioners now.

15479. In that case would it not be just as easy to let him preside over the District Board?—It is not easy to find an unpaid non-official gentleman to do the work of Chairman, but if the judicial power is taken away from the Collector perhaps people will venture to be more independent. As it is, I think the members of the District Boards are much less independent than they should be.

15480. Do you seriously tell us that the members of District Boards are afraid of being brought to book by the Collector?—No, but there is a feeling that they are not independent.

15481. And you think that that feeling will not exist if the Collector ceases to be District Magistrate, and that he might then safely be Chairman of the District Board?—He has so much work to do that any relief in that way will be very desirable.

15482. Is your municipality a large one?—It is a fairly large one, with a population of 45,000.

15483. Most of the matters as to which you have to go to Government for control are disposed of by the Commissioner, such as with regard to your budget and so on?—Yes. We very rarely have to go to the Local Government.

15484. Might such powers of control as are still required very well be exercised by the Collector?—Yes.

15485. You referred to the section of the Local Government Act under which the District Magistrate or the Divisional Commissioner can suspend an order of the local authority. Is that section much applied in practice?—No, not at present; there is hardly any necessity for it, because the District Magistrate is the Chairman.

15486. But the section also applies to municipalities. Is it in practice applied to municipalities?—Very seldom: there is a difference in the wording. In the case of municipalities the District Magistrate can only suspend the operation of any order of the municipality if there is a chance of any riot or breach of the peace, and the word "serious" does not appear in the Local Self-Government Act.

15487. You have referred to powers which might be given to the village headman in Bengal, following the system in Madras, but is there not a material difference between a Madras village and a Bengal village: in Madras there is a real village community which has always existed, but in Bengal you have no real village community?—It has practically ceased to exist, but we want to revive it.

15488. Is it safe to predicate from what has been done in Madras that it may be done equally well with regard to the chaukidari unions in Bengal?—I have not much experience with regard to the working of the unions.

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15489. You spoke of the panchayats being under the control of the police, but is it not the fact that lately the Bengal Government remedied that state of things and have endeavoured to make them independent?—Yes, they have just recently commenced to do that.

15490. Have you had any opportunity of watching the working of that system?—No.

15491. (*Chairman.*) Would you remove the right of the Commissioner to interfere in any way with municipal budgets?—Yes, I want to restrict his power of interference.

15492. The last witness said that he would give him power to interfere as to major heads of the budget, but not with the details. Would you prefer the suggestion which you make, or would you accept the limited power of interference which the last witness suggested?—I stick to what I said.

(*The witness withdrew.*)

Mr. Madhusudan Das, C.I.E., M.A., B.L., was called and examined.

15493. (*Chairman.*) Where do you live?—In Cuttack. I am a pleader and a merchant and landed proprietor.

15494. You have been Chairman of the Local Board and Vice-Chairman of the District Board, and also a member of the Legislative Council of Bengal?—Yes.

An Act of delegation on the principle of Act V. of 1868, somewhat modified, is necessary in the case of Orissa. The jurisdiction of the High Court should not be interfered with.

Extended powers, in matters relating to revenue, should be given to the Board of Revenue and to the Commissioners. The existing powers of the Collectors are not properly exercised, because the Collector has not sufficient time. The Collector should be relieved of his magisterial duties. The Magistrate should be a different officer. Extended powers regarding matters relating to the Court of Wards should be given to the Board of Revenue by extending their power to manage estates of proprietors who seek their help, though not disqualified. The Board's and the Collector's powers to do anything which affects the interests of the ward should be cut down.

It is desirable to allow Commissioners to control expenditure in their divisions.

To ensure public confidence in British justice one appeal (above board) should be allowed, and that not to Government, but to the Board of Revenue. Appeals to Local Governments in the generality of cases serve only to shake public confidence in British justice, as they serve no practical purpose.

I do consider the influence of the provincial Government is in the direction of excessive rigidity. Reform should be in the direction of greater latitude of discretion to the Board of Revenue and Commissioners.

Executive Officers have not time, inclination and language qualification for personal contact with the people. To make up for contact with the people they derive information from some whom they wrongly believe to represent the people. They do not possess sufficient knowledge of the vernaculars. In some cases the existing territorial adjustment of districts and divisions entails the knowledge of more than one vernacular, which is not desirable. An increase in the administrative staff is necessary in some cases.

The grant of larger powers to Commissioners will involve greater care in their selection, and the rule of seniority should not be allowed to override the personal qualifications.

Transfers are unnecessarily frequent. Sometimes the transfers increase the evil they were meant to remedy. A minimum period of district and divisional service should be fixed, and this should be extended in consideration of the satisfactory discharge of duties.

The Heads of Departments, such as Registration, Police, should have greater power in the matter of appointments and punishment of their subordinates.

District Boards should have non-official Chairmen, and official interference should be withdrawn.

I am in favour of Advisory and Administrative Councils—by election of two-thirds of the members, and one-third by nomination, and they should deal with all matters which concern the interests of any appreciable portion of the public.

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Petty criminal and civil cases might be entrusted to village communities. In matters sanitary and educational they might at first be entrusted with the work of helping the Government officials with a view to prepare them for a future responsible share in the work.

Decentralization in Orissa should aim at bringing together the whole of the Uriya-speaking tract under one local administration. In the present administrative adjustment of the Uriya-speaking tract, the Uriya-speaking population is distributed among three Local Governments. This is injurious from the Government's, as well as the people's, point of interest.

15495. Would you like to see Commissioners in Bengal vested with powers similar to those of the Commissioner in Sind?—Yes, that is my opinion, from my experience with regard to Orissa; I cannot speak as to other parts, because my experience has been confined to Orissa.

15496. Do you know whether there are, or are not, a number of sales in connection with the land revenue?—Yes, there is a large number in Orissa. Sometimes in the Cuttack district alone, the cases in which the people have failed to pay on the sunset day are as many as 150.

15497. In connection with these sales, is the mode of collection of the revenue unduly harsh?—Some of these estates do not really pay the person with whom the settlement has been made, and, as a matter of fact, there are some estates which are always being sold; somebody buys an estate, and he very soon afterwards finds out that it does not pay; so he lets it go to auction again, and the result is that there are some estates which no one will buy.

15498. That, I suppose, is one of the difficulties of the permanent settlement?—We have a temporary settlement in Orissa. The reason is that the last settlement was made in rather an unsatisfactory manner.

15499. Then is it more due to accident than anything else?—I do not think it is due to accident; I think it is due to a wrong principle in the selection of officers for the settlement.

15500. Is there anything inherently bad in the laws or rules?—Yes. Under Regulation 7 of 1822 settlement was to be supervised and conducted by the Collector and Commissioner who would understand all about the district and about the revenue, but, instead of that, the last settlement was conducted, as the present revision is being conducted, by men who are not actually responsible for the actual administration of the place; they are people who are sent from

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other places to make the settlement; they go out and do the work and the Collector and Commissioner are not consulted at all.

15501. Would you like to see the settlement of a district conducted, not by a special Settlement Officer, but by the Commissioner or Collector?—It might be conducted by a Settlement Officer, but he should be subordinate to the Commissioner and Collector.

15502. Are Settlement Officers independent now?—Yes, they are; they are directly under the Government, and the Land Records Department is a Secretariat of the Government.

15503. You say that the powers of the Collector are not properly exercised? In what particular direction?—For instance, the Collector has several departments under him (about 20), and each department is entrusted to one of his Deputy Collectors. These departments in the majority of cases are really administered by the Deputy in charge, but whenever there is any complaint or an appeal from an order passed by the Deputy Collector to the Collector, instead of taking it up himself, the Collector generally sends for a note from the man who made the mistake or error, and the head clerk brings the record and places it before him. That is really not exercising the power of a Collector, because it is the head clerk who has made the mistake, or who did the wrong thing, and he is allowed to deal with the papers.

15504. Do you mean that the Collector should do that work himself and not by a Deputy?—Yes; the Collector does not see complaints and other things himself. In the case of a petition being sent in, a note is made in English; that note goes to the Collector, and he passes an order without ever seeing the people.

15505. How long ought a Collector to remain in his district?—I do not think there ought to be any limit of time, unless his removal be necessary on the ground that he is not doing his duty.

15506. It has been suggested by other witnesses that a Collector should be kept at least three years in a district; would you think that term too short?—Less than three years, I suppose, would not enable him to know a district, and would not give him an opportunity of doing his duty.

15507. Do you think a man ought to be removed from a district at the end of five years' service?—Not if he were doing his work well.

15508. Might further powers reasonably be given to municipalities?—There are certain minor municipalities in sub-divisions where larger powers, altogether independent of supervision, might not be desirable, but in the towns, of course, municipalities can be run on self-governing lines.

15509. Ought the District Boards to have larger powers, or are their powers sufficient?—Perhaps District Boards should have larger powers. When I was Vice-Chairman of a District Board the Chairman delegated all his powers to me, and never attended a meeting until he was ordered to explain why he did not, so that I think the powers might be delegated by the Chairman. The Collector might retain his power of supervision.

15510. Might larger powers be given to village communities in matters connected with criminal or civil jurisdiction?—For some time there have been orders that no case where the value of the property does not exceed one rupee should be actually enquired into or sent up. Now there is an order that thefts below the sum of five rupees should not be taken cognizance of, so that there are now little things which can be disposed of by the village people very well; for instance, it might not be desirable to punish an offender really according to the criminal law, and offences might perhaps be checked more effectively if dealt with out of Court. There are many little cases of theft, especially on the part of children, which are made too much of, and small criminal powers might be entrusted to the village communities.

15511. (*Mr. Dutt.*) In Orissa some of the estates are permanetly settled, but most of the estates are temporarily settled, and I understand they are undergoing a sort of revisional settlement just now?—Yes.

15512. Was the last settlement made ten years ago?—Yes.

15513. Are the mistakes made at the last settlement to some extent being rectified now?—No, not at all; no doubt that is the object, but it is not being done. I say it is not being done because it is not being done legally. The other day there was a judicial pronouncement, that the whole proceedings were illegal, and on examination the Settlement Officer had to admit that they had not followed the law.

15514. With regard to the suggestion that the District Board should have a non-official Chairman, while official interference should be withdrawn, do you not think that the District Officer ought to have some means of checking their proceedings?—Certainly.

15515. Not necessarily by interfering, but that there should be some power of control and supervision?—Certainly; and not only that, but if the District Boards do not exercise their powers properly, they should pay forfeit.

15516. Then you think that Collectors should have power under the law to make them do their duty?—Yes.

15517. Are you in favour of Advisory and Administrative Councils in every district?—I would advise an Advisory Council.

15518. Do you mean that a number of leading men should be made members of the Council, and that the Collector should take their advice on all important questions?—Yes, and not only take their advice in that way, but that he should take their written opinions.

15519. Suppose the Collector differed from them, would you give him power to act on his own responsibility?—Certainly I would give the Collector power to act on his own responsibility, but I would also give the Advisory Council, supposing two-thirds of them differed from the Collector, power to forward their opinions to Government.

15520. Would you recommend an Advisory Council for the Commissioner on the same principle?—Yes.

15521. Generally do you recommend that the powers now exercised by the Lieutenant-Governor should devolve on the Commissioner of Orissa?—Not all the powers, but some of the powers—where the exercise of powers by the Lieutenant-Governor actually does injury to Orissa is on account of the seeking for uniformity with other divisions of Bengal, without taking into consideration the peculiar features of Orissa. Generally, circumstances are different in Orissa, and consequently it is necessary that there should be a man on the spot to decide what Acts of Bengal should be extended to Orissa, and the power of extending or withdrawing such Acts ought to be vested in the Commissioner of Orissa.

15522. Should the application of any new Act to Orissa be left with the Commissioner and not with the Lieutenant-Governor?—Quite so.

15523. With regard to granting powers to village communities to deal with petty criminal and civil cases, are not the present village communities in Orissa only the chaukidari unions constituted for the purpose of the chaukidari tax?—Yes, but there are still in Orissa villages with what I may call communal life, out of which could be developed a panchayat system, and by panchayat I do not mean one person who is called a panchayat, but I mean what the word literally means—five people forming a body with certain powers.

15524. Would you like the panchayats to be formed on a better basis and composed of better men, and that enlarged powers should then be granted to them?—Yes.

15525. In that way could they do a great deal of useful work which would be appreciated by the people?—Yes.

15526. (*Sir Frederic Lely.*) Does Orissa differ from Bengal in language and customs?—Yes.

15527. Is it a popular place to live in—do Englishmen like to live there?—Many retired Englishmen have stayed there, and it is considered a healthy part.

15528. Has it happened, within your experience, that officers have been transferred from Bengal for a year or two to Orissa and then transferred back again?—Yes.

15529. Has it also happened that officers who have had all their training in Bengal, say for 10 or 12 years, have been transferred to Orissa?—Yes, very often.

15530. In that case those officers could scarcely have much influence in the country?—They have no influence, and what is worse, they have no insight into the peculiar conditions of life there.

15531. That is to say, Orissa in all respects is a totally different province from Bengal?—In many respects it is totally different, and special administrative provisions should be enforced.

15532. Does the work in Orissa require altogether a different training from the work in Bengal?—Yes, it does.

15533. Is the land system in Orissa different?—Yes, and the law of inheritance is different; we live under the *Mitakshara* law and Bengal is under the *Dayabhaga* law.

15534. On the whole, would you say that Orissa owing to its connection with Bengal, has been forced more or less into a foreign groove?—Yes. For instance, in the Legislative Council we are coupled with a Bengal division, and are only represented by one member, and since the introduction of the representative principle in the Legislative Council there has only twice been a native of Orissa on the Council, and he had to represent Orissa and Chota Nagpur.

15535. Would you also suggest any change in area so as to make a homogeneous territory?—Yes, I would suggest that the Uriya-speaking tract should be under one Local Administration. In the present administrative adjustment the Uriya-speaking population is distributed amongst three Local Governments, which is injurious from every point of view.

15536. Do you think that a Commissioner endowed with powers such as those of the Commissioner of Sind would be sufficient to meet the case?—Yes.

15537. You would not advocate the Constitution of a Chief Commissionership, on terms totally independent of Bengal?—I would advocate a Chief Commissionership, if it would not interfere with the jurisdiction of the High Court.

15538 Otherwise would you wish for a Chief Commissionership? The area would be scarcely big enough for a Chief Commissionership, would it?—I have no idea what the requisite area is for a Chief Commissionership.

15539. Is your village existence rather different from that in Bengal?—Yes.

15540. Is the village system more established in your case?—Yes, there is still a headman of the village who is recognised.

15541. And the village constitution exists to a certain extent?—Yes, for purposes of private life.

15542. (*Sir Steyning Edgerley*). If you had a Commissionership with the status you suggest in Orissa, you would, I assume, oust the jurisdiction of the Board of Revenue?—Yes.

15543. Would you suggest that the Act of 1868 should be somewhat modified?—Yes, with regard to powers that ought to be delegated.

15544. Do you mean that it should be confined to a certain sphere of delegation?—A certain sphere of delegation may be necessary to be taken into consideration.

15545. Would there be likely to be any complaints about an Act of that sort in Orissa?—If it were exactly on the lines of general delegation without specification, there might be some objection. But as regards a Chief Commissionership, though there was a difference of opinion, the majority were in favour of it when it was discussed.

15546. Would the majority acquiesce in such an Act?—Yes.

15547. Supposing the Act contained the safeguard that, before the provisions were exercised, a provisional notification should be issued inviting objection, would that be an efficient safeguard?—That would be an efficient safeguard.

15548. If you have a Commissionership of that sort, all such questions as the Board of Revenue interfering with Court of Wards' estates, and so on, would vanish?—Quite so.

15549. From your experience as Vice-Chairman of the District Board, do you think that if the collector gives a vice-chairman an absolutely free hand, keeping the ultimate control in his own hands, but simply watching what his vice-chairman is doing, that is a bad system for the purposes of political education?—I think that would not be at all a bad system.

15550. And under your existing Act it is possible for any Collector to do that?—Yes.

15551. (*Mr. Meyer.*) Are Chairmen of Local Boards usually elected in Bengal?—Yes.

15552. And the Vice-Chairman of the Board too?—He is also elected.

15553. Your Local Board has very small powers?—It has no powers, or very little, and that is why they do no work, or are never considered as doing any work; but the truth is that they are given no opportunity to do it.

15554. In Madras the Sub-Divisional Boards have a considerable amount of work in connection with roads, vaccination, and so forth—would it be a good thing to devolve like powers on your Boards in Bengal?—It would be a very good thing if the District Board were more of a supervising body.

15555. Did the Collector who left you a free hand as Vice-Chairman of the Board and who never attended a meeting for two years, take an interest in the matters dealt with?—Very great.

15556. That is to say, although he did not attend meetings in person, he was there in spirit, as it were?—Yes.

15557. Would a Collector usually take as much interest in such matters if he merely came in from outside as a checking officer, as if he presided over the meetings and attended the discussions of the Board?—The difficulty is, of course, with the Collector, and whether he wants to encourage Local Self-Government. If he happens to be a person who does not like the idea of it, he would not delegate the power, and that is the difficulty.

15558. Is not the Collector likely to get to know more of the actual needs of a district in respect to education, sanitation, and roads if he attends the meetings of the District Board as Chairman than if, as in the way you propose, he sits outside and only intervenes when he thinks the Board is going wrong?—Yes, he is likely to know more, but there are very often a number of people who are *quasi*-officially connected with him who give their opinions whichever way they imagine will please the Magistrate.

15559. Is not that tendency disappearing; is it not the case now that gentlemen like yourself speak their minds freely?—It is disappearing, no doubt.

15560. I suppose you have heard something as to the proposals to have District Boards elected by classes of persons?—Yes.

15561. Do you think that is a good idea?—Yes, it would be better than the present arrangement.

15562. In the villages in Orissa is the chaukidari panchayat union necessary? If you have a natural village do you want an artificial grouping of villages into a chaukidari panchayat?—A grouping of villages into a chaukidari panchayat is necessary for the chaukidari management.

15563. Are your villages grouped together for chaukidari purposes?—Yes. Several distinct villages are so grouped.

15564. Would you prefer the Madras system by which each village maintains its own watchman?—But sometimes you may have a village too small and there may be no respectable man in one village, whereas, if you were to take two or three together, you could get a respectable man.

15565. Respectable men are not chaukidars?—The Madras system is to put the chaukidar under the village headman; have you a village headman in Orissa?—We have a village headman, but there are some villages where no high class men live, and consequently you could not have a panchayat out of that village.

15566. You might have a low class headman?—Of course if the village were left to itself and left to

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elect its own village headman to look after it; but if you group it with other villages, then you might get several castes who would not care to sit together.

15567. Is it better to leave a village by itself, or to group it with other villages for chaukidari purposes, for instance?—I suppose it would be necessary to group them together, otherwise the chaukidari tax would be very heavy.

15568. Supposing a village had a little money to manage a school, would you leave that to a single village or to a group of villages?—I would leave it to the villages which fed the school: each village cannot possibly have a school; it must be fed by a number of villages, and those villages should have the management.

15569. And if you have a group system do not the low class people go to the wall?—They should not be allowed to do so.

15570. What would you do to protect their interests?—I do not think they should be allowed to sit together, but they should be allowed to elect.

15571. But would they not have to stand at a distance and make their wants known?—As it is now, they have to do so.

15572. With regard to enlarging the boundaries of Orissa, was there not an agitation in that direction some years ago in which you yourself took part?—Yes.

15573. Are you aware that the proposal was discussed, and the Madras Government gave what seemed to the Government of India very strong reasons against it?—Yes, and when we went to the Government of India Lord Ampthill happened to be presiding over the Government of India.

15574. You dwelt on the desirability of great care being taken lest the circumstances and needs of Orissa should be sacrificed to Bengal ideas; is there not a possible advantage in a reference to the Government of India in regard to matters which the Local Government might otherwise desire a free hand over? Do you think the Government of India would exercise any check on the Bengalisation of Orissa, to coin a word?—I do not think I should be justified in giving an opinion on that subject. I am not prepared to say one way or the other.

15575. You were Chairman of the Local Board?—Yes.

15576. (*Mr. Hichens.*) Where did you get your funds from?—The District Board made an allotment in their budget.

15577. Can you claim a definite amount, or do you have to take what you can get?—We have to take what we can get.

15578. Did you look after roads and education?—We looked after the village roads and a little after the education. The Local Boards are left at the mercy of the District Board in these matters. The same people serve on both Boards; consequently the Local Boards are not given a fair chance.

15579. Would you like to do away with Local Boards altogether?—No.

15580. Would you give them increased powers?—Yes; the District Boards ought to supervise, and see that the Local Boards do their work.

15581. Would you give Local Boards independent powers of taxation?—No.

15582. Would you say that they were entitled to half the cess, for instance, collected within their area?—I do not think I should be justified in giving an opinion unless I knew what other charges there were justly due on the cess, but I think they ought to have an allotment of a fair proportion of it.

15583. Have the European officials in Orissa a good knowledge of the vernacular?—Not at all, neither Europeans nor natives.

15584. The members of the Provincial Service are not necessarily recruited from the district in which they serve?—No.

15585. Is it very desirable that these subordinate officers should have a proper knowledge of the vernacular?—Yes, I think so.

15586. Does that mean that the members of the Subordinate and the Provincial Services, as regards Orissa, should be recruited from that division?—No.

15587. From the province?—No, not necessarily always; I mean to say if the demands require it, get them from anywhere; but as many of them as can be recruited from Orissa certainly ought to be.

15588. If they were recruited from other parts of Bengal they would not know the language?—They would not know the language, nor the land tenure system, because the unit of measurement of land is different.

(*The witness withdrew.*)

Mr. H. R. Irwin was called and examined.

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15589. (*Chairman.*) You represent the Darjeeling Planters' Association?—Yes. Executive Officers have certainly not sufficient opportunities for personal contact with the people. The obstacle is that their time in any one appointment is too limited to admit of their becoming acquainted with the residents of the districts. In this district (Darjeeling), the full period for which a Deputy Commissioner is appointed is now only two years (it used to be five), and many do not remain the full period. Two years is too short a time in which to become acquainted with the residents and wants of a district like this. It is of the greatest importance that officials, in outlying semi-barbarous districts such as this, should have, as far as possible, an accurate knowledge of the vernacular, but, except in very rare instances, such is not the case, and the want of it is a great impediment to the effective administration of the same. It is no fault of the officers concerned, as the language cannot be acquired in the short time at their command, in addition to their other duties. The only remedy that suggests itself to me is, that provinces should be split up into sub-divisions, and that the junior officials should, as far as possible, be confined to their own particular sub-divisions. Either the areas of districts should be reduced, or the period for which an official is appointed should be extended, either of which would enable him to get more into touch with the residents and wants of the district he controls.

Transfers of officers are unnecessarily frequent and are a great impediment to the successful and effective administration of the country. Take the case of this most important district of Darjeeling, the main gate, as it may well be called, of Tibet, the artery through which the increasing trade with that country is conducted. During the last 21 months no less than five (I am not sure that it is not six) different officers have acted as Deputy Commissioners. In former years one official (since retired), at all events, was connected with this district in one capacity or another for almost the whole of his service, knew and could speak the vernacular fluently, and is now looked upon as an authority on all matters connected with this frontier.

The powers of the Government of India might advantageously be extended, so that its decision, in cases which affect the purely internal administration of the country, should be final and not subject to the veto of the Secretary of State in England. A case in point is that the proposed bridge over the Ganges at Sara; this scheme has been under consideration for the last sixteen or seventeen years or more, is supported by virtually the whole of the mercantile community of Calcutta, and I believe I am right in saying that not only the Government of Bengal, which province is principally affected, but the Supreme Government of India and the late Viceroy, some years ago, recommended its immediate construction, but it is barred by the Secretary of State, an official who has never been in the country and knows nothing of its internal needs or necessities. It has been openly said that this is due to pressure brought to bear upon the Home Government by wealthy capitalists and financiers in London for their own purposes. Whether this is true or not, of course I cannot say, but it is certainly within the bounds of possibility

such pressure for party purposes might be effectual, and it is a disgrace that the pressing needs of a great country should be subject to it.

There is no doubt that debt lies at the root of quite half the crime and distress which exist throughout India, and this is very largely due to the facilities which exist of borrowing money and the exorbitant rates of interest charged upon loans. This is intensified amongst the semi-barbarous, ignorant inhabitants of a district like Darjeeling. They willingly pledge themselves to pay any exorbitant rate of interest demanded of them by money-lenders, and when eventually, bled to the last farthing they possess, they are sued in court for the amount, they have not the means to employ pleaders to defend their cause, and being absolutely ignorant themselves how to proceed, they do not appear and the suit is decreed against them, and they become virtually enslaved to their creditors for the rest of their existence. This constitutes a very grave evil and has been brought to the notice of Government by the Association which I represent, on several occasions, but no solution of the difficulty has yet been attempted. The remedy seems to lie in some rough and ready system, by which a pauper can obtain justice, instead of the present slow and expensive method, which virtually debars him from defending a suit brought against him and places him at the mercy of his wealthy creditors. I believe a law exists in parts of India, which forbids the intervention of pleaders in certain cases, and if this could be extended so that paupers might have some chance of obtaining justice in the Law Courts, it would be an untold boon to thousands.

15590. Have you been some time in the country?—I have been over 30 years in the country. I live in the Darjeeling district.

15591. What is the size of that district?—Roughly speaking, I should think it was 400 square miles.

15592. The Deputy Commissioner has been removed, you say, no less than five times during the last 21 months?—Yes, that is to say that other officers have acted for him—I do not mean to say that a new Deputy Commissioner has been appointed five times.

15593. Do you say that in the Darjeeling district the District Officer as a rule is unacquainted with the vernacular?—Yes, I think so, certainly.

15594. Very much less so than many other Europeans in the district are?—Very much less so than the planters, because our work is entirely connected with the natives, and we know a good deal more than the man coming for two years, who naturally cannot pick up the language in the same way as a man who resides amongst the people and whose work is with them.

15595. Is there more than one vernacular spoken in your district?—It is principally one vernacular.

15596. You wish to draw attention to the case of the Sara bridge, and you represent that the non-erection of the bridge, which is of importance to your locality, is due to the undue centralization of power in the Secretary of State?—It is.

15597. Are you aware that the real difficulties in the case are not due to centralization, but to the quarrels of the Railway Companies as to the exact location of the bridge?—No, I understood that it was recommended both by the Viceroy and the Government of Bengal, but that it was barred by the Secretary of State.

15598. Will you take it from me that it is entirely due to the disputes of the Railway Companies as to the exact location of the bridge?—Certainly I will, if you tell me so.

15599. And that it depends entirely upon which is to capture the traffic?—But why should the two railways have that power?

15600. With regard to appeals, do you suggest that there are too many appeals?—The inhabitants are so absolutely ignorant of the procedure of the Law Courts, and have not the means to employ pleaders and lawyers to argue for them, that the consequence is that when they get into debt to a money-lender he can frighten them almost into doing anything; they are afraid to go into Court, and so they go to the wall.

15601. Would the remedy for that be the establishment of some judicial authority in the villages?—I do not think it could be established in the villages; practically the villages are the tea plantations; there are no villages besides.

15602. What is your suggestion for the remedying of this particular evil?—I believe in certain parts of India there is a law by which the intervention of pleaders is forbidden in these cases, so that a man might have some chance of arguing his case direct before the Magistrate without having a lot of legal talent arrayed against him.

15603. Does a Magistrate always hear a case in the village in which the suitors reside?—No, never.

15604. Is it possible to institute a judicial Court which could hear a suit on the spot?—It would certainly be difficult, but it would be a great advantage if it were possible, and a Magistrate would certainly learn much more if he tried a case on the spot.

15605. Do you know whether the defendants and plaintiffs in these petty cases have often to travel with their witnesses long distances to get their cases tried?—Yes.

15606. (*Sir Frederic Lely.*) With reference to the Sara railway bridge, is your contention that the Government of India ought to have the power to step in and settle the dispute between the two Companies?—Yes, I think so.

15607. Has the Civil Precedure Code been introduced into the Darjeeling district?—Yes.

15608. (*Mr. Dutt.*) Do you consider that to be premature?—I think so.

15609. Is not Darjeeling a non-regulation district to some extent?—I think it is.

15610. There are very few villages in Darjeeling, and the population is very sparse and scattered?—The whole of the inhabitants are practically confined to the tea plantations; there are very few villages.

15611. Could you suggest any way by which the people could be saved taking these long journeys to get their civil or criminal cases heard or any legal organisation which would deal out justice to them in small matters?—If it was possible—whether it is or not I cannot say—for a Magistrate to hear cases when touring through the district on the spot, I think it certainly would be a great advantage.

15612. (*Mr. Hichens.*) How long does it take a young officer to learn the language of a district—two years?—Yes, a man can learn it quite well in two years provided he is forced to.

15613. When officers are posted to the Darjeeling district have they every opportunity of acquiring it?—Yes, except, of course, that there is a very great deal of work to do, and they have very little leisure in consequence.

15614. You doubtless know a good many young officers who have been out about two years. Do they acquire a fair knowledge of the language after that time?—Very few of them stay two years in a district, I think.

15615. It has been represented to the Commission that a Collector should remain from three to five years in a district, but not longer on the ground that he might get into bad ways, or get lazy; would you endorse that opinion?—I think two years is too short a time; in the Darjeeling district it used to be five years, but for some time now it has been reduced to two. Of course Darjeeling being a Hill station it is a natural sanatorium, and men are sent there very often for the benefit of their health. I think the longer a Collector is in a district, the better, generally speaking.

15616. Would you say that what is of essential importance is that a man of the rank of Collector should be well known and trusted and respected in a district?—Yes, certainly.

15617. Would you say that the question of transfers to which you allude is one of the most important of all?—Yes.

15618. And that possibly considerable sacrifices, even in efficiency, ought to be made in order to secure that a man remained a long time in his district?—Yes.

15619. (*Mr. Meyer.*) Is not the rule with regard to limiting the tenure of office of a Deputy Commissioner

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at Darjeeling intended to prevent an officer staying too long in what is considered the most pleasant district in the province?—I am afraid I cannot say.

15620. Might it not be of advantage to a man after he has been in a certain district for a time to be sent to another district in order to see if things are done there in a similar way, or in a different way?—Yes, I daresay I was wrong in saying that a man should be kept quite so long in one place, but I think he should be kept long enough in a district to learn the language and to know the inhabitants of that district, and five years would be sufficient for that.

15621. If he stays too long he might get into a groove?—Yes.

15622. And if he is sent to another kind of post, would he not be hampered by the fact that he had only been before at one place?—Yes, that is so.

15623. With regard to petty cases, as to which you would like to have some rough and ready method of justice, are not you planters sometimes Honorary Magistrates?—Yes.

15624. Could you not settle those cases?—No, I think that would be beyond our jurisdiction; cases of heavy debt never come before us.

15625. Of course it would be understood that these powers would not apply to cases in which you yourselves were interested, but as between one coolie and another, might it not be a way out of the difficulty if the planters, as Honorary Magistrates, were given some higher powers than they have now?—Yes, I think it would be a good way out of the difficulty.

15626. (*Sir Steyning Edgerley.*) Have you on your estates two or three thoroughly trustworthy natives?—Yes.

15627. And the planter himself is very well acquainted with the ins and outs of family life of the coolies and natives he employs?—Yes, I think most planters know their natives thoroughly.

15628. Would it be possible in cases of dispute, to have a small arbitration committee, each disputant nominating one, and one of your experienced natives sitting as head of such a small arbitration committee?—I am afraid that that would not work.

15629. Would you rather that matters were dealt with through the planters themselves?—Yes. I have been instructed to ask that a permanent representative of the tea industry should be appointed on the Viceroy's Council. For some years the industry was represented on the Council, and we consider that we should have some representation there.

(*The witness withdrew.*)

NAWAB A. F. M. ABDUR RAHMAN was called and examined.

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15630. (*Chairman.*) You are a Barrister-at-Law and Judge of the Presidency Court of Small Causes?—I am, since the last 12 years, and before that I was at the Bar for 15 years. My family originally came from Eastern Bengal, but it has been in Calcutta for the last two generations.

I am opposed to Administrative Councils, but I am in favour of the creation of Advisory Councils to assist Divisional or District Officers. For some time past a measure of the kind contemplated by the establishment of Advisory Councils has been considered as a growing want in India. In the interests of the Muhammadan community of these Provinces, I fully approve the scheme of the Government of India for the establishment and recognition of a determinate body of advisers to be called the Imperial and Provincial Advisory Councils. At the same time I would continue the policy of the Government in eliciting the opinions of Indian gentlemen in all ranks of society on various administrative measures, and Indian gentlemen who have had the privilege of advising District or Divisional Officers, Lieutenant-Governors, Governors or Viceroys, should be encouraged to do so by continued confidence shown to them.

It is well known that the Muhammadan community had not hitherto received an adequate representation commensurate with their numerical, political and historical importance in Bengal; they, therefore, welcome with feelings of gratitude the concession which Government are about to make in recognising the principle of class representation and the special interests of the Muhammadan minority. The grievance of the Muhammadans of these provinces is, that notwithstanding their advance in education, their intelligence and administrative capacity, their number in the Provincial Civil Service, both in the Judicial and Executive branches, as also in the Education, Police, Registration, and other Departments of the Public Service, is exceedingly inadequate. They, therefore, anxiously hope that the Government will be pleased to extend the principle of class representation to the various departments of the Public Service, and thus safeguard the interest of Muhammadans and ensure their better and increased employment.

I would constitute local Advisory Councils to assist Divisional or District Officers on similar lines as the Provincial Advisory Councils. In each division and district Muhammadan noblemen and gentlemen of proved loyalty, good birth, education and influence should be nominated as members. Questions of legislation; questions involving free, primary, or secondary education; introduction of new measures, such as plague rules, vaccination or inoculation; improved methods of agriculture; questions regarding distress or famine; sanitation and drainage or, in other words, all important matters affecting the well-being of the various classes inhabiting the districts, may be placed before them for opinion and advice.

In the event of the Government reserving a certain number of appointments in the Public Service for the benefit of qualified Muhammadans, the local Advisory Councils would be of great assistance in selecting young Muhammadans of good birth and education who would command the respect of the community.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The smaller municipalities should be encouraged to develop themselves independently.

From my experience of village communities in Bengal and Eastern Bengal, I am of opinion that it is not desirable, even if it may be possible in some places, to give the village communities greater powers in the disposal of local affairs relating to revenue, police, sanitary, educational and other matters, such as the disposal of petty criminal and civil cases. Any such powers given to them are likely to be seriously abused.

15631. Would it be easy to get persons to serve upon divisional and district Advisory Councils?—I should think so. There might be places where there might be difficulty, but there are other places where there would be none.

15632. Is it advisable to give District Boards or the smaller municipalities any greater powers than they at present possess?—I would make the small municipalities independent of the District Boards and enable them to develop themselves, but I would not extend their powers.

15633. With regard to village communities, are they capable of receiving some larger grant of power?—In my opinion they are not.

15634. Is that because the community, as a community, is non-existent, or because the principal people in the village communities are not fit to be trusted with greater powers?—In some places the community is non-existent; in other places where they are in existence, they are not what they used to be at one time. In each village there is a faction, and I know from my experience in Bengal and Eastern Bengal, in each village there are two parties amongst Muhammadans and Hindus; these people are mostly under the influence of the zamindar, and the result is they are always fighting over something or other. That being so, it would be highly injudicious to entrust them with any powers of the character proposed.

15635. Would that apply even for the purpose of settling some small money dispute between two villages?—They have that power now, and that is done. The only thing that could be done in addition is that the local officers might encourage them to settle such disputes.

15636. Is there any legal power to settle such a dispute, or is it done by agreement?—It is done by arrangement. When once matters are referred to arbitration, or the disputes are so settled, they are taken on to the nearest Court, and the settlement is given legal effect to.

15637. Under the present system do disputants and witnesses often have to go long distances in order that some trivial legal point might be settled?—There may be places where that is the case, but the inconvenience is not very much felt, and even in places where it is felt, the chances are that the people would prefer it very much to having any power given to their own men, because they would very likely not get anything like justice in the latter case, and the whole thing would end in disaster. I think it would multiply litigation and add ten times to the expense.

15638. Are the members of the present village panchayat satisfactory?—Yes, I think so. They are the best available; one of the reasons for not securing a better class of men is that most of the young people leave the villages and go to the nearest towns. A man in a village who has made a little money sends his children for education to the nearest town, where they grow up and naturally do not like to take to village life again. Therefore, slowly and gradually the villages are losing their best men, and the remaining people are reduced to a somewhat lower class.

15639. Speaking generally, are village communities decaying?—I do not say that, but they are certainly fewer than they were.

15640. (*Sir Steyning Edgerley*). What do you mean by establishing local Advisory Councils on similar lines to provincial Advisory Councils; do you mean that they should be entirely nominated?—No, there may be some election and some nomination.

15641. Assuming for the moment that they have to be nominated, are you in favour of having them wholly nominated?—Absolutely.

15642. By whom?—By the Collector of the district or the Commissioner of the division.

15643. (*Mr. Meyer.*) Would these Councils be purely advisory? Supposing the Collector differed from the Council, would he act on his own responsibility?—Absolutely. What I suggest is that the Council should be called upon for their advice only, and that questions of dispute may be placed before them for their opinion.

15644. If he had to report to a higher authority, would you have him say in his report that his Advisory Council entertained a different view from his?—Quite so.

15645. It has been suggested that the Collector should be relieved of the post of Chairman of the District Board, and that some different official should hold it; would you approve of that?—No. In some places it might be advisable and in others not.

15646. So as to bring him in direct communication with the needs of the district in regard to roads, communications, and so forth?—Yes, but in places where there are non-official Chairmen available I would certainly have them if you can get good men.

15647. Would it be a good thing to have the Collector dissociated from the control of roads and so on?—Certainly not.

15648. Would you have him exercising control from outside?—Yes, where necessary.

15649. Would that be as good as his taking a part in the discussions of the Board?—It might be.

15650. You say that the small municipalities should not be under the control of District Boards, but should be left to develop independently. In Bengal are there not a number of municipalities which are not towns at all, but are only a collection of villages?—There is room for improvement in them.

15651. Might they not come under the District Board control?—I should think not.

15652. Have you any real village community in Bengal?—I use the expression "village community" from my experience in the district I come from, and where I have lived in the village.

15653. But there is no corporate civil life, as there is in southern India?—No. The village community, in that sense, is not in existence either in Eastern Bengal or Bengal.

15654. And the only substitute is this artificial form called a chaukidari union?—Quite so.

15655. (*Mr. Hichens.*) Do you want an Advisory Council both for the Collector and the Commissioner?—I should leave that absolutely to the discretion of the Local Government. There are places where one local Advisory Council in a division would be ample, but there might be other places where there are sufficient prominent and educated men, and where local officers might require their aid and help. What is wanted is that Commissioners and Collectors should invariably consult all the leading men on matters of importance.

15656. Is that all you want?—Yes, that is all I want, but having regard to the aspirations of the people and the feeling that they should have a better voice and more privilege in advising Government or taking part in local matters, I do not think there is any harm if local Advisory Councils are constituted in a cautious manner.

15657. In practice does the good Collector to-day get all the advice and does he do all the consulting that is necessary?—Certainly.

15658. Would the formal appointment of Councils be merely sentiment?—Not exactly. I think it might educate the people in some places, and it would be useful in the way of inducing them to take more interest in public matters.

15659. Then might you have a chaukidari union, a Local Board, a District Board, and in addition an Advisory Council all in one district, and that on the top of that you would have an Advisory Council for a province, and an Advisory Council for the Government of India?—Yes.

15660. Would that not be rather a plethora of Advisory Councils?—As it is, in my opinion, there are too many such things already, but when you have too many, there is no harm in having one more, and there may be places where there is no harm in trying the experiment, which might perhaps result in good.

15661. You would not make the District Board an Advisory Council, would you?—No, because there are men on the District Board or on municipalities who are a different class of men from those to whom I, for one, or the Collector of the district, would look for advice.

15662. It has been represented that if a Collector had an Advisory Council, and consulted that Council, he would feel more or less free in regard to consulting anybody else; do you think that would be so, and would it be a good thing if it were so?—No. I would continue the present system on which administration is carried on, and the better class of people, who are sensible, responsible men, should be entitled to advise on a particular subject, and their advice ought to be invariably sought. I think that class of people should be encouraged. They are people who do not want to come to the District Boards or municipalities, but at the same time there would not be any harm in constituting a Council and getting them to take a greater interest in it.

15663. Would the formation of Advisory Councils tend to the exclusion of other people competent to give advice?—I think not.

15664. Are there districts which you think are not fit for the creation of Advisory Councils, and there are other districts which are?—Yes.

15665. (*Mr. Dutt*). Do you advocate that there should be two Advisory Councils in one district?—I did not mean that; what I meant was that in some districts an Advisory Council might be necessary, or that in some divisions there might be Advisory Councils. It might be that we might have a Divisional Advisory Council and Advisory Councils in districts.

15666. When these Councils are created you say that they should be consulted on questions of legislation. Do you mean that when a new Bill is drafted

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and sent to the Collector for his opinion, he should take the opinion of members of his Advisory Council before submitting his own views?—Not exactly. They should be consulted on such matters as a Bill for the drainage of the town, or on matters that may affect a particular village, or a particular place in a district. My idea is that it will help the Collector, to call in these local gentlemen and tell them what the view of the Government is, and consult them. Of course I do not mean with regard to all the Bills to be placed before the Legislature.

15667. Do you recommend the principle of class representation in appointing officers to the Provincial Service?—Yes.

15668. Do you desire that the number of Muhammadans and Hindus in the Provincial Service should be proportionate to the Hindu and the Muhammadan population in a province or district?—No, I do not mean that; I would leave that matter absolutely in the hands of the Government.

15669. Would you recommend that the same principle should be applied to the different castes of the same community, and that the different castes should be considered in filling up the Provincial Service?—I deal with the matter purely from a Muhammadan point of view, and point out that there are 418 Deputy Magistrates in Bengal and only 59 of them are practically Muhammadans. I would have a fair representation of the Muhammadan community in the Service, having regard to the importance of that community, but I would leave the number to the Government.

15670. Would you include sanitation, drainage, and other important matters affecting the well-being of various classes, as subjects to be placed before Advisory Boards for their opinion?—Yes.

15671. Are there many villages fit to look after matters of sanitation within their own limits?—They should be, and if they suffer from bad sanitation they ought to be capable of looking into it.

15672. Would you trust the villagers to look after their whole wants in regard to matters of sanitation?—I would not use the expression "trust." What I say is "advise." If there is a scheme by the Local Government, or if the Collector has a scheme, or the Public Works Department has a scheme, dealing with the sanitation of a particular village, I would get the opinions of the people of that village, and see how far Government might go with them, but I would not give them any power.

15673. In small matters, such as keeping a village clean, would you allow them to act?—Certainly; under the Bengal Municipal Act they have to do it. In dealing with cholera every householder has to keep his house clean, for instance.

15674. They have to do it in the towns, but would you trust the villagers to do it?—To such an extent as they are capable, but not further.

15675. (*Sir Frederic Lely.*) Do you say it is not desirable, even if it is possible, to give village communities greater powers in regard to the disposal of local affairs?—I would not give the village communities any more power than they have now.

15676. It has been said many times that village communities do not exist in Bengal, but is that not rather too absolute a statement; surely a number of people living together side by side must act collectively sometimes in the common interest?—But they do not, unfortunately.

15677. Supposing a local zamindar was intolerably oppressive, do you mean to say that the people would not unite and take some action in the matter?—No. There is some cohesion, but it is hardly worthy the name. What happens is that in each village there are Muhammadans on the one hand and Hindus on the other, and Muhammadans are also divided among themselves and Hindus among themselves. When some question of general interest, such as education, arises there is a little cohesion, but you practically cannot unite them.

15678. As a matter of fact, then, they never coalesce?—In my opinion they will not do so for many years yet.

(*The witness withdrew.*)

KHAN BAHADUR SERAJUL ISLAM was called and examined.

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15679. (*Chairman.*) Will you tell me where you live?—I live now in Calcutta, but my home is in the district of Tippera in Eastern Bengal. I am a vakil of the High Court. I have been here about thirty-five years, but I go usually to my native district during the vacation, twice a year; I live here for the purpose of business.

I would not curtail the right of appeal to the Government of India or the Local Governments in any matter, as I think that the existence of such a power in the Head of Government operates as a wholesome check upon the subordinate officers, and also inspires confidence in the minds of those affected by the orders appealed against. If proper care be taken to select officers fit to exercise responsibility in dealing with their subordinates, then an unlimited right of appeal may not be necessary. It is not desirable to insist upon a certificate from the authority passing the orders appealed against that reasonable grounds of appeal exist.

The cold weather tours, no doubt, afford the District Officers some opportunities of coming in contact with the people, but these officers are not able to avail themselves of such opportunities. As a means of improving the relation between the rulers and the ruled, the District Officers ought to be allowed more time and opportunities to be able to come in contact with the people. This may be done by relieving the District Officers of much of their routine work. The main obstacles are that the District Officers are generally overworked; they are not in touch with the people, and the people generally are afraid of approaching them. The remedy lies with the District Officers themselves. If these officers make themselves accessible to the people and treat them sympathetically, and by their conduct inspire confidence in the minds of the people, the obstacles may be removed. No doubt some of the District Officers are acquainted with the vernaculars fairly well, but they do not generally possess sufficient knowledge of the language of the district and of the colloquial vernaculars.

A general increase in the administrative staff is necessary. I would suggest the posting of an Executive Officer, a Deputy Magistrate or a Sub-Deputy at each thana, and convert each thana into a small sub-division. These Sub-Divisional Officers will then have ample opportunities of bringing themselves into closer contact with the people, and of investigating important cases themselves within their respective jurisdiction. This will do away with the necessity of retaining highly-paid Police Officers such as inspectors, in whom the people generally have not much confidence.

Transfers of officers are unnecessarily frequent. As soon as they begin to know the people and their manners and customs, they are generally transferred elsewhere. Every District Officer ought to be allowed to stay at least for five years at each station, unless he proves himself unpopular or unfit for any other reasonable cause. In every district there ought to be a Joint-Magistrate under the District Officer, who should work with him for five years; and when at the end of the 5th year, or later, the District Magistrate is transferred or promoted, the Joint-Magistrate may take his place as District Officer, and continue, as such, for five years or more with another Joint-Magistrate under him.

With regard to the powers of local bodies, I would confine my answer to the Calcutta Corporation only. I think in some respects larger powers ought to be granted to the Corporation:—(*a*) The Municipality ought to have control over primary and technical education. (*b*) the Municipality ought to have power of housing the poor, who are dislodged by the *bustee* improvements. (*c*) The power of the Municipality to enter into contracts involving an expenditure exceeding one lakh of rupees requires the approval

of the Local Government: the Municipality ought to have larger power in this respect. (*d*) In small matters of public convenience the Corporation might be entrusted to deal finally without reference to Government, *e.g.*—(*i*) the closure of burial grounds; (*ii*) bye-laws relating to water-supply, sanitary, drainage works, cattle sheds, etc.

I do not feel quite certain as to the usefulness of the proposed Advisory Councils, as Commissioners and Magistrates have ample means of consulting the leading men of their respective divisions and districts on any matter requiring their advice. But still I am in favour of the creation of such Councils (Advisory) on political grounds. The creation of such Councils will have the effect of satisfying the aspiration of the people to a certain extent, and make the members share the responsibilities in certain matters affecting the welfare of the people. I would constitute such Councils to assist the Divisional Officers in the following manner:—The Council might consist of six members, two to be elected by the municipalities and two by the District Boards within the division, and two to be appointed by the Commissioner in consultation with the District Magistrates under him. The last two should be selected from the higher classes, taking care that the old landholders of the division are fully and effectively represented. The subjects in respect of which responsibilities could be given are education, sanitation, epidemic diseases, religious disputes, and other matters requiring the intervention of the Magistrates in which the susceptibilities of the Indians are specially concerned.

So far as I am aware, village communities never existed in Bengal. It would be difficult to create them now. It is not desirable to give the village communities, if any, greater powers in affairs relating to revenue and police. I would not invest them with powers of disposing of even petty criminal and civil cases, unless the parties concerned submit their disputes to the arbitration of the village communities. It is a well-known fact that in every village there are factions, and every villager has some sort of interest or other by which he might be influenced. So it would be unsafe to invest the members of these communities with any such power.

15680. As regards District Officers, you are of opinion that the villagers are rather afraid of approaching them. What is the reason of that?—Because Europeans, especially a gentleman in power like a District Magistrate, inspire in the minds of the villagers a sort of fear. Villagers seldom ever see a European and, therefore, they are afraid of them, or any other foreigner, and the name of a District Magistrate inspires a sort of fear in them. Village people when they see a European passing are generally afraid of approaching him.

15681. Are they afraid of an Indian (whether a Muhammadan or Hindoo) Magistrate in the same way?—I do not think they are.

15682. What is the reason; do you think it is that Englishmen have an appearance of sternness?—If a villager knows that a person is a Magistrate, the very name of Magistrate frightens him.

15683. Do District Officers go about sufficiently amongst the people?—I do not think they do. During their tours they do; but I do not think they go to all the places they ought to; they generally go to such places as are easily accessible, and to places where there are dak bungalows, but they do not stay long.

15684. How long ought an officer to remain in a district?—I think five years should be the minimum. It might, perhaps, be a little longer, but at any rate five years.

15685. You wish to see a Joint-Magistrate associated with the Collector in every district?—Yes, and my idea is that a District Officer ought to remain in his post five years, and then, if he has had a Joint-Magistrate who has worked with him for five years, by that time the Joint-Magistrate would have acquired some knowledge of the country and the people and their manners and customs, and when the District Officer is transferred or promoted, the Joint-Magistrate would be able to take his place. Then, if he remained five years more, with his past experience as a Joint-Magistrate, it would be much better.

15686. With regard to Advisory Councils, you are in doubt as to whether they should or should not be created?—Yes. I do not feel quite certain with regard to their usefulness. If Advisory Councils are simply to be consultative Councils, then the District Magistrate or the Commissioner has at present opportunities of consulting all the leading men—Hindus or Muhammadans—so that it will not be practically of much advantage; but at the same time I am in favour of creating Advisory Councils on the ground that the men of whom advice is asked are clothed with a sort of responsibility.

15687. Outside the members of the District Board, are there, in every district, gentlemen of sufficient position from whom a Collector could form such an Advisory Council?—Yes, there are some, but not in all districts, and that is why I confine my answer to Divisional Commissioners. But gradually, as the people improve in knowledge and education, and the Commissioner found that the system might be extended, that might be done; at present I would confine it to Divisional Officers, the members being selected from the division.

15688. You think it would be unwise to give village communities any greater power? Will you tell me your reason shortly?—With regard to village communities, they do not exist, in the proper sense of the term, in Eastern Bengal. There are some villages in which the people have some sort of public opinion, but there is nothing like a village community.

15689. Supposing two men had a dispute, is there no sort of village tribunal to which the dispute could be referred and a fair judgment be given?—The difficulty is to select the proper person to adjudicate. Some forty or fifty years ago in each village there were two or three elderly men in whom the people had confidence and to whom they used to refer matters. I do not think that class of men now exists.

15690. Has the tendency towards the young men migrating into towns swept that away?—Yes; amongst the younger generation there is more education, though they have not quite so much wisdom as their fathers. They read the papers, they get a little knowledge, and they think that their elders have not so much wisdom, and they do not treat them with the respect they used to do.

15691. (*Mr. Meyer.*) Are you opposed to any restriction of appeal?—Yes.

15692. Are you familiar with the provision of the Civil Procedure Code which provides that there shall be no second appeal upon questions of fact?—Yes.

15693. Do you see any objection to applying that procedure to administrative appeals?—I am against restricting appeals, and on questions of fact I would go to the last court of appeal. I am against putting any restriction on the right of appeal in any way.

15694. With regard to your scheme for a Collector to be five years in a district, and then to be succeeded by a Joint-Magistrate who had served five years, would that work, having regard to the leave rules under which officers go home for leave periodically?—I have not thought of it in that respect, and I am not in a position to say how far it would affect the leave rules. I think in exceptional cases some exceptional rule might be made. As a general scheme, in my opinion, it is a good scheme.

15695. Are you an elected member of the Calcutta Corporation?—No. I am nominated by Government.

15696. Have you been there a long time?—I have been there since 1876; I was first elected about 30 years ago.

15697. Do you say that the Calcutta Corporation has nothing to do with education?—The power of the Corporation is simply to fix and to make a grant for the promotion of primary and technical education, but that does not give them any control.

15698. Having once made the grant, have you anything more to say as to the management of the schools?—Nothing.

15699. Do you desire a system by which you should have the power of spending your own grant?—Yes: I think the Corporation is in the best position to supervise its schools.

15700. Can you say roughly how much you have to pay for education now?—I think last year it was Rs. 15,000, and over and above that we exempt educational institutions from paying any taxes or rates.

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15701. Would you not have to pay a good deal more than Rs. 15,000 if you took the matter into your own hands?—Yes.

15702. With regard to the Advisory Council to the Commissioner and your proposed representation by municipalities and District Boards, would it not be simpler to have one representative from each District Board to be selected by the Commissioner or by Government? A Commissioner sometimes has five or six districts to deal with, has he not?—Sometimes he has three, sometimes four, and sometimes five, districts. I think I would allow District Boards as well as municipalities within a division to select two.

15703. I want to know whether, as an alternative, one member might not be selected from each district of the division, but if you prefer your own suggestion, say so?—I prefer my suggestion.

15704. Is the Eastern Bengal village really a village at all in many cases, or does it only consist of scattered huts?—There are some cases of that kind, but there are villages which contain 200 or 500 homesteads.

15705. (*Mr. Hichens.*) What is a bustee improvement and who carries it out?—Such schemes are for the improvement of the hut areas in the town. There is a department in the municipality, which is under the Deputy Chairman, which attends to these projects.

15706. Are you aware that, practically in every expropriation scheme in England dealing with houses, there is a clause which makes it compulsory on the municipality concerned to re-house the people whom they displace?—I am not familiar with that, but we have not that provision in the Municipal Act here.

15707. Not only have you not got that provision, but you have no power to re-house if you want to?—That is so. Here I think the municipality has demolished about 2000 houses which used to contain from 8 to 10 people each, so that 20,000 of these poor people were dislodged and could not find any place to live in. My suggestion is that the municipality ought to have power to acquire land from the Government to provide some accommodation for the people who have been dislodged.

15708. Do you not think that the municipality not only ought to have power, but ought to be compelled, to re-house people whom they displace?—Certainly I do.

15709. (*Mr. Dutt.*) You were a member of the Bengal Legislative Council?—I was, twice.

15710. So that you have some experience with regard to legislation. In all the Bills brought before the Bengal Council, that is to say, important Bills, does not the Bengal Government take care to ascertain the wishes and opinions of important Societies and Associations?—Yes, and also of persons who are in the opinion of the Government able to advise them.

15711. What is your opinion with regard to the proposal that the District Officer should hold a conference with the leading men of his district once, or more frequently, a year?—There is no harm in that; but I think, as a matter of fact, they do; they generally meet them, and that is, I think, considered to be one of their duties; they fix a day to meet the leading men.

15712. But I was speaking of a general conference of the whole district or sub-division where all the leading men would be invited to talk over all the important matters which they might have to discuss. Do you recommend such a conference as that?—Yes, I would.

(*The witness withdrew.*)

Adjourned.

TWENTY-SECOND DAY.

CALCUTTA, *Monday*, *December* 30*th*, 1907.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

MAHARAJA SIR RAVANESWAR PRASAD SINGH BAHADUR OF GIDHAUR, K.C.I.E., was called and examined.

Maharaja Bahadur Sir Ravaneswar Prasad Singh Bahadur.

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15713. (*Chairman.*) In what part of Bengal is your zamindari situated?—In the district of Monghyr.

15714. You have some knowledge of the Local Government?—Yes. I was appointed a member of the Bengal Legislative Council for eight years between 1893 and 1907. I also have been a member of the Monghyr District Board for two or three years.

I should be prepared to give Local Governments borrowing powers for carrying out large Public Works with the sanction of the Government of India. Large works of irrigation and drainage are absolutely necessary in these provinces, and the Local Governments should be given greater powers in regard to financial matters for carrying out of such projects.

I do not think the giving of extended powers generally to Commissioners and Magistrates will be conducive to the public good.

Larger powers should be granted to Presidency municipalities, District municipalities and District Boards. The Presidency municipalities are now nominally elected bodies. There is no reason why two-thirds of the numbers should not be elected in those municipalities as in the District municipalities.

The municipalities and District Boards of the country should be freed from official control and given larger powers and greater financial responsibility The larger Legislative Councils and Advisory Boards are good in their way. But I consider the granting of real self-government to municipal and District Boards of greater importance.

15715. Suppose the Local Government went into the market to borrow money, would they be able to tap some sources of capital which the Government of India are unable to reach at present?—I do not think an independent Local Government should borrow money except with the sanction of the Government of India.

15716. What sources of revenue do you suggest the Local Government should pledge as a guarantee against their debt?—The sanction of the India Government would be the only thing on which loans could be easily contracted.

15717. How is the work done on District Boards; is it done by committees, or does the Chairman do it all?—The Chairman of the Board takes the opinions of all the members, and any work that is done is passed by the committees first.

15718. Is there any Finance Committee? When a District Board budget is made up, is it sent to the

members of the Board before it is considered?—Not when I was a member. Of course that would be a good thing to do.

15719. At present do the members see the budget for the first time when they attend the Board meeting, and is it passed in one single sitting?—When I was a member the budget was not sent to the members; we simply saw it when we took our places.

15720. Was there any committee which dealt with sanitary works, roads, and things of that sort?—During my time, no. That also would be a good thing to introduce.

15721. So that each member of the Board would feel he had some responsibility for the work of the Board?—Yes.

15722. Do you get a good class of member on a Board generally speaking?—All the members are not good class.

15723. If there were greater power and responsibility, would you get a better class of men anxious to serve on District Boards?—It may be; I am not certain.

15724. If there were a non-official Chairman to a District Board, would he have the same knowledge of the whole area contained in a district that the present Collector has?—If he was a local man, then of course he would have more knowledge. He would not have a knowledge of the whole district, but he would have a better knowledge of part of the district.

15725. Is the knowledge a good Collector has of a district advantageous to the Board?—Yes, I think so.

15726. And it might be difficult, perhaps, to find a non-official Chairman who would have so wide a knowledge?—Yes, I doubt whether a non-official Chairman would have such a wide knowledge as a Collector.

15727. And unless he was a paid official, he would hardly have time to gain that knowledge?—I think it would be difficult for him.

15728. What larger powers ought to be given to District Boards?—I have not gone into details, but there ought to be some extended powers given, and steps taken to free District Boards and municipalities from so much control.

15729. Bearing in mind what you have said with regard to a Collector knowing a district better, would you keep him as Chairman of the District Board, giving at the same time the members of the Board greater responsibility for the work done in the way of making each committee very largely responsible for its work?—That might be a good thing, but it has not yet been introduced into this country. I think it would work well.

15730. Would that be a better system than if the whole Council elected a non-official Chairman who might not know the district?—As far as I understand it, I think it would be better.

15731. (*Sir Frederic Lely.*) Is a District Board at present partly elected?—Yes, and some are nominated. A larger number might be elected.

15732. Would you say two-thirds?—Yes.

15733. Were you an elected member yourself?—No, I was nominated.

15734. If the method was election only, would you offer yourself for election?—Nowadays people do not like to stand for election.

15735. Why? Is it considered rather derogatory to their dignity?—Yes, some people think it so.

15736. Is that a general impression?—Yes, as far as I know.

15737. Would you have the Chairman elected by the Board?—Yes.

15738. Do not the duties of a Chairman of a large District Board require a good deal of training and business knowledge and habits?—Yes.

15739. Would you be likely to get a non-official man in many districts with those essentials?—You might, but very seldom.

15740. Would the chief difficulty in appointing a non-official Chairman to a District Board be the difficulty of getting a man with sufficient business habits and business knowledge?—Yes, I think so.

15741. You say that a District Board would be better managed if it had larger powers of control; would you yourself, if you were a member of a District Board, suggest any great changes in the present system of management? Would you expend the money differently, or do you think generally that it is expended on the most appropriate objects?—Yes, but in some ways it is not.

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15742. Is it not spent as popular opinion would have it spent?—Yes.

15743. Did you find when you were nominated as a member of a District Board that you lost the respect and confidence of your countrymen?—No.

15744. (*Mr. Dutt.*) In the few cases where you could find eligible gentlemen, would you advocate the appointment of such men as Chairmen of District Boards?—I do not remember any at present, but there may be some.

15745. If you found them, would you recommend their appointment?—Yes.

15746. In that case would you expect them to travel about the district a good deal?—Of course, in order to make themselves acquainted with the state of things with regard to roads, bridges and institutions.

15747. Should the expense of travelling be met by the Government, or should they pay their own expenses?—They would not pay their own expenses.

15748. On those conditions do you think the work would proceed satisfactorily?—Yes.

15749. Is it the general feeling amongst all zamindars that it is derogatory to stand for election?—I have heard it from some, but I cannot say whether it is the general feeling.

15750. With regard to primary schools, which are aided by District Boards, are they managed now by the District Boards or by the Education Department?—By the District Boards. They are supervised by District Board sub-inspectors.

15751. Would you recommend the formation of Advisory Boards in districts or would you have an Advisory Board only in a division?—I would recommend Advisory Boards in every district.

15752. Would you have the members elected or nominated, or partly elected and partly nominated?—Partly elected and partly nominated.

15753. If the Collectors consulted them in all matters concerning the welfare of the people, in that way would the administration be brought more into touch with the people?—Yes.

15754. (*Mr. Hichens.*) How often did the Board of which you were a member, meet?—There was a meeting once a month.

15755. At those meetings was discussion quite full and open?—Yes.

15756. Did the members ever differ from the Collector?—Very few differed from him.

15757. Was that because they did not like to?—I do not know what impressions they had in their minds.

15758. Speaking broadly, do people hesitate to differ from a Collector owing to the powerful position he holds?—Yes.

15759. Could further powers be given to Local Boards under District Boards?—No, I do not think so.

15760. They deal with smaller areas?—Yes.

15761. And the people on those Boards would be naturally more interested in their own particular areas, and would know more what concerned them?—Yes.

15762. (*Mr. Meyer.*) Are there any members on Boards who might express really valuable views, but who are afraid of doing so to the Collector?—Yes.

15763. If they saw the Collector privately, would there be the same fear?—That I cannot say

15764. Would the same thing apply in the case of an Advisory Council to a Commissioner; would a member of an Advisory Council be afraid of stating his views to a Commissioner?—No, I do not think an Advisory Council would be afraid to state their views.

15765. Apart from the point as to knowledge of a district, would it not be advantageous for a Collector

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to be brought into direct contact with the needs of his district in respect of education, sanitation and roads? —If he ceased to be Chairman of the District Board, I think he would not take so much interest in them.

15766. Would that be a good thing?—No.

15767. Are your District Boards concerned with vaccination work?—Yes.

15768. Have they a fairly free hand in the matter of primary schools?—Yes.

15769. Is it your experience that they are interfered with by the officers of the Education Department?—No.

15770. There are two cesses levied in Bengal, the Road Cess and the Public Works Cess?—Yes.

15771. The Public Works Cess goes to the Government, the Government in return making some grants to the District Boards?—Yes.

15772. Would it be a good thing if the District Board took both cesses?—I cannot say that.

15773. Do chaukidari unions work satisfactorily?—Yes, chaukidari unions work well.

15774. (*Sir Steyning Edgerley.*) You have not been on a District Board since 1893?—I resigned when I was appointed a member of the Legislative Council, and had to come to Calcutta. I live at Gidhour, but I had to come to Calcutta frequently, and I could not attend all the meetings.

15775. How often did you have to come to Calcutta as a Legislative Councillor?—Five or six times a year, and sometimes in the season I had to remain here a month.

15776. Are you a very busy man at Gidhour?—Yes; it was for want of time that I resigned.

15777. What advantage do you expect to get by the system of borrowing which you propose over the present system?—I think Local Government should carry on their own business.

15778. But they can borrow from the Government of India at present?—Yes, but that takes some time.

15779. Do you think by the mode you suggest they could get money quicker?—I think a Local Government may know its own requirements better.

15780. But if they know their own requirements and go to the Government of India and say, "We "want money for this, that and the other," do they not get it?—I do not know.

15781. How long has your present Collector been in the Monghyr district?—Only a few months.

15782. How long was his predecessor there?—Only for a year or so.

15783. Do you consider that either of those officers knew the district better than you do?—Yes, they know it better than I do.

15784. Although you have lived there, how many years?—Ever since I was born.

15785. (*Chairman.*) Does the provincial Government contribute to the expenditure of the District Boards?—Yes.

15786. If the Collector ceased to be Chairman, would the Government of Bengal have any representative on the District Board?—No, if the Collector ceased to be Chairman there would be no other.

15787. How then would the provincial Government know that the money which they gave to the Board was being properly expended or not?—It would be the duty of the Chairman to report. If the members spent the money according to rules laid down by the Government, that would be an efficient check.

(*The witness withdrew.*)

RAI TARINI PROSAD BAHADUR was called and examined.

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15788. (*Chairman.*) What is your position?—I am a pleader and landowner in the Bhagalpur district.

In my opinion larger financial powers should be given to provincial Governments generally in the following respects:—

(*a*) The minute details of the annual budget estimates of the provincial Governments need not be subjected to the scrutiny of the Government of India.

(*b*) Members of the provincial Councils are precluded from criticising imperial finance. This restriction should be removed and the members of the provincial Councils should be allowed to discuss imperial finance, so that the Government of India may know the views of the official and the non-official members of the provincial Councils, and may consider the same in framing the budget.

A more complete separation than at present exists should be effected between imperial and provincial finances.

Local Governments should be given borrowing powers. They should be allowed to raise local or provincial loans with an imperial guarantee, if necessary, to be gradually paid off by a sinking fund.

Members of the Judicial Service and of the Subordinate Judicial and Executive Service, as well as ministerial officers, are overworked, but get tardy promotion. No doubt steps have been recently taken to relieve and encourage these services, but what has been hitherto done is not in my opinion sufficient. Local needs can be best understood by Local Governments, and so in the matter of the creation of new appointments, the enhancement of salaries, larger powers should be given to those Governments.

To avoid the unnecessary delay occasioned by frequent references to the Secretary of State in Council, and to avoid misconceptions of the needs of the country, it is desirable to add to the financial powers of the Government of India.

It is not desirable to curtail the right of appeal to the Government of India or Local Government, now granted in respect to administrative action—(*a*) by law or by rules having the force of law, or (*b*) by executive practice or on personal matters. Nor is it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

The Board of Revenue should have power to take under the Court of Wards not only estates paying revenue to Government, but also other important and large estates not paying revenue to Government, and the definition of an "estate" in the present Court of Wards Act should be modified accordingly.

Native Executive Officers have sufficient opportunities for personal contact with the people, but European Executive Officers have not. The existing obstacles with the latter class of Executive Officers are their disinclination, in most cases, to mix with the people; the expense of inviting people to parties or social gatherings; their insufficient knowledge of the vernaculars. The remedies seem to be greater sympathy on the part of the European Executive Officers in general; willingness to join parties or social gatherings of the people; improved knowledge of the vernaculars.

In the Executive line transfers are sometimes unnecessarily frequent. Too frequent transfers do not enable officers to get sufficient knowledge of their stations and should be avoided as far as possible.

The Municipal Commissioners should be authorised to modify allotments by transfer of any amount from one head to another.

The District Boards should have similar power, *i.e.* power to transfer grants from one head to another without any sanction of the Commissioner. I think it would be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts, as such municipalities may not, with their limited funds, be able to undertake works of utility which may be easily done with the help of the officers of the District Board.

I am in favour of Advisory or Administrative Councils to assist Divisional or District Officers. Such Councils should be constituted of men representing the various important interests in the country. The Councils should advise in all matters on which their

advice is sought by Government, or which they, of their own motion, choose to bring to the notice of Government. Such Councils may be consulted with advantage specially in matters of income-tax, excise, famine, sanitation and loans for land improvements and agricultural purposes.

15789. You think the Local Government should be given borrowing powers?—Yes. Because there are cases of urgent reforms in which it is necessary sometimes to raise money quickly, and it should be done without any reference to a higher authority.

15790. Is there any financial market in Bengal which the Local Government could reach, but which the Government of India at the present moment does not reach?—I do not say that there is any market in India which the Government of India would not reach, but it would save much time and bother if the provincial Governments were given power to raise loans without the sanction of the Government of India in cases of urgency.

15791. If the Local Government went into the market to borrow, would any loans which they might raise interfere with the power of the Government of India to raise money for larger purposes?—I think both Governments could borrow.

15792. But would the operations of the Local Government in the money market interfere with those of the higher authority?—It might be so.

15793. You think the rupee market is not large enough to hold the operations of both Governments.—Yes.

15794. But you would wish the Local Government given more freedom in the matter?—Yes, subject to some limit of course. I should suggest a lakh or two lakhs, or some such limit, in respect of which the sanction of the Government of India might be dispensed with.

15795. Do you wish to see a considerably greater amount of separation between the provincial Government of Bengal and the Government of India?—Yes, I am in favour of separation. The present scrutiny of the Government of India into the minute details of the annual budget estimates of the provincial Council is unnecessary, and I would suggest that the sanction of the Government of India should be given in respect of the total under each main head the details being left to the provincial Governments. The provincial Councils ought to have power to discuss imperial finance and pass resolutions which would assist the Government of India very much in framing their own budget for the coming year, as they would get much more information unofficially than they get at present.

15796. With regard to the right of appeal, do you wish to see it curtailed in any respect?—I do not, and that is the feeling of the public, so far as I can ascertain.

15797. Do you know anything about the Court of Wards. Yes, I have had some practical experience of it. The provisions of the law should be extended. The object of the law was that estates should be properly managed, and the rule, which has been in existence since 1793, that only those estates which paid revenue to the Government should be brought under the Court of Wards, ought to be extended.

15798. With regard to estates, whether under Government or not, should the Commissioner have power of dealing with them instead of all the details going up to the Board of Revenue?—With regard to matters not involving large questions, the Commissioner should have power to settle them without reference to the Board.

15799. Is it probable that the persons who are concerned in these estates would be glad if the expenditure which is thought proper upon them could be sanctioned by the Commissioner at once?—Certainly.

15800. Would they be satisfied with the exercise of his wisdom and discretion?—Yes, I think they would.

15801. Should larger powers be given to the Collector?—I cannot think of any specific power at present, but on principle I think some larger powers should be given to Collectors.

15802. Would you rather see the Court of Wards estates managed by the Commissioners of the various districts in which the estates are situated than have an expert adviser at the headquarters of the Government?—I do not think there is any great necessity for an expert.

15803. Is there any hesitation on the part of Sub-Divisional Officers to speak to and deal with all classes of the community?—They do not freely talk with all classes of the people.

15804. Have the people access to the Collectors?—They have, but not to the extent necessary and desirable.

15805. Is that because the Collectors are disinclined to speak to them?—Not as a general rule, but there are some officers among the Collectors, of whom I would say that they are stand-offish, and a great deal of reform is necessary in that direction, because if Divisional Officers, District Officers and Sub-Divisional Officers were to speak to the people more freely, much in the way of improvement would be brought about. District Officers' visits are not so frequent as those of the Sub-Divisional Officers, who come more into contact with the people than District Officers, although most of them go on with the hearing of cases when in camp, which very much interferes with the real object of going about. They could very well improve sanitation, for instance, and suggest many kinds of reforms to the zamindars and tenants towards which Government have already sanctioned contributions, but these things are not done.

15806. Is there any disinclination on the part of either Hindu or Muhammadan gentlemen to mix with District Officers?—I do not know of any such disinclination; in fact, so far as the people themselves are concerned, they are not averse to it.

15807. Would the cost of either the Collector entertaining some of these gentlemen, or the cost to a native gentleman of entertaining the Collector be considerable, or would it be necessary to incur any cost?—Any social gatherings at the instance of the people would necessarily be rather expensive, because they would not think of inviting a Collector unless everything was done in decent style.

15808. Would a Collector feel it necessary to spend a good deal if he asked some of the leading gentlemen to come and see him?—I do not think the Collector would have to spend much; if he were to simply ask the people to call and see him, they would very gladly do so.

15809. Have you, yourself, living in a country district, ever experienced any incivility or discourtesy on the part of Collectors or Sub-Divisional Officers?—So far as I am personally concerned, I have never met anything of the kind.

15810. How long do you think it is to the advantage of a district that a Collector should stay in it?—I think three years should be the minimum.

15811. Would five years be too long?—Yes; because it would stand in the way of the promotion of an officer.

15812. From the point of view of advantage to the district, would it be too long, or might the Collector take sides or prejudices?—If a Collector knows his district, very well, no doubt it is an advantage, but there is the disadvantage that some people think a long stay undesirable.

15813. In former days did Collectors and Commissioners know their districts better than they do at present?—Certainly.

15814. And did the people like them to remain in a district a long time?—In those days I do not remember any instance in which people did not like a long stay.

15815. Therefore from the point of view of the interests of the districts it is best?—Yes, from that point of view it is advantageous.

15816. Could any powers be given to village communities?—It depends upon circumstances. There are districts in Bengal, and also some in Bihar, where it might do good, but there are others in which the people not being sufficiently advanced, the system would not work well. If it was introduced, it would have to be introduced very slowly and carefully.

15817. (*Sir Steyning Edgerley.*) Have the non-official members of the Bengal Legislative Council a right to elect a member to the Imperial Council?—They have.

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15818. Therefore, through that representative, they have an opportunity of discussing imperial finance?—They have.

15819. And they can ask that member to put forward any views which might approve themselves to them?—Yes, there is nothing to prevent it, but still I think it would be desirable to allow the provincial Council to discuss matters of finance and decide for themselves.

15820. Would you apply that principle also to the provincial Legislative Councils, and let all District Boards discuss provincial finance?—Yes, I think it would be desirable.

15821. As regards the supervision of the Government of India over major heads instead of minute details of expenditure, are you aware that that is exactly the present position? They do not interfere with anything below the major heads of the provincial budget, do they?—I think the minute details are also scrutinized by the Government of India.

15822. Is there not a section in the Act dealing with the Court of Wards, which says that the powers may be delegated to a Commissioner, Collector, or any other person in certain cases? I think there is.

15823. Then all the delegation necessary with regard to the Court of Wards can be done, as a matter of course, and at the discretion of the Local Government, without any further authority being given?—I think so.

15824. With regard to Advisory Councils, do you wish to see different kinds of them in different districts, worked according to the circumstances of particular districts?—Yes.

15825. You would want legislation to effect that purpose, of a very general character, allowing experiments in different districts?—Yes, necessarily.

15826. Practically a section giving the Local Government power to make rules?—Yes.

15827. Would that satisfy you?—Rules for the purposes of constitution and defining their duties—yes, but I think the election of the members of the Council must be by the people representing different kinds of interests.

15828. That you could provide for by rule, where it was suitable?—Yes.

15829. And where it was not suitable, you could provide for nomination?—Yes, it should be both by election and nomination.

15830. Do you not think it likely, as regards either a delegation of power under the section in the Court of Wards Act, or as regards a general rule giving power as to Advisory Councils, that there would be cause for public complaint?—So far as I can see, I do not think there ought to be any ground for public complaint in that connection. The question is how the rules themselves would stand.

15831. The rules, of course, would be published, and be subject to criticism before being passed?—Yes.

15832. (*Mr. Meyer.*) Have you any special experience of Municipal and District Board work?—Yes. I was a member of the Bhagalpur Municipality for about six years, but I have ceased to be a member for over eight years.

15833. As a member, did you take an active part in municipal work?—I did.

15834. The municipal budget has to be passed by the Commissioner? Supposing he finds the municipality is not spending enough money, for instance, on sanitation, can he increase the allotment for sanitation, and decrease the allotment for, say, education correspondingly?—He can.

15835. Do you want a municipality to have full power of making appropriation from one head to another?—Yes.

15836. Might not that defeat the Commissioner's order? The Commissioner may have cut down the education allotment by Rs. 5,000 and added it to the sanitation allotment, but by your suggestion the municipality could simply retransfer it again, could they not?—After the Commissioner has sanctioned the budget, if it becomes necessary, in the opinion of the municipality, that a certain amount should be transferred from one head to another, I think they should be allowed to do so without further reference to the Commissioner.

15837. Do you mean that they should exercise that power in order to defeat the decision of the Commissioner?—No, I simply say, after the sanction of the Commissioner, if it becomes necessary in the opinion of the municipality to transfer, having regard to circumstances springing up later on, from one allotment to another, then that it should not be necessary to refer the matter further.

15838. Is there not, then, the possibility that the municipality, supposing it differed in opinion from the Commissioner, could use that power to defeat the Commissioner's ideas?—I think the municipal Commissioners must be taken to be discreet people, and I do not think many of them would act against the views of the Commissioner simply to gratify their own views.

15839. If municipalities had this power of reappropriation which you want to give them, and the Commissioner found that power being abused, might he still interfere?—Certainly.

15840. Have municipalities much power with regard to the creation of appointments?—Very little. I do not think I should be justified in proposing any alteration in the present rules. Of course there are municipalities in Bengal and other places where that state of things may be remedied, but so far as Bhagalpur, Monghyr and other municipalities are concerned, I do not think very much larger powers are necessary at present.

15841. What is the size of the Bhagalpur municipality?—It is a big town.

15842. Are there not a number of municipalities in Bengal ranging in size from a big place like Patna to small villages?—Yes.

15843. Would it be advisable to discriminate and give larger powers to the bigger municipalities?—Larger powers might be given to a municipality like Patna, but I do not think it would hold good in all municipalities. I think the powers which the smaller municipalities have already got are quite sufficient.

15844. Has a municipal *employé*, if dismissed by the municipality, any appeal?—Yes.

15845. Who would dismiss a clerk in the employ of a municipality on Rs. 16?—The Chairman.

15846. To whom does the appeal lie then?—Straight to the Commissioner.

15847. Would it not be well to have an appeal from the Chairman, as the Executive Officer, to the municipal Council as a whole, instead of to an outside authority like a Divisional Commissioner?—Yes, I think so, and it would be desirable that a power of appeal should be given to the municipalities.

15848. Does the District Board deal with questions of vaccination and education?—Yes.

15849. Was there much interference in your time by the Education Department, or was the Board allowed to have its own way?—I do not think there was much interference on the part of the Education Department.

15850. Were you satisfied with your powers?—Yes.

15851. Had you committees to deal with these things?—Yes.

15852. In your opinion, is the Collector the proper person to be Chairman of the District Boards?—In the present state of things the Collector is the proper person, but if there were a qualified non-official member of the Board, I should prefer him.

15853. But has not a Collector a larger knowledge of a district as a whole than anyone else?—Yes, the Collector has a large knowledge; but should there be, among the members of a District Board, a man who has lived in the district itself for a large number of years with greater knowledge, and he is qualified, I should prefer giving the Chairmanship to him rather than to an official.

15854. But must not the Collector have something to do with education and sanitation and such matters? Do you propose to take those matters away from his control altogether in the case you mention?—I think

it is essentially necessary that he should have to do with those things, and, on the whole, he would be a more suitable person to be Chairman.

15855. With regard to the Santhal Parganas, is there a special system of judicial administration there?—Yes. The Commissioner of the Division exercises the powers of the High Court.

15856. Is that satisfactory?—It has been satisfactory, but I think there are some places which should not, in the present state of things, be kept under the Regulations.

15857. Does the Deputy Commissioner also exercise civil powers?—He has the powers of a District Judge.

15858. As to your desire that provincial Councils should be allowed to discuss the imperial budget, what kind of things do you look forward to their discussing—army estimates or what?—All items.

15859. Do you think that a provincial Legislative Council should discuss imperial legislation, imperial Acts, and imperial Bills?—No, I should limit it to the budget.

15860. As to Local Governments being allowed to issue loans of one or two lakhs of rupees, does any Local Government ever really want to borrow so little as a lakh?—I simply put that as a figure; it was more the principle I was dealing with.

15861. You deprecate any curtailment of the right of appeal. At the same time you say that District Officers are not sufficiently in touch with the people; might that not be due largely to overwork on their part?—I do not think appeals add much to the work, but at the same time the feeling of the people is so strong in this connection that I certainly would wish the present state of things to remain unaltered.

15862. Is there not a limitation with regard to appeals in civil matters? No second appeal is allowed on questions of fact. Do you see any harm in applying that rule to administrative and executive matters?—I think in matters in which appeals lie to the Local Government, the privilege ought to remain where it is.

15863. You desire that the Court of Wards should be able to take over estates which do not pay revenue direct to Government? What value would these estates run to?—May I give you an instance? I know of an estate which is at present in the possession of an Indian lady; the property is mismanaged and the income is wasted; in a civil suit the High Court has appointed a Receiver, and steps are being taken to bring that estate under the management of the Court of Wards on the ground that a portion of the property pays revenue to the Government, and therefore it comes within the definition of the section in the Act, but the bulk of the estate does not pay revenue direct to Government.

15864. Do you mean that the estate pays rent to an over-landlord?—Yes.

15865. Then would you put the Court of Wards in the position of tenants to a zamindar, which is what it would come to?—As trustees, no doubt, but at the same time I do not see that there is any harm in that. It would also protect the interests of the tenants.

15866. Would it not lead to friction between the Court of Wards and the local landlord?—No, and it is a matter of absolute necessity as I find by experience.

15867. Would it not be an advantage for the Collector to change his district occasionally, in order to see how things are being managed elsewhere?—I think that a Collector ought to stay in a district for three years.

15868. But you would not have a Collector stay his whole time in one district? It might be to the advantage of the Collector to be shifted, might it not; and therefore indirectly to the advantage of the people that he should have experience of two or three districts and be able to compare the administration?—Yes.

15869. Is it your opinion that an Advisory Council should be purely advisory?—Yes.

15870. The question would be somewhat like that of a Judge trying a case with assessors?—Yes; he need not necessarily act upon their advice. What I mean is that the opinion of an Advisory Council might be brought to the notice of the local authorities and the Local Government.

15871. Should their opinions be brought to the notice of Government as a matter of right?—Yes. It might be at the instance of the members of the Advisory Council, or it might be at the instance of the Local Government that important matters should be brought forward.

15872. In dealing with a matter which a Commissioner could dispose of himself, would it be necessary to refer the case to Government, if the Advisory Council and he differed?—Yes, I think so.

15873. Why do you consider that legislation would be required to bring this Council into existence? Might it not be done by executive instruction?—It might be, but no Executive Officer would then be bound to consult it.

15874. But if Government said, "You must send "cases up to us if you and the Council differ," would not Collectors have to obey the order?—Yes; in that case it would be so, and legislation would not be necessary.

15875. (*Mr. Hichens.*) How long would it take a Collector to know his district?—He would be able to know his district generally in the course of a year, I should think.

15876. But how long would it take him to acquire a thorough knowledge of it?—Two years or so, I should say.

15877. So, practically speaking, if he is in a district for only three years, he would go away as soon as he has learnt it?—It might be so.

15878. Is that a sound thing?—It is sound from the point of view that there are instances sometimes in which the people do not want the same officer to remain for a very long period. It depends very much on the temperament, disposition, and work of the officer.

15879. If an officer does his work well and is popular, may not the people like him to remain, say, for 10 years?—Yes.

15880. Do you mean that they would like to get rid of an unpopular Collector after three years?—Of course, there ought to be some general rule or principle; I should think, three years is quite long enough.

15881. Would you base the rule on the assumption that the Collector is going to be unpopular?—No, I have no reason for making an assumption of that kind.

15882. Would it not be a sounder assumption that the Collector would be a good man, in which case he ought to stop for 10 years?—Certainly.

15883. Are you a member of the Legislative Council?—I was for two years—1902-3.

15884. Was the question of the financial settlement between the Government of Bengal and the Imperial Government being discussed during your time?—I think it was settled about that time.

15885. Was an explanation ever given in the Legislative Council with regard to the general trend of it?—Not so far as I remember.

15886. Was any statement published about it?—Did you ever have any chance of clearly understanding what the basis of that settlement was?—I do not particularly remember.

15887. Was the matter discussed in public or private?—Not that I know; but it was discussed later.

15888. You say that you want a further separation as regards financial matters between the Local Government and the Government of India. Would you go so far as to have a separate budget with regard to provincial funds?—I would like minute details in every provincial budget to be settled by the Local Government.

15889. Only the details? Are you quite content that the general budget should go to the Government of India as it does to-day?—Yes; I simply want minute details to be left to be settled by the Local Government.

15890. Is it a good thing that some outside body, that is to say, the Government of India, should control the expenditure of the provinces?—Yes.

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15891. Should a provincial Government be allowed to make its own budget as it likes without any criticism?—I think not.

15892. Supposing the budget were fully discussed in the provincial Legislature, would you modify your opinion with regard to the criticisms of the Government of India, and would you say under those circumstances it might no longer be necessary to refer it?—If the provincial Governments were given power to discuss imperial budgets, then, of course, I would certainly have no objection. But so far as minute details are concerned, I adhere to my opinion that they should be left to provincial Governments without having to go up for the sanction of the Government of India.

15893. (*Mr. Dutt.*) I suppose all those matters regarding the financial settlement are settled by correspondence between the provincial Government and the Imperial Government, and are not discussed in the Legislative assembly?—I think so.

15894. So that the Legislative Council has no opportunity of knowing what is being done in these matters until they have been decided?—That is so.

15895. Is the Bengal budget discussed after it has received the sanction of the Government of India?—Yes, always.

15896. Therefore if, in the course of the discussion, any changes appear to be necessary, there is no machinery for introducing those changes?—None whatever.

15897. So that practically the discussion is only academic and is of no practical value?—That is so.

15898. Would you like a scheme by which discussion might take place in the Bengal Council before the budget went up to the Government of India for sanction, so that if the Lieutenant Governor thought it desirable to make any changes in the budget after discussion, he might be able to make them before submission to the Government of India?—Yes.

15899. In speaking of the Bengal Government one means only the Lieutenant-Governor?—Yes.

15900. And the items in the budget are practically settled by the Lieutenant-Governor?—Yes.

15901. You referred to certain matters in regard to which the Local Government ought to have larger powers, but sometimes are not changes in administrative systems brought about too frequently?—Sometimes they are, but there are sometimes urgent reforms which must be dealt with.

15902. Has not every Lieutenant-Governor views and ideas of his own differing from those of his predecessor?—Every Lieutenant-Governor no doubt has some pronounced views different from those of his predecessor.

15903. And to some extent there is a change in the policy of a Government with every new Lieutenant-Governor?—Yes.

15904. Would there be more continuity of policy if Lieutenant-Governors were assisted by an Executive Council of two or more members?—Yes.

15905. On the whole, would there be less chance of sudden and needless changes if there was an Executive Council to help the Head of the Government?—Yes, I think it would be better.

15906. With regard to borrowing powers, did you mention a lakh of rupees as an approximate limit to which Local Governments might go?—No, I simply gave that as illustrating the principle I put forward; I do not say that that should necessarily be the sum; it might be a smaller sum.

15907. Have you any idea what approximate sum should be fixed?—No; I would leave that to the administrative authorities to fix.

15908. Would not the granting to provincial Governments of these powers lead to a multiplicity of loans in the country, and probably add to the indebtedness of the country?—I do not think so. It would not add to the permanent indebtedness of the country because a sinking fund might be formed, and gradually the loan liquidated.

15909. Is not the present check beneficial from the point of view that the provincial Governments are stopped from borrowing immediately they think a loan is necessary, and that they have to consider the matter well before going to the Government of India for sanction to a loan?—I think, having regard to the urgency of some matters, the Local Government ought to have power to raise loans.

15910. In urgent cases, for instance such as famine relief, is there unnecessary delay in getting the sanction of the Government of India?—There is delay, and I want to prevent that.

15911. Would you like to give the Local Governments larger powers in the creation of new appointments?—Yes.

15912. Do you know that the powers of the Government of India are limited in that respect?—Yes.

15913. And you would not give the Local Governments larger powers than the Government of India have in matters of appointment?—No.

15914. Would you give them similar powers?—Yes, I would leave improvements in Services and certain other matters to the provincial Government instead of allowing them to go up to the Secretary of State.

15915. Are officers of the Provincial Service—Deputy Magistrates—also too frequently transferred?—Yes.

15916. There is a proposal to empower Commissioners of Divisions to transfer Deputy Magistrates from one place to another within their own divisions; would that be likely to lead to more frequent transfers of Deputy Magistrates?—Not necessarily.

15917. Would it be beneficial for the administration of divisions that Commissioners should have the power of moving Deputy Magistrates from place to place within their own divisions?—It would be an improvement on the present system, because the Commissioner knows the needs of a division better than anyone else.

15918. You propose to give District Boards some powers of control over the smaller municipalities within a district, on the ground that the smaller municipalities have very limited funds and that the District Boards might help them. Do you propose that a part of the district funds should be diverted from their legitimate purpose to the help of the municipalities?—No, I do not mean that; what I mean is that the smaller municipalities have limited means; they have no engineers, for instance, of their own, but District Boards have engineers, and in cases of settling questions of drainage, or anything of that kind, the District Boards might help.

15919. Without charging any fees?—Yes.

15920. With regard to delegation, supposing some powers have been vested by a Legislative Act in the Local Government, and under a General Act of Delegation the Local Government delegated those powers to Commissioners and Collectors, without any special amending Act, would that not be defeating the object of the original Act vesting the power in a particular authority?—Practically it would.

15921. Supposing the Local Government has power of sanctioning taxation in municipalities, and under a general Act of Delegation empowered all Commissioners and Collectors to sanction the imposition of fresh taxation within municipalities, would not that be defeating the object of the original Act?—It would be so.

15922. Would that be liked by the people?—I am not very certain as to what the popular feeling would be, but I would be disinclined to do it.

15923. (*Sir Frederic Lely.*) Has the action of the Court of Wards proved to be very beneficial in that it creates a link between the Collector and some, at any rate, of the landowners in his district?—So far as it goes, yes.

15924. If an estate in certain circumstances is not under the Court of Wards, it goes to ruin?—Yes.

15925. The Board of Revenue is practically the Chief Revenue Court of Appeal at present?—Yes.

15926. And parties have a right to appear before it in person or by pleader?—Yes.

15927. Is that a privilege which is greatly valued?—Yes.

15928. If that privilege ceased to exist, would it be popular among the people?—It would not be acceptable.

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15929. In creating an Advisory Council, would you create it for a whole district?—Yes.

15930. Would the members be elected? — Partly elected, and partly nominated.

15931. Would they be living here and there all over a district, and at a distance from each other?—It might be so, but not necessarily so.

15932. You have enumerated certain subjects on which they should be consulted, the first being income-tax; how do you propose they should be consulted in that matter?—As regards the scale and rate, and also they might bring to notice how the Income Tax Officers have acted, and are acting; whether they have overassessed or underassessed people; in fact, in all matters.

15933. Would you invite their opinion as to the general rates of income-tax?—Yes.

15934. But so far as their opinion regarding a point of that kind went, they would be an Advisory Council, not to the Collector, but to Government?—Of course.

15935. In dealing with a case of overassessment, do you think a general Council, drawn from every part of the district, would have any opinion as to the means of any particular individual which would be worth listening to?—No, but when the opinions of the various districts throughout the country are brought to the notice of the Government, the Government would consider the advisability of making any change.

15936. Taking the case of a man who the Council assert is overassessed, do you think the opinion of a General Council, drawn from the whole district, as to the means of that particular individual, would be worth anything at all?—I think the matter might be taken into consideration by the assessing officer the next year.

15937. With regard to excise, in what way do you propose an Advisory Council should give advice?—At present the system is not working very satisfactorily, as women and children in the villages have opportunities for getting drunk.

15938. Would the Council be more likely to know more about such a thing as that than the District Officer?—I think the Council certainly would know the people better than the District Officer, and might bring such a thing to the notice of the Government.

15939. As to the right of appeal, do you agree that the popular opinion is that every man has a right to go to the Head of the State?—Yes.

(*The witness withdrew.*)

The Honourable Babu Kalipada Ghosh was called and examined.

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15940. (*Chairman.*) What is your occupation?—I am a pleader and a landholder. I reside at Ranchi. The existing financial relations between the Government of India and the Government of Bengal do not require any material change. The financial settlement which was entered into between these two Governments in the year 1904, and on the basis whereof the Bengal Government budgets have been prepared and worked out since the year 1905, was a distinct improvement on the system which preceded it, and we have had no serious complaints to make regarding the existing system. The financial settlement entered into in 1904 was not limited to any fixed term, but it has been made for an indefinite period, and it is not now open to the Government of India to absorb any possible balance in the hand of the Local Government at the end of every five years. Of course, the Imperial Government have reserved the power of interference or revision, if occasion arises for it, and this power should be retained, as it is calculated to keep the Government of Bengal always alive to the sense of heavy responsibility in dealing with the extensive revenue at its command. But the power of the Imperial Government of making a demand on the provisional revenues should, if possible, be defined, so that they may not exercise this power except under circumstances so abnormal as to exhaust the imperial resources and necessitate a suspension of public reforms in the country. With this reservation in the power of the Government of India, I should say that the controlling power of revision which has been retained by the Government is salutary in its effect.

I do not consider the influence of the Departments of the Government of India is in the direction of excessive rigidity. If this influence is relaxed, the existing state of things may be rendered worse.

It is desirable to allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces; the conditions obtaining in the several provinces in the country being different, the provincial Governments might be given some amount of discretion in developing their administration on a line that will suit local conditions and satisfy public opinion of the province.

I am not in favour of curtailing the right of appeal to the Government of India.

I do not think any extended powers need be given to the Commissioners of Divisions, Collectors or Deputy Commissioners, and Sub-Divisional Officers. The powers which they already exercise are very extensive, and a further extension of their powers is apt to demoralise such officers as have autocratic inclinations.

Commissioners and Collectors should be given the power of supervising the Public Works Department expenditure in their division or districts. At present the supervision is entirely confined to the officers of the department. A contractor entrusted with the execution of any work has to pay ordinarily 5 per cent. of the amount of the bill to overseers and other supervising staff to get his bills passed, and in certain kinds of work a higher percentage is exacted, with the result that not only public money is thus wasted, but the work itself is often badly executed. This scandalous state of things may be remedied to some extent, if the Collector of the district in which the work is done is given powers to supervise the work generally.

I do not think it safe to curtail the right of appeal to the Local Government. Such curtailment may shake the confidence of the people, and make the officers concerned in some degree irresponsible. To lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist would not be desirable, as such a course may practically amount to a denial of the right of appeal. I am of the same opinion with regard to appeal to Heads of Departments and Commissioners. Generally speaking, I do not consider that the influence of the provincial Government is in the direction of excessive rigidity. Sometimes such influence may be regarded in that light, but it is an error on the right side.

I do not think that the provincial Governments are, as a rule, too impersonal and too much dominated by considerations of revenue, but a great deal depends upon the tendencies of the Head of the Administration.

The influence of the Commissioners in matters appertaining to departments other than the Land Revenue Department is sufficiently strong, and adequate weight is given to his views.

The Executive Officers have certainly sufficient opportunities for personal contact with the people, provided they choose to avail themselves of them. The obstacles in this direction are sometimes of their own creation, as they either lack due sympathy for the people entrusted to their care, or sometimes show too much favour to only certain individuals or classes, which has the effect of creating bitterness of feelings between different sections of the people. The Executive Officers, I mean the European Officers of comparatively short standing, do not possess sufficient knowledge of the vernaculars, and their success in their departmental examination, in the way in which it is now conducted, is no criterion for judging their knowledge of the vernaculars. It is by no means desirable to place junior officers in charge of a district, as they cannot be expected to have such knowledge of the vernaculars as a District Officer should possess.

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In my opinion any general increase in the administrative staff is not required. The work which a District Officer is now required to do is certainly multifarious in its nature, but it can advantageously be reduced. The District Officer's work in connection with (*a*) municipalities, (*b*) District Boards, (*c*) dispensaries, (*d*) primary education, can very well be entrusted to the local bodies in the district, and in addition he should be entirely relieved of all judicial work. The existing system requires that a District Officer should look to all departments in the district, and in addition to his heavy executive work, he is required to perform judicial (criminal) work.

Transfers of officers are unnecessarily frequent. As soon as an officer acquires some knowledge of the district or division, he is transferred to another place, and this is one of the reasons why an officer fails to enjoy the true sympathy of the people and their hearty co-operation. A sympathetic officer should be allowed to continue in a district or division for at least five years. Such transfers can be reduced by putting certain restrictions regarding leave and furlough, which are at present too frequently granted.

The District Municipalities and the District Boards can be granted larger powers in the direction of the management of dispensaries and educational institutions within their jurisdiction, and they should be entirely freed from all official connection. At present the District Officers and the Government nominees predominate over these bodies, at least in many districts, and the Divisional Commissioner has too large powers of interference, and the people enjoy the sham of Local Self-Government. This reform can be easily effected, as there is no lack of enlightened and educated men in the country to do the work.

I am in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The members of such Councils should be elected, say, one by the District Board, one by the municipalities; and if more than two members be considered necessary, certain electorates, as of landowners or of professional people, may be formed, and each electorate may elect one member.

In my opinion it would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

15941. Have you any experience of Government either from the local or from the provincial point of view?—Yes, I have been a member of the Bengal Legislative Council for two years.

15942. As such, do you have much opportunity of seeing the working of the Executive Government?—No, not much.

15943. Therefore, perhaps, you are not fully acquainted with either the restrictions or the conditions with regard to the relations between the two Governments?—So far as the Executive side is concerned, I do not know much, but so far as finances go, we have some experience.

15944. Have you yourself at any time experienced any discourtesy from Commissioners or Collectors?—Yes, on some occasions, at the hands of Collectors.

15945. In what way was it exhibited?—I have known even when representative people of a district have wanted an interview with a Collector on certain important matters, they have been told he had no leisure to see them, and I have known of a case of a Collector on tour, when the local zamindar came to *salaam* him, telling the chaprasies not to allow him to come into his camp.

15946. Has that occurred in recent years?—No, not in recent years, some years ago.

15947. Was that the only occasion on which you remember such a thing happening?—I have known it happen twice or thrice in my experience.

15948. If it has only happened twice or thrice, would you call it a common trait?—No, it is not common; on the other hand, I cannot say that it is altogether uncommon.

15949. Is that the principal reason why you think no further power should be given to Collectors?—Not exactly the principal reason, but one of them.

15950. With regard to the Public Works Department, might there be some extension of power?—Yes, I should say it is very necessary that the Collector should be given control over the Public Works expenditure.

15951. Who controls that expenditure now?—The officers of the department; the Collector and the Commissioner have nothing to do with the control of the expenditure.

15952. Do you suggest that contractors employed by the Public Works Department are in the habit of offering bribes?—Not that they are in the habit of bribing, but that they are compelled to bribe, that is my point.

15953. What class of officials do they generally bribe?—The officials in immediate supervision of the work, such as overseers, sub-overseers and supervisors.

15954. If the supervision of the Public Works Department was made over to the Collector, how would it be possible to prevent the overseers being bribed any more than at present?—I do not mean that the jurisdiction of the Public Works Department should be entirely transferred to the Collector, because it is absolutely necessary that it should remain with the Engineers; but the Collector should have some power of supervising the work, such as an Executive Engineer or a Superintending Engineer has.

15955. How would that stop the corruption?—If overseers and others knew that they were open to supervision by people who did not actually belong to the department, they would be more careful; because nowadays what we find is that if complaints are made against the overseers, they are not taken much notice of. Whereas if a contractor could make his complaint to the Collector, I think the Collector would take due notice of it, and, in the result, overseers and other people would not be so bold in demanding illegal commissions as they are now. It is a very gross scandal in our part of the country, where I know the whole of the contractors have to bribe these people, and they cannot make good a complaint to a Magistrate.

15956. If they cannot make good a complaint to a Magistrate, how would they be able to substantiate a case before a Collector?—That is another thing; to make a complaint to a Magistrate as a Criminal Judge is one thing, and making a complaint to a Collector is another thing.

15957. But it is not making the complaint; it is substantiating the charge?—Quite so, and if the Collector is entrusted with the supervision of the work, and the complaint is made to him, he would be able to deal with it.

15958. Do you say that a District Officer as a rule has not much knowledge of the vernacular?—I refer, of course, to junior District Officers. In most cases the senior Collectors have a good knowledge of the vernacular.

15959. After how many years' service does an officer begin to have a good knowledge of the vernacular?—I should say after ten years, and not until then.

15960. Do you think that Government hampers the activity of municipalities?—I do. In municipalities where the members are nominated, I do not think they do their work with any amount of independence; they simply attend the meetings as a formal matter and do not take much interest in the affairs of the district. But in cases where the members are elected, the elected members take a good deal of interest, and the Magistrate, who may happen to be the Chairman, also takes a large amount of interest in what is being done. I have no complaint to make against him, but my point is if the Magistrate's connection is cut off, and the management of affairs is entrusted to a non-official man, the Board will take a greater interest in the work.

15961. Are the places where the municipalities elect their members more numerous than the places where they do not elect them?—I cannot give you the exact numbers, but generally I should say yes, though not much. In the case of District Boards nomination is very large, but in the case of municipalities I think election and nomination are about equally divided.

15962. In municipalities do you find a greater number of intelligent persons?—Yes.

15963. Might not that account for the greater interest taken in the conduct of municipal affairs?—It might be so.

15964. Do you wish to see the connection between Government and District Boards somewhat reduced?—Certainly; I should make them purely non-official.

15965. Would you cut off the grant-in-aid which is now given by the Government to District Boards?—The Government only does that in special cases.

15966. If the connection between the provincial Governments and District Boards is cut off, would it not be just also to reduce the grant or cut it off altogether?—I think if the District Boards took all the taxes, it would be sufficient. Under special circumstances the Government may make a grant.

15967. What is the time an officer should stay in a district?—At least five years.

15968. If you cut off municipal and District Boards from the District Officer, what would he have left to do?—He would have the police duties to look after, income-tax, the Government estates, and, in several parts of the country, he would have to look after the Court of Wards and Encumbered Estates. He also has to deal with excise, and I am in favour of giving him Public Works; then he would have places to visit, which I think is a very necessary thing for him to do.

15969. If a District Officer has no connection with the District Board, when he went into a village or town, would he be received with as much attention as he is now?—So long as he is the Head of the police, I certainly think so.

15970. Would he retain his hold upon the district by virtue of his being the Head of the police?—Yes.

15971. Do you mean that he would only have influence with regard to criminally disposed classes of people? What interest would the respectable classes of the community have in the District Officer; they would not be in terror of him as Head of the police?—Of course, respectable people would not be in terror of the police, but if the District Officer is divested of some of his powers, I think the respectable people would still have regard for him.

15972. But would not divesting him of these powers lower his position?—No, I think not. I do not mean to say that the District Officer should not have the power to criticise the actions of the Board, only he should not preside as Chairman.

15973. Then would you still give him some power of supervision over their expenditure and action?—Yes, that is necessary.

15974. You are in favour of increasing the powers of municipalities and District Boards? Ought they to have both primary and secondary schools under them?—No, I think only primary schools.

15975. Should they have the management of village schools?—Those schools to which grants-in-aid are given by Government are under the management of the Education Department and the inspectors under it.

15976. Would you leave them under the Education Department?—Certainly; the Education Department should look to the technical portion, that is to say, the appointment of teachers and the specification of text-books and so on; but as far as finances are concerned, I think the District Officer should look after them.

15977. In the event of any attempt being made to create village communities, would you give them any part in the management of schools?—No.

15978. Would you keep schools out of their hands entirely?—Certainly.

15979. (*Mr. Hichens.*) Are officials of a municipality appointed by the Chairman?—Yes.

15980. Who has the power to dismiss them?—The Chairman; but in certain cases within certain limits, he is bound to do it at a meeting of the Commisioners; he cannot do it himself alone.

15981. Have they any right of appeal from the Municipal Commissioners to the Commissioner of the division?—Yes. I would not do away with that.

15982. I thought you wanted to give municipalities real independence?—I am in favour of giving real independence to the Municipal Commissioners, but I am not in favour of doing away with the right of appeal from them, because they might not understand things properly in certain cases, and the people ought not to be deprived of any right of appeal.

15983. Are you prepared to entrust them to administer the local affairs of the municipality?—Yes.

15984. In that capacity would they not have to perform very important duties, such as imposing taxation and seeing that taxes were fairly and justly collected, and they would be responsible for the general efficiency of their municipality?—Yes.

15985. Would you entrust them with all these powers, and yet not allow them to be able to dismiss their officers?—I think the fixing of any rate should rest with the Local Government; I am not in favour of delegating that power to the Commissioners or any other body.

15986. Is it the case that the maximum rate of taxation which can be levied is laid down by law?—Yes.

15987. Would you give the local authority power to collect that rate up to the maximum without further sanction?—Yes.

15988. You would give them very large powers of taxation, and you would give them power to appoint, but would not give them power to dismiss. What is your reason for that?—I would give them power to dismiss, but I would not deprive the men who had been dismissed of any right of appeal.

15989. If you would give them absolute power in other matters, why not give it to them in that respect?—Simply for the reason that dismissal is one thing, and appointment is another. I think if a man makes an error which is not serious and is dismissed, he should have a right of appeal.

15990. The appointment of a bad man to an office under the municipality might affect the whole town?—Yes.

15991. Is that not an important matter?—Yes, but I do not think it is so serious as the case of a man being dismissed and not having a right of appeal.

15992. Have you ever been on a District Board?—No, but I represent all the District Boards in my division in the Legislative Council.

15993. Should further powers be delegated to Local Boards from the District Board?—I would not say so generally. It might be advisable in particular cases which would depend upon the constitution of the Local Boards, and the best body to deal with them is the District Board. I should not say that all the Local Boards ought to possess such and such powers.

15994. Broadly speaking, you do not think decentralization should get any further than the District Board?—That is my opinion, broadly speaking.

15995. Would you be in favour of giving further powers to the village panchayat?—I should theoretically, but the difficulty is we have not much experience of village panchayats nowadays in our country.

15996. Would you like to make an experiment?—I should.

15997. How often does a District Board meet?—Once a month.

15998. Has a District Board great local knowledge?—They have not as much local knowledge as they ought to have.

15999. Taking it that a Local Board would have more knowledge of its particular area, would you be in favour of doing something more for Local Boards?—Yes.

16000. (*Mr. Dutt.*) Do you agree with the last witness that the Bengal budget should be discussed in Council before being submitted to the Government of India for sanction?—Certainly; but the point is that the Members of the Council cannot discuss the budget, because it is cut and dried before it comes to them.

16001. Do you think that sometimes changes of administration are brought about too frequently according to the views of successive Lieutenant-Governors?—Yes.

16002. Would the appointment of an Executive Council to help the Lieutenant-Governor add to the continuity of policy in administration?—Most certainly.

16003. Would it be a desirable thing?—Yes. I am strongly of that opinion.

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16004. Are you of opinion that the whole Road Cess money should be paid over to the District Boards?—Yes.

16005. Is it not so paid now?—The Road Cess money is not wholly spent on the purposes of the District Boards, and that is a thing we are trying to introduce into the amendments of the Local Self-Government Act.

16006. Are you not trying to get a provision that the whole Road Cess money should be spent on communications and sanitation?—Yes.

16007. Is it your idea that the whole proceeds of the Public Works Cess should also be paid to the District Board?—No; that would create confusion, I think.

16008. You have suggested that District Officers should be relieved of the duties of presiding over District Boards. In that case, would you give them some power of control and supervision over the work done by the Boards?—I would.

16009. If a district Board went very far wrong, ought the District Officer to have power to make them do their work properly?—Yes.

16010. Would you give him any power with regard to municipalities within his own district?—Yes.

16011. Are you aware of the proposal that each class of men in a sub-division should choose members out of their own class on the Local Board?—Yes.

16012. Would the cultivating classes in a small sub-division be able to find a proper representative from among themselves?—No.

16013. If they were prevented from selecting a representative from any other class, would it not probably be detrimental to their interests?—Yes.

16014. Would you therefore allow them to select a representative from any class they choose?—Yes.

16015. Where the members of an Advisory Board differ from a Collector on any matter, should the Collector be bound by the advice, or should he be allowed to act on his own responsibility?—I should say that would depend on the number of the members. If two-thirds of the Council agreed on a certain point and the Collector differed from them, I think he should act upon his own responsibility.

16016. Then in fact you would allow him full discretion to act upon his own responsibility?—Yes.

16017. Would you propose that the power of sanctioning taxes in municipalities should be transferred to the Commissioner or Collector?—I would not.

16018. Generally speaking, if any powers are vested in the Local Government by a specific Act, would you allow the Local Government by a general Act of delegation to transfer those powers to Commissioners and Collectors?—I think more powers might be given, but generally I would not

16019. Would you like it to be done by a general Act of delegation or by an amending Act?—I would rather have that done by an amending Act.

16020. (*Sir Frederic Lely.*) When you say that there are classes who cannot find proper representatives from among themselves, do you mean that it is impossible for any one of those classes to find among themselves a man who knows where the shoe pinches?—There are some men in our part of the country who are unable to put their grievances properly.

16021. Do you mean that they are unable to put it into legal language?—No, I mean that they cannot put them in an intelligible way.

16022. Did you ever go into a village where the people could not make their complaints known in an intelligible way?—In their way they could. Of course, we can understand them; but I doubt if persons sitting on a municipal or District Board would be able to understand them.

16023. Do you mean to say that in a popular assembly they would not be able to make their wants known?—Not always.

16024. Then they must be very extraordinary people?—Yes, they are; and in some parts of the country some of them cannot speak Hindi.

16025. With regard to the Public Works Department, you say that bribery is rampant; has anything else come to your notice in connection with that department which you would wish to remedy?—No.

16026. (*Sir Steyning Edgerley.*) With regard to delegating powers, would not a general amending Act, properly safeguarded, do away with many present difficulties?—Yes.

16027. If such an Act were passed, would it not be very much simpler than having to go to the Legislative Council on each and every occasion?—There may be certain matters with regard to which it would not be necessary to legislate, but all important matters should be left to legislation.

16028. You think it should be limited as to spheres of work?—Yes.

16029. You say that the financial settlement entered into in 1904 was not limited to any fixed term, and it is not now open to the Government of India to absorb any possible balance in the hand of the Local Government at the end of every five years, but the Imperial Government has reserved the power of interference or reversion, if occasion arises for it. Is that a good thing?—Yes.

16030. Does it tend to keep the Government of Bengal alive to its responsibilities in dealing with the extensive revenues at their command?—That is my view.

16031. So that it is really a power of constant control over the Government proceedings?—Yes.

16032. Is that the general impression amongst gentlemen who have studied the subject?—We studied the subject when the new financial settlement was discussed in the Council, and it was the feeling of all the members that control should be kept.

16033. If the Bengal Government used its revenues in a manner which did not approve itself to the Government of India, would the Government of India step in and alter the contract?—Yes.

16034. Then that is hardly a final contract?—No.

16035. Do you suggest that these powers of interference should, if possible, be defined?—Yes.

16036. Can you yourself suggest any definition?—Not beyond what I have already suggested, namely, when the circumstances should be so abnormal as to exhaust the imperial resources, or something of that kind. It is very difficult to specify definitely.

16037. Is that a sufficient reservation?—Yes.

16038. Short of that you would not allow the Government of India to interfere with the contract?—No.

16039. (*Mr. Meyer.*) The financial settlement of 1904 to which you refer is no longer in operation? Was it not necessary to make a fresh settlement in 1906 consequent on the partition of the province?—But the new settlement is on the same lines as the previous one.

16040. In making that settlement, did not the Government of India say very much what you say now, namely, that they would not revise the settlement, except under some grave Imperial necessity, or if the settlement were found to be grossly unfair to the province in some way or other?—Yes.

16041. As regards the instances of discourtesy to which you have referred, if you wanted to see a Collector, and he wrote to you or said to you, "I am extremely busy just now; I must ask you to wait an hour or two, or come another day," would you think that was discourtesy?—No.

16042. Do officers coming from the Bengal districts speak Hindi well?—Not all of them.

16043. Should officers be kept a longer time at Ranchi than they are now?—Yes.

16044. You say that a Collector, though he should not sit on the District Board, should have outside powers of control; but would he not take more interest in matters of education, sanction and roads, if he sat on the Board and discussed them first hand, than if he were an outside authority?—Of course, he might take more interest if he sat on the Board, but I say it is not desirable for other purposes that he should.

16045. But would it not bring him more in contact with the leaders of the people of the district who may

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be on the Board, and would he not be able to see them and exchange views with them at the Board meetings? —Of course, if it was simply from a social point of view, it would be better; but my meaning is that his sitting as Chairman of the Board takes away the independence of the Board itself.

16046. Does his presence frighten the people?—Not exactly frightens people, but people cannot express their opinions so freely and with such independence as they would otherwise.

16047. Do you think anybody whose opinion was worth having would hesitate to speak out freely before him?—Yes. They might know a good deal of the country, because they are local people, but still with the feeling that their position on the Board was by nomination of the District Officer, and that he was present, they would not express their opinions freely.

16048. If they were elected, would they be frightened of him?—Not to such an extent.

16049. With regard to the Board's having larger control over dispensaries, do they not control them now?—Not absolutely; there are the Dispensary Committees.

16050. Is not the Dispensary Committee a branch of the District Board?—No, it is quite a different thing. The dispensary is under the Medical Department, and the District Officer is the Chairman sometimes. The District Board only makes a grant to the Dispensary Committee.

16051. Are not the members of Dispensary Committees members of the District Board as well?—Not necessarily; some of them may be.

16052. Does the District Board make the grant and have nothing further to say?—Yes.

16053. What is the character of your villages? We are told that in Bengal village communities do not exist in the sense that they exist in Northern India; is that the case in Chota Nagpur?—We have villages, but not village communities.

16054. Have you no village headman?—Every village has a headman in that part of the country, who has some local designation.

16055. Do the villagers meet together; are there no village officers?—Yes; and there is a village headman called a *munda* in our part of the country; in this way we have village communities.

16056. Besides them, have you chaukidari unions?—No.

16057. Who manages the chaukidars?—The police.

16058. Has not the practice ceased now? We are told that in Bengal proper the chaukidari panchayats have become independent of the police. Is that not so in Chota Nagpur?—Not yet.

16059. You suggest that Collectors should get larger powers over Public Works? Might not that be achieved by breaking up the provisional Public Works budget to some extent and giving Commissioners allotments to distribute for different Public Works?—To some extent that could be so, but still the Collector, I think, ought to be given some power as to the actual supervision of the work.

16060. Would you give the Collector a small budget of his own?—I think so.

16061. With regard to class representation on Local Boards and municipalities, do you think, speaking generally, if that practice were adopted, you would get a better class of District Boards than you do now?—Yes.

16062. And that, therefore, they might receive larger powers which you would not propose to give to Boards and municipalities as at present constituted?—Just so.

(*The witness withdrew.*)

BABU SRIGOPAL BHATTACHARJEE, M.A., B.L., was called and examined.

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16063. (*Chairman.*) You are Deputy Collector of Income-tax in Calcutta?—Yes.

Subject to the principle that the expenditure should remain within the limits of the provincial contracts, I would generally give the provincial Governments as large powers as may be necessary, in regard to non-recurring items of expenditure, in order to maintain the local administration in a high state of efficiency.

As loans involve the financial credit of Government and have to be raised with reference, among other things, to the state of the money-market, I would, as at present, leave borrowing powers in the hands of the Government of India, which can command the best expert advice.

I would give the provincial Governments as complete liberty as is possible in order to enable them to apply to local conditions the general lines of policy laid down by the Government of India. This principle is now recognized in a large measure, as regulating the relations between the Imperial and the provincial Governments. But a large mass of correspondence takes place in settling matters which involve comparatively minor questions of principle, in their relation to different local conditions.

Although the Imperial Secretariat considers matters from a more commanding standpoint furnished by precedents from other provinces, local conditions do not always impress it as effectively as they impress provincial officers. The result is that while, on the one hand, the Government of India take a broader view of matters from the varied materials at their disposal, they become, at times, too impersonal, and discussions become necessary before the local conditions can effectively modify the considerations of revenue. The proceedings of the Orissa settlement seemed to show traces of this tendency. But, on the other hand, the Government of India have, generally speaking, a marked desire to respect the wishes of the Local Governments in matters relating to revenue, and this, generally, prevents any undue predominance of revenue considerations.

I would not curtail the right of appeal either to the Local or the Supreme Government, or to Heads of Departments and Commissioners, notwithstanding logical considerations in favour of curtailment. It is a privilege sanctioned by historic usage. It is a valuable symbol of personal Government which links the people to the royal throne. People have such a living faith in this right of appeal to Government that they instinctively invoke it when they feel aggrieved. Like the right of petition, this right of appeal has a high political value, which ought to be preserved.

For the purpose of revenue and administrative work I would amalgamate the Board of Revenue as closely as possible with the Government Secretariat. The two Honourable Members and the Chief Secretary may be formed into an Executive Council, having His Honour as President, and subject to His Honour's orders, the different departments may be distributed among these members. The creation of an Executive Council under His Honour will not necessarily extinguish the statutory powers of the Board of Revenue and, after the Council comes into being, the Board may continue to exercise its powers. In the very small number of cases where the law allows an appeal to Government against the Board's decision, the orders in the appeal cases may be passed by His Honour.

District Officers already possess, in matters of revenue and general administration, powers sufficient for one officer. But the most important reform will be to relieve the District Officers from the necessity of attending to petty matters of routine, so that they may have more time to keep themselves in closer touch with the people and to consider the more important questions.

Without superseding the authority of the Heads and other officers of special departments, I would give the Commissioners and Collectors a voice with regard to any important expenditure of these departments in their divisions and districts on matters in which the local public are largely interested. I think that, in matters relating to irrigation and drainage, the views of the Commissioner should have as much weight as the views of the experts when these matters affect any considerable number of residents of the division.

By tradition and by training, the provincial Secretariat establishment take a broader view of matters in the light of the precedents at their command, and,

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owing to their detached attitude, their judgment is not influenced by the prepossessions which local conditions are apt to create. But, while viewing matters from this departmental standpoint, they fail to observe them in their true local perspective. This drawback tends, at times, to make their decisions too impersonal, and also occasionally to give too much importance to considerations of revenue. But the district experience of the Secretaries operates as a corrective of the drawback, and the efficacy of this corrective force depends upon the measure in which these officials impress their personality upon the work of the general establishment.

Though the tours afford opportunities for personal contact with the people, the overworked District Officer cannot utilise them to the best advantage. In order to give this element of personal contact the place it deserves, as a means of improving the relations between the rulers and the ruled, the Collector should be allowed to delegate a considerable part of his less important duties to a gazetted subordinate who should have similar status and position to the Commissioner's personal assistant. Some of the inspection work, which now takes up so much of the Collector's time, may also be curtailed or delegated with advantage. Tours should be less hurried than they are now, so that, with more leisure at his disposal, the District Officer may understand his people better and that the latter may properly appreciate the personal qualities of the Head of their district. Many officers know some of the vernaculars fairly well. I think that a higher standard of knowledge of the written and colloquial vernaculars should be introduced.

Transfers used, in some former years, to be rather frequent. I cannot suggest any method for their reduction. In my own Service, they seem to have, of late years, become less frequent.

I have not much faith in the utility of formal Advisory or Administrative Councils. A tactful and sympathetic Collector or Commissioner can easily choose the right advisers and command their loyal advice and assistance. The creation of formal Councils will have certain drawbacks which may detract materially from their utility. In the District Boards the Collector has a Council which he can utilise for advisory purposes, and he may seek the advise of other residents not belonging to these Boards.

I would not subordinate the smaller municipalities to the District Boards.

I think that earnest and sustained efforts should be made to increase the powers of the village communities. Care should be taken to introduce the reform only in the more advanced villages where there will be comparatively little risk of abuse.

16064. You do not share the views of the last witness that the powers of the Divisional Commissioners and the Collectors of Districts are already too large?—I think that they might be increased.

16065. You say the tours of District Officers are apt to be rather hurried?—The District Officer has so many duties at headquarters to attend to that he has to return now and then during his tour. In former years tours used to be more prolonged, and an attempt ought to be made to go back to that practice.

16066. Then it is not that the officer wishes to get through his touring more quickly, but that he is compelled to cut it short?—He is; that is why I suggest a delegation of some of his headquarters duties to an assistant at headquarters.

16067. You are not very much in favour of formal Advisory Councils, but think the present system of informal consultations preferable?—Yes, and if any reform is wanted we might take steps to improve the present system rather than introduce a new system of formal Councils.

16068. Would an improvement of the present system be obtained by an instruction to all District Officers of whatever grade to constantly consult local opinion?—Yes, in such a way that it will inspire confidence in the people and encourage them to be candid with the District Officers.

16069. With regard to village communities, do you think something might be done in the direction of giving them slightly larger powers?—Yes.

16070. In the way of forming a village Bench for judicial purposes?—To a very limited extent for judicial purposes—mainly for the purposes of sanitation and keeping the roads in proper condition; for municipal rather than judicial purposes.

16071. (*Mr. Meyer.*) Each Commissioner in Bengal has a Deputy Collector as his personal assistant?—Yes.

16072. What are the duties of a personal assistant?—He relieves the Commissioner of a large mass of routine work, and, subject to the orders and approval of the Commissioner, he carries out much of the Commissioner's duties in less important matters which form a considerable portion of the office work.

16073. Does he pass orders on behalf of the Commissioner?—Not in important cases, but in routine cases he passes orders, and there are certain classes of cases which he submits to the Commissioner after disposing of them.

16074. Do you mean cases such as sanction to expenditure?—No; he does not dispose of those matters; he submits the matter to the Commissioner in every case where expenditure is concerned.

16075. What are the sort of cases to which you refer?—There is a long list of them.

16076. Supposing the Commissioner's sanction was necessary to the spending of one hundred rupees, would he send that to him?—That is the practice.

16077. It was suggested at Madras that the limits of income-tax assessment might be raised; what are they in Bengal; who makes the original assessment?—Myself and my Collector. Of course, the lists are submitted by assessors. They are non-gazetted officers on pay ranging from Rs. 200 to Rs. 250 in Calcutta and from Rs. 80 to Rs. 100 in *mufassal* districts.

16078. They are practically clerks?—They are not exactly clerks, because they are treated as belonging to a class midway between the gazetted and ministerial classes.

16079. Are they permanent men or are they changed from year to year?—They are permanent men, but they are transferred from district to district at times. Nowadays assessors are distributed according to divisions, and a certain number are assigned to each division, and the Commissioner arranges the length of time they shall spend in a district.

16080. Who makes the assessment?—The deputy-Collector in cases where the income is less than Rs. 10,000 and the Collector in other cases.

16081. Does any case have to go to the Commissioner?—No, not for assessment.

16082. Have you a Deputy Collector in each district in charge of income-tax work?—The Deputy Collector who is in charge of excise is also in charge of income-tax.

16083. But are you not doing away with the Excise Deputy Collector class and substituting special excise superintendents?—The scheme, I understand, has not been introduced into Bengal.

16084. Are you speaking now of the headquarters sub-division?—The Deputy Collector who is in charge of excise and income-tax in the district is also in charge of the sub-divisional area, but he is to some extent assisted by the Sub-Divisional Officer in regard to the assessment of markets and big places lying within a sub-division.

16085. But as regards an outlying sub-division the assessment is made by the Income-Tax Deputy Collector, and not primarily by the Sub-Divisional Officer?—Except in markets, where the Sub-Divisional Officer makes it, and they are finally passed by the Deputy Collector.

16086. Should not income-tax assessment be made primarily by the local officer in charge of the sub-division who ought to know the circumstances of the people?—Yes, when the Sub-Divisional Officer has sufficient leisure for the purpose, that scheme might well be tried, but of course the advantage of having the work in charge of one officer for a district is that experience of other parts of the district tends to introduce a sort of uniformity.

16087. Taking your district administration, the Collector is in charge of the headquarters sub-division?—Yes.

16088. How many Deputy Collectors are there generally?—There are different numbers fixed for different districts; there are districts of four classes.

16089. Taking an average district, how many would there be?—I think four may be taken as the average number.

16090. You have at the headquarters sub-division four Deputy Collectors and one Joint-Magistrate?—Very seldom a Joint-Magistrate.

16091. Do your district establishment want strengthening?—I think the staff is not so very excessive, but making allowance for one officer to be set aside for the special excise and income-tax work, the remaining three are hardly sufficient for the whole work of administration. The staff has been recently increased to some extent.

16092. Would it not be better to have regular Sub-Divisional Officers to do the revenue and magisterial work under the Collector's supervision?—Yes, in some places a Sub-Divisional Officer could do the work, but his functions are mainly judicial; he has very little revenue work.

16093. Why should he not have both; why should he not be a regular Sub-Divisional Officer?—The revenue work in Bengal is centralized and has not been sub-divided according to sub-divisions as the criminal work has been.

16094. Similarly your Sub-Deputy Collectors are concentrated at district and sub-divisional headquarters?—Yes.

16095. Does much municipal work go up to the Commissioner for sanction?—Yes.

16096. Might some of the powers be delegated to the Collector or to the municipality itself?—Yes; an attempt might be made to delegate some of the powers, but very few.

16097. Speaking generally, is it your impression that a good deal of work comes to the Commissioner that need not come up, and that could be sanctioned as a matter of course?—Yes. With regard to Collectors I am sure that there might be a substantial amount of delegation, but with regard to municipalities I am not quite so sure.

16098. (*Sir Steyning Edgerley.*) Do you think an officer works harder when he is on probation than he does afterwards when he has been confirmed?—After his confirmation more important work is given him. I think after confirmation he has to work harder.

16099. Do you think he lets things go a little, while on probation, and after he is confirmed he works harder?—No, I do not think that, but less important duties are then given him, so that harder work is not necessary.

16100. Do you think he tries more when on probation than he does after he is confirmed?—He tries both while he is on probation, and afterwards, according to the individual nature of the officer.

16101. What advantage do you expect to get by the appointment of an Executive Council?—The more important work that now goes to His Honour will be reviewed by three officers.

16102. You would get a broader decision?—Yes.

16103. Do you suggest that the Commissioner should have enlarged powers in order to make him in the eyes of the people and officers under him the *de facto* representative of the Government in his division?—Yes.

16104. If you have a broader Government and a more powerful Commissioner, what room is left for the Board of Revenue?—The Board of Revenue will remain nominally in order to fulfil the requirements of certain laws and regulations which require the existence of that body.

16105. Does your work as Deputy Collector of Income Tax in Calcutta bring you into very close connection with the commercial and native communities?—Yes.

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16106. What, generally, is the reputation in commercial circles of the Port Commissioners; are they looked upon as an efficient body?—Yes, I have heard the Port Commissioners well spoken of.

16107. Do you make the original income-tax assessments?—I do a part of the original assessment, so does the Collector. The assessors' list of proposals are submitted to me, and after my scrutiny they are submitted to the Collector; sometimes the Collector and myself jointly scrutinise them.

16108. If you prepare the list what is the necessity of submitting it to the Collector; has he any *data* on which he can form a second judgment which you do not possess?—Some of the cases are very important and the Collector's views are necessary in those cases.

16109. Are those cases specially marked in any way?—No.

16110. Do you submit the list as a whole to him?—Yes.

16111. As a matter of fact, the Collector does not examine the whole list or anything like it?—He does.

16112. Does he make an independent examination?—Yes.

16113. What are the arrangements for appeals?—I take objections with regard to assessments on incomes below Rs. 10,000; appeals from my decisions do not lie to the Collector, but to the Commissioner; objections with regard to incomes above that amount are dealt with by the Collector and an appeal lies to the Commissioner.

16114. Are a good many of your assessments affirmed after examination of the books of the persons concerned?—Books are seldom produced at the initial stage of the assessment, but at the stage of hearing objections they are very often produced.

16115. Do you examine those books?—Yes.

16116. Then when the appeal goes up to the Commissioner, does he examine them again?—Yes, he calls for the books now and then, but very often he requires us to examine the books again, and submit the result to him.

16117. Is there a still further appeal from the Commissioner?—To the Board of Revenue.

16118. What course do the Board of Revenue generally take?—The Board of Revenue take the Commissioner's report, and pass orders.

16119. Do they generally call for another report from you?—Yes, through the Commissioner.

16120. Do they make any independent inquiry into the books or into the evidence?—Yes, sometimes.

16121. Does the matter end with the Board of Revenue?—Yes.

16122. Would not justice practically be done to most people if the appeal ended with the Commissioner?—Yes.

16123. As I understand, there is no special advantage in appealing to the Board of Revenue, for they do not, as a rule, make an independent investigation?—But sometimes questions of mixed law and fact arise which require the decision of the Board, and with regard to those cases it is better to leave the jurisdiction of the Board.

16124. Then you think two appeals are necessary?—One appeal will be sufficient for the great majority of cases where merely questions of fact are involved, but where any intricate principle of assessment is involved I think it is safer to leave an appeal to the Board.

(*The witness withdrew.*)

Mr. C. H. Bompas was called and examined.

16125. (*Chairman.*) You are the Magistrate and Collector of the 24-Parganas?—Yes, I have been so for the last two months. Before that a good deal of my time was spent in the Santhal Parganas.

Speaking broadly, the person who supplies the money must control the expenditure of it. Unless a local officer derives his money from local sources, he cannot really control expenditure. If the Local Government has surplus funds it may distribute them among divisions or districts not in accordance with ascertained wants, but on the basis of population or wealth or some similar rough principle: it thereby parts with control of expenditure: but this is not possible where great economy has to be practised and is only legitimate when the money is to be expended on objects, such as communications, on which practically unbounded expenditure is justifiable. When funds are limited they must be allotted where they are most needed: and

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to estimate the relative needs of different districts amounts to control of expenditure. The Government of Bengal has recently made lump sum grants to District Boards through Commissioners: it has also given Commissioners lump sums to be distributed as doles to local institutions. This has been a very useful method of decentralization.

I think in all matters one appeal is sufficient. This should prevent all gross injustice. Beyond this there should only be power of revision, only to be exercised where new facts come to light or a manifest injustice has occurred.

The influence of the Government of Bengal has been in the direction of excessive rigidity and uniformity. This was due to the province being too large to allow of the central authority paying due attention to the needs of particular localities. The district of the Santhal Parganas is the main exception to an unfortunate uniformity. The fact that special laws even under present circumstances are from time to time passed for the Chota Nagpur division, merely shows the existence of a need, for such exceptional legislation is undertaken with great reluctance. I look to the creation of smaller provinces: they are essential if Local Self-Government is to develop. Something would be accomplished by localising the Services to particular divisions and thereby strengthening local opinion and concentrating attention on local wants.

A possible, and in my opinion an essential, reform is to stop transfers. Executive Officers have not sufficient personal contact with the people because the people have no object in keeping personal contact with ever-changing Executive Officers. Young officers have small inducement to master a vernacular which they may possibly not hear spoken for years. Frequency of transfers is almost considered an object in itself. That an officer has been three years in a sub-division or a district is a reason not for considering that he is just becoming useful, but for removing him elsewhere. This system of transfers is carried down to the lowest grades, even to a constable. One result is that if a District Officer wishes to know anything of what happened in his district five years before, he can turn to no one but a clerk: another result is that a habit is formed of dealing with everything by poring over papers. An officer spends his service in dealing with matters of which he and everyone with whom he deals is entirely ignorant. It is as essential that a district staff should be permanent as that the officers in a native regiment should be permanent. The fact that an officer has served three years in a Gurkha regiment is not considered a reason for *ipso facto* transferring him to a Sikh regiment. If officers know their district the district knows its officers, and knowledge begets sympathy. If an officer is to be a Collector for ten years of his service, I would require him to spend them in one district and not in five or six. Frequent leave is no drawback if the officer returns to the same district. I would let officers of the Subordinate Services freely act in leave vacancies even up to six months where the same permanent officer is to return. Officers of the superior services I would confine from the beginning to one division: officers of a lower grade as far as possible to one district. Administration would often not proceed so smoothly, but the present system mainly aims at preventing men from doing much harm: at the same time they are prevented from doing much good. The Santhal Parganas is a district where in the past some attempt has been made at continuity of administration and where officials and people are more in contact than elsewhere.

The question of a decrease in the area of districts is largely a matter of money: I think that the time has come when the question of a general re-distribution of districts should be investigated. Work is increasing every year in volume and complexity, and *primâ facie* charges should be reduced. On the other hand, if officers had not to waste so much time in learning elementary facts about new charges they could do more work than at present. Unity of administration over a considerable area is also an advantage.

Greater care should be exercised in the selection of all Government officers. The assured prospects of Government Service bring enormous advantages in attracting a high class of men and inducing a high standard of conduct. Unless a Government officer embezzles money or is grossly insubordinate he can go through his service without ever doing an honest day's work and earn a pension at the end. I would engage all Government officers for a first term of five years, with a bonus if the contract were not renewed: then for a second term of 10 years, again with a bonus: then for a third term of 10 years after which they would be entitled to pension. These terms would still be so much better than those offered by private employers that recruiting would not suffer, while men much below the average of efficiency would be weeded out, and the public interests would not suffer in order that unfit men might earn a pension.

16126. You have a particular system of Government in the Santhal Parganas, have you not?—Yes.

16127. The Commissioner has very large powers in all departments?—Yes, as superior to the Deputy Commissioner. The Deputy Commissioner is practically the person who exercises the powers and he has the local knowledge, but he is subject to the control of the Commissioner in every way, and the Commissioner is the High Court.

16128. What is the distinction between that collectorate and others?—The Santhals once rose in rebellion against an artificial system of government, and the idea was to abolish everything between the European official and the people. The ordinary laws do not apply unless they are specially extended; the ordinary departments have no authority unless they are specially empowered; there are no pleaders to come between the people and the officials; the High Court has no authority, because it acts on too centralized lines; the zamindars have had their powers of interference with the land curtailed, and throughout a greater part of the district the police were abolished, so that there is nobody between the people and the English officer.

16129. What has been the result of the peculiar system of Government?—I think those who can judge recognise that it has been very successful. People like the European managers of estates and land-holders in the district. It is not popular with the educated foreign class, that is to say, with the educated Bengalee, who comes into the country wanting to become a pleader.

16130. Is there much crime there?—No. I do not think there is more crime there than there is in regular police areas. The question was gone into the other day and the police said there was crime, but I do not think there is.

16131. On the whole, is it a satisfactory form of Government?—For a primitive people most satisfactory, and I should like to see it extended to all those districts where the people can be described as a primitive class.

16132. Does the Deputy Commissioner there have any particular grant made to him which he can spend more or less at his discretion?—There was a Road Fund which was practically spent at his discretion, but the budget requires the sanction of the Commissioner.

16133. Has the Deputy Commissioner no lump sum grant made to him as the Commissioners have in the rest of Bengal?—The Commissioner gets his lump sum and he gives it in smaller lumps to the District Officers.

16134. Did you get a lump sum such as the Commissioners get elsewhere?—I got my share of the Commissioner's lump sum.

16135. What is your view with regard to appeals?—I think in executive matters one appeal should be sufficient.

16136. Have you found that work well in the particular district of which you have been speaking?—There, there were two appeals practically; there was an appeal from the Sub-Division Officer to the Deputy Commissioner, and anything could be taken up from him to the Commissioner.

16137. And beyond him?—It could be taken to Government, but in practice that seldom occurred.

16138. With regard to revenue appeals, is one appeal sufficient?—Yes, except on points of law; on a point of law I think an appeal to the Board of Revenue is necessary to secure uniformity, just as an appeal to the High Court is sometimes necessary.

16139. What do you mean exactly by your remarks with regard to localising the Services?—I think it is desirable that Government officers should know more

about the people than they do, and it is impossible for a man to get to do that in a whole province, because the circumstances are so diverse and the languages so different. Therefore I would make it my main aim to keep officers in the same district or in the same division where the circumstances are similar so that he might feel he was getting acquainted with the people under his charge.

16140. How long would you keep him there?—His whole service so long as he was doing that particular work.

16141. You would bring an officer, say, to Bihar, and you would keep him in Bihar until he ceased to be a Commissioner?—Yes, as a general rule.

16142. Would that not lead to difficulties as regards healthy and unhealthy districts?—It would lead to some people having less pleasant lives than others, and it is possible that in some unhealthy districts you would have to make special arrangements for officers; you might allow them to spend two or three months in the year on duty up in the Hills; I would rather have a man for seven years, nine months in his district and three months away doing work from Darjeeling, than have seven different officers in a place in seven years.

16143. How long would you keep him in any one district?—I would keep an officer in a district until it became absolutely essential in the interests of some other district to take him there.

16144. Then you do not think there should be such a limited period of time as five or six years' service in one district?—No; I was six years in the Santhal Parganas, and when I left I believe I was only just beginning to be really useful.

16145. Are the present leave rules inconvenient, not to the individual but to the Service?—I have not thought over the matter, but I doubt whether it is necessary to let a man take furlough for two years at a time.

16146. By going home for such a long time does he lose touch with his work, and perhaps his knowledge of the vernacular?—I should think that would be probable.

16147. Would it conduce to ill-health to keep a man out here for eight years with only one period of privilege leave?—I think frequent short leave is very much the best thing from the point of view of health and from the point of view of work. I think six months' leave sets a man up and the oftener he takes leave the better, as long as he has not been too much run down to begin with. Of course, I do not say that officers would like it. I have a list here of the Collectors who have served in the district of the 24-Parganas since its formation, and you will see that at first they used to stay for five years and over, but gradually the period decreases, and I think it is impossible to conduct business satisfactorily on those lines.

16148. I see that one officer stayed 13 years, but of late years the average seems to be four or five months at the outside?—Yes. There are three or four who stayed a couple of years, but until the second year of their service I do not think their administration could have been satisfactory.

16149. How long would it take an officer to become acquainted with an ordinary Bengal district?—I consider you are no good under a year and you should know your district in three years. I do not think under that time one would be in a position to give an independent opinion on anything relating to his district, though one might be able to give an intelligent opinion which anyone could give.

16150. And it is your view that you certainly cannot get to win the confidence of the people under that time?—Yes.

16151. Ought a good deal more care to be taken in the selection of all officers?—I think more ought to be done in the way of weeding out the admittedly inefficient men in all departments.

16152. When does the Government begin to discover that a man is really inefficient?—I do not think I can make any general statement about that; it depends on the individual. A case came to my notice lately of two young Deputy Collectors who were in their second year and had just been confirmed, but everybody knew they were perfectly useless.

16153. And in spite of that they have been confirmed.—Yes. They worry through their probationary periods somehow; they have very little work to do while on probation, and of course a man is not likely to do anything while on probation so heinous as to prevent his confirmation.

16154. Then practically the probationary period is a mere farce?—I do not know what the figures are, but I should be surprised to find that anyone had not been confirmed after probation; certainly the number is infinitesimal.

16155. When ought this weeding out to begin to take place?—I would have two pauses in a man's service when one might say "Is he fit to go on?"—one after five years' service and another after fifteen years' service. If a man is hopelessly incompetent you would find it out during the first five years, or afterwards he might take to drink or something of the kind.

16156. Or he might become a useful officer?—Yes.

16157. (*Sir Frederick Lely*) As a matter of fact, few men do take two years' leave at a time?—Well—18 months is not uncommon—two hot weathers

16158. Is it not also a fact that the majority of men take leave of some kind or other before their eight years are up?—Civilians do, certainly.

16159. Would it be a good thing to try and equalise matters by granting free quarters, for instance, to men in bad districts?—Do you mean as a sort of pecuniary compensation? I do not think that would make much difference. I think there are not many stations in Bengal in which if you told a man he had to live his life there, he would not try to improve the conditions, but now he tries to get away as soon as possible.

16160. But it might possibly facilitate things, if a man were given a good house to live in?—Yes. There are one or two sub-divisions in Bengal where there is an allowance given because they are so unhealthy.

16161. Does your experience in the Santhal Parganas indicate any particular line of change which you would suggest as distinct from any other part of the Presidency?—I should like to see Chota Nagpur, where the conditions are very much the same, brought into line.

16162. Are there any particular points in connection with the administration of the Santhal Parganas which would bear on the system in the rest of the Presidency?—Not for Bengal proper. You cannot switch off one rail on to another altogether; you must continue on the lines you start on. The whole system is different. Of course, you might say that you would have a simpler form for administering justice in small cases as in the Santhal Parganas, and more arbitration, but then you would have the legal profession to fight against, and in the end you would find that you could not really do anything.

16163. Is not the village system there rather different from that in the rest of the Presidency; there is more or less a village constitution?—There is a very strong village constitution.

16164 Does that practically lead to self-government?—Yes. Each village has a headman who has police powers, and in a homogeneous village he has also large social powers by custom. Then in the no-police tracts the heads of a certain number of villages, 30, 40 or 50 in number, elect for a period of three years a local man of position who is called a *sirdar*, who exercises all the powers of an officer in charge of a police thana, and who is the representative of the Government in that area. At the end of the three years the headmen are called together and asked whether they like that man, or whether they would prefer another. They have a most elaborate system of local self-government.

16165. Are there any artificial creations of government in the form of District Boards or municipalities? There are municipalities and a Road Cess Committee.

16166. Is any attempt made to blend them on to the indigenous village community?—No, there is no connection between them.

16167. Would it not be a good thing to do that, and to bring the village communities into play for the purposes of spending the local cess?—As far as the villagers are concerned, the Road Cess Committee does not exist; it is the Deputy Commissioner.

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16168. Then is it not worth while to bring the villagers in?—Of course the expenditure does not concern the ordinary village; you cannot have a road to every village.

16169. Is the money spent on roads entirely?—The road fund is for roads.

16170. And do the villagers provide themselves with their ordinary wants—water-supply, and such like?—Yes, and they make their own roads, such as they are.

16171 That is to say those which you do not make? They make village roads. They are accustomed to being useful, and if they get an order to make a village road, they make it.

16172. (*Mr. Dutt.*) Is there a special grant given for Education in the Santhal Parganas?—Yes, we have funds for education too.

16173. Is it a lump sum allotted for the whole district?—Yes. The District Officer distributes it. There is a District Committee of Public Instruction. It does not trouble the Deputy Commissioner very much.

16174. You think some districts are too large in area?—Some are unmanageable.

16175. Is it not possible to carry on the work of those districts by adding to the number of officers?—You can cut a district into two, or you can cut the work into two and try the old system of having separate Magistrates and Collectors.

16176. Are some of the sub-divisions very large in area?—The Sadar sub-divisions will have to be cut into two directly they can afford to have Sadar Sub-Divisional Officers.

16177. Do you favour the idea of having a Sub-Divisional Officer for the Sadar sub-division?—I think it is essential all over Bengal. They are only waiting for men in order to do it.

16178. At present there is no local Revenue Officer between the Sub-Divisional Officer and the people, and the only medium is the police?—Most sub-divisions have a kanungo I think.

16179. Does he live at the headquarters of the sub-division?—Yes.

16180. Would the work in Bengal be improved by having local officers and entrusting them with revenue work, each in his own circle, and also with the work of looking after the village panchayats and village matters?—What sort of revenue work do you refer to?

16181. Any work in the circle?—What sized circle?

16182. I leave that to you. Would it be possible to create such circles—dividing a sub-division into two or three circles and placing a Sub-Deputy Collector, or an officer in a similar position, in charge of each, and then entrusting him with all the work within his circle?—I do not think there would be enough work for him to do unless you gave him both civil and criminal powers.

16183. If you gave him both civil and criminal powers might that plan answer?—It depends; I think if you made him a regular munsiff it would tend to increase litigation enormously.

16184. If he were given criminal powers and relieved the Sub-Divisional Officer to that extent what would you say?—Speaking broadly, he would be a sort of Sub-Divisional Officer, and the more officers you have the better the administration, but I suppose the expense would be prohibitive. I would like to have a Sub-Divisional Officer for every thana, but it is a question of money.

16185. Except on the ground of expense it is an arrangement which might improve the administration?—The more Government officers you have, the more efficient the administration would be.

16186. With regard to localising Services to particular divisions, would you localise all the men in the Provincial Service, Munsiffs, Deputy Collectors and so on?—Certainly.

16187. In a district or in a division?—As far as possible I would say that a man should stay in his district, and I would not, except under very exceptional circumstances, take him away from a division in which he knew the language and the manners and customs. In the Santhal Parganas I happened, by some chance, to have a Deputy Collector who had been at headquarters for 20 years, which was most useful, for there is hardly ever an officer who can tell one what has happened three years ago.

16188. (*Mr. Hichens.*) Two objections have been urged against keeping a person too long in one district, one of them being that he is likely to get stale; what have you to say as to that?—I thing the evil of a man being in a district for a short time, knowing he is only going to be there for a short time, and thereby prevented from taking an interest in his work, is much greater than any evil which might result from a man getting tired of the work. Speaking generally, the more you know about a district, the more interested you are in it.

16189. Perhaps also you would say that even if a man got stale he would get over it?—I think a man would be prevented from getting stale by taking frequent short leave, which I am much in favour of.

16190. The other objection is that a man's experience would be, comparatively speaking, limited if he were kept in one district, what do you say as to that?—He certainly would have a little experience of the other districts in his division. During the course of his service it would be found impossible to keep him in one district, but in the division he ought to have ample experience, and I think it better that he should know one class of work thoroughly than that he should get the smattering which he gets by being shifted from one end of the province to the other.

16191. Would you say that the mere fact of suddenly transferring a man from one end of a province to the other gives him a wide experience which is of value?—I do not think it is very valuable.

16192. The fact being that the matters which come under his notice and control are very varied and wide, and that in itself gives him a wide experience?—I think any district in Bengal provides quite enough for one man to think about.

16193. With regard to your statement that you think one appeal sufficient, what is your opinion as to what has been told us, namely, that it is part of the tradition of the country that a man should be able to appeal to the supreme authority, and that it would be impossible to eradicate it?—I think in the imagination of the people that the supreme Head of the Government may be taken to be, first, the District Officer, and, secondly, the King on his throne in England; they do not think that a Lieutenant-Governor is any nearer approach to the supreme authority than a Commissioner or the Viceroy, and if they once have the power of appealing to all of them they go up the whole scale.

16194. But is the tradition of the existence of a right of appeal to the supreme Head one to which it would be desirable to run contrary?—No, I do not think so. I think we have very largely taught the people to appeal from department to department, and the traditional feeling would only lead them to apply to the Emperor in England. You do get people sending home letters to the King.

16195. Are you in favour of creating substantially smaller provinces?—I should like to see it come.

16196. Would your idea be to have a considerable number of, say, Chief Commissionerships?—Or independent provinces; it would not matter what you called them.

16197. You base your idea rather on the fact that there is a large and diverse population than on the size of the areas involved?—Yes; if you get a homogeneous population, it does not much matter what the area is.

16198. Why do you lay such stress on the homogeneity of population?—Because there is no harm in passing an order that will be appropriate to a large population, and you may get such an order where the population is homogeneous, but where you have a heterogeneous population, it is seldom that you can pass such an order.

16199. If you take Switzerland, South Africa, and many other countries, you find the populations are not homogeneous, but at the same time they have one Government which to all appearance works satisfactorily,—why cannot you do that here?—I do not think you will find many parts of the world where there is a population of 60,000,000 governed by one Government; if you take Australia with its few millions, it has a dozen or more independent Chambers.

16200. Is there any other reason than the mere fact that the populations are not homogeneous, which would urge you to divide them into smaller districts?—I think there are many arguments, one from the political point of view; if you are going to have some extension of Local Self-Government, you must have smaller areas. Any elected legislative body in Bengal cannot represent any particular portion of it or the interests of any particular portion of it.

16201. (*Mr. Meyer.*) How many sub-divisions do you usually have in a district?—I do not know what the average would be; some districts have none; a big district will have three or four.

16202. Do you include the headquarters sub-division or do you mean only the outlying sub-divisions?—Including the headquarters sub division.

16203. On an average are there three—the headquarters sub-division, and two outlying sub-divisions?—Yes.

16204. Are the outlying sub-divisions in the charge of either a Deputy Collector or a Civilian?—Yes. He is mainly concerned with magisterial work.

16205. Does he take original first-class cases and appeals in second and third-class cases from Magistrates?—He does not hear appeals.

16206. Does he take second and third-class cases himself?—In many sub-divisions there is only one officer who does the work with the help of some Benches. He sometimes has a Sub-Deputy Collector.

16207. In that case does not the Sub-Deputy Collector take third-class work?—Yes.

16208. Does the Sub-Divisional Officer control the Local Board if there is one?—He may or may not; in my present district they have nothing to do with it; where there is a second officer the sub-treasury is in his charge.

16209. Then a Sub-Divisional Officer mainly tries first-class cases; has he enough work to do?—They are overworked in these sub-divisions, purely by magisterial work. Of course they do a good deal of touring, and they are supposed to inspect everything, but principally they act as Magistrates.

16210. Is not the headquarters division the apex of the district, and supposed to be directly under the Collector?—It is supposed to be.

16211. Then you have, or are supposed to have, a Joint-Magistrate at headquarters?—Yes.

16212. Then you have Deputy Collectors?—There is a fixed standard staff for each district; in a big district there may be six Deputy Collectors at headquarters.

16213. What work do they do?—One is in charge of the treasury, then there are men mainly employed on criminal work, and there are all the Collectorate Departments and the Certificate Department of which they are in charge. Income-tax is generally under a special officer.

16214. Have not steps been taken to start a separate superintendent of excise?—I do not think that will be proceeded with.

16215. I understood that there had been reports from Bengal suggesting that the work of Deputy Collector of Excise was not satisfactory and that regular establishments were wanted?—It was discussed at the last Commissioners' conference, and did not meet with favour.

16216. Then you think the old system will be retained?—That was the strong opinion at the Commissioners' conference.

16217. In Madras, everything is territorial, with the districts divided into sub-divisions and each Sub-Divisional Officer responsible for the territorial work in the sub-division, the Collector being the controlling authority. Do you not think it would expedite the work if the same kind of thing were done in Bengal?—It is so in some departments. Certificates are sent for the Sub-Divisional Officers to dispose of.

16218. At present whenever any person in a district is in trouble about income-tax, excise or land-revenue, instead of being able to go to a local officer, he has to go right up to headquarters. Is that a satisfactory arrangement from the point of view of the people?—With regard to exercise he would probably put in a petition before a Sub-Divisional Officer; as to income-tax he would not, but there is no objection to his filing his petition before a Sub-Divisional Officer as to income-tax.

16219. Is it not more desirable, from the point of view of the people, that you should scatter these offices and have more local representatives of the Government scattered over a district?—It would be better in the more backward districts.

16220. Why do you object to it in the other districts?—I do not know the other districts so well. You do not get departmental efficiency by making subjects like excise and income tax over to a number of scattered officers.

16221. Do you get a certain revenue from your estates under Government management?—That is not done from the headquarters. It depends entirely on the circumstances of the estate; an estate may be large enough to support a separate manager or it may not. A Government estate lying in a sub-division would be managed by the Sub-Divisional Officer.

16222. Who deals with stamps?—In most cases the Collector himself, generally through a Deputy Collector.

16223. Have you no Regulation or Act in Bengal allowing the Collector of a district to delegate his powers as Collector to subordinate authorities?—No, there is certainly no general power. If any Act says a thing has to be done by a Collector, it has to be done by him unless the Act itself contains power to delegate, as most of them do.

16224. You have a certain number of Sub-Deputy Collectors at headquarters; without bringing in the question of increasing the staff, could you not utilise the existing staff by putting them in outlying portions, and grouping them into sub-divisions?—Yes, it could be done, but I would rather put a Deputy Collector than a Sub-Deputy Collector in independent charge.

16225. Several witnesses have suggested that the Collector requires, in addition to all this multitudinous staff, a personal assistant; do you share that idea?—No, the present Deputy Collectors are practically personal assistants in the different departments. I would like to have a competent officer in my present district to be my personal assistant.

16226. If you had such an officer at the headquarters sub-division who could take your place when you went on tour, would you want anything more?—Yes, I have that at present; I have a Joint-Magistrate.

16227. Have you got full power of appointing your own clerks?—Yes, but the appointment of *sharistadar* goes to the Commissioner.

16228. Does he make it or simply approve it? I do not know what happens in practice; in practice probably the Commissioner seldom interferes.

16229. What pay does the *sharistadar* get?—Somewhere between Rs. 100 and Rs. 150.

16230. What are your relations with the District Superintendent of Police? He is your assistant, I understand, in all matters affecting the order of the district?—Yes.

16231. As regards the organization of the police force is he under you; have you anything to say as regards the appointment and promotion of police constables and head-constables?—I have nothing to do with constables and head-constables, but recommendations for promotion to sub-inspectorships go through me to the Deputy Inspector-General of Police.

16232. And you simply write what you suggest should be done?—Yes; if I had been long enough in the district to know that a man was incompetent, I should say he was, and he would not be promoted against that opinion.

16233. Do you have anything to do with appeals or dismissals?—Yes; punishments of sub-inspectors have to be confirmed by the District Magistrate.

16234. A punishment like a fine for instance?—A punishment like a fine or awarding a black mark; I fancy all minor punishments have to be approved.

16235. Could you suspend a sub-inspector or would that have to go to a higher authority?—I could suspend a sub-inspector.

16236. Putting it shortly, then, you have a great deal to say with regard to the discipline of the police

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force?—Not in practice; I have a competent District Superintendent and I give him a free hand. I could interfere. I know what he is doing; that is practically what it comes to.

16237. The Commissioner being above you, does he intervene again?—Yes, there are two lines of appeal, and two authorities as to police, which I think is rather unfortunate.

16238. What are they?—A man might be dealt with by the Deputy Inspector-General of Police and dismissed, in which case an appeal would go up to the Inspector-General of Police without going through me at all; or he might be dismissed on the report of the Superintendent of Police, in which case the appeal would lie to the Commissioner.

16239. But how could he be dismissed by the Deputy Inspector-General without its going through you. Ordinarily the action would be taken by the Deputy Inspector-General, would it not?—Yes, but the Deputy Inspector-General knows what is going on, and I think he can dismiss without reference to me.

16240. Could a District Superintendent go straight to the Deputy Inspector-General and say to him,—"Such and such a constable ought to be dismissed"?—The report would have to come from the Deputy Inspector-General.

16241. Is that double line satisfactory?—No.

16242. As regards the mere discipline of the police force, would it not be simpler to leave it in the hands of the Police Department, leaving of course the District Magistrate to intervene in any case in which he thought the comfort of the inhabitants of a district was being endangered by the continuance of any particular police officer in any particular place?—Yes.

16243. As regards the Public Works Department, have you any control over the Executive Engineer?—No.

16244. Are you consulted as to what he intends to do in the district, in the way of expenditure on buildings, or roads, or irrigation, and so on?—I am consulted in the way of expenditure on all buildings with which I have any connection.

16245. And roads?—In most parts of Bengal, the Public Works Department have nothing to do with roads.

16246. Then, speaking generally, you have nothing to complain of as to being kept uninformed as to expenditure on Public Works?—No.

16247. As regards forests, what is your position?—The Forest Officer stands very much in the same position as the District Superintendent of Police.

16248. Does that arrangement work smoothly?—All these arrangements depend on the individual. If you have an individual with an ordinary amount of tact it works satisfactorily.

16249. If you do not agree with the District Forest Officer what happens, do you overrule him?—The matter would be referred to the Commissioner and the Conservator. With the present Conservator of Bengal the relations with the forest authorities are extremely amicable.

16250. He remains your assistant as long as he likes, but if he differs from you, he may appeal to someone else?—The District Officer would stop him and the matter might be referred.

16251. But can you say definitely, on a matter affecting the people's grazing and so on, to the District Forest Officer, "I do not agree with you, you must be good enough to do what I want"?—Yes. He would have to comply with the wishes of the District Officer until the matter was decided by a higher authority.

16252. But still he could require a reference in the meantime?—Yes, he could require a reference.

16253. It has been stated that a great deal of work falls on Collectors in regard to the partition of estates—is that so?—In some districts in Bengal.

16254. Can a Collector make any partition on his own authority, or has he to go up to the Commissioner in every case?—He goes up to the Commissioner in every case, under the law, however small the estate may be.

16255. Am I right in thinking that the Collector has no power to suspend revenue, not of permanently-settled estates, but of Government estates, in cases of calamity and so on?—No. I think the effect of the rules is that he has to get sanction to a suspension. He does not have to get sanction for an individual amount, but sanction to adopt the policy of suspension, and the details would be left to him.

16256. He cannot suspend, for however short a time, without getting the sanction of the Commissioner?—As a matter of fact, what happens is that you do not collect.

16257. Are you in favour of giving Collectors power to suspend within the revenue year on their own authority?—I think that is a matter on which they might well consult their superiors.

16258. Am I correct in supposing that all remissions of land revenue have to go to the Board?—I think Commissioners can sanction certain remissions.

16259. You could not remit Rs. 5 for instance on your own authority, could you?—No, all remissions go down in a statement, even when there is no discretion about it. I think Collectors might have power to make small remissions on their own authority.

16260. As regards the writing off of sums that have been collected by mistake, have you any power? Sometimes, for instance, a man has paid more income-tax than he need have done, have you any power to refund any excess collection in those cases?—I could not say for certain; I think I can refund income-tax.

16261. It was represented to us in Burma that there was a very considerable refund there under the Stamps and Court Fees Acts; is that your experience here?—No, the conditions of refund are all laid down in the Stamp Act, and the Collector deals with it.

16262. And that in Burma, the people, not understanding the law, allowed the time for applying for refund to lapse, and consequently troublesome references had to be made; do you find that at all?—No, because I think it is only in the case of an application between six months and a year that it goes to the Board, and after a year nothing can be done.

16263.—An idea was put forward in Burma that there should be periodical divisional conferences consisting of District Officers and a few selected persons, once a year, to discuss matters relating to the districts generally,—would you be in favour of that?—We have them regularly as regards District Officers, but non-officials have not been admitted to them.

16264. You think that everybody should serve, as far as possible, in a particular division, and remain there to the end of his service. Bihar is a division by itself, is it not, differing materially in many ways—in the language of the people and a variety of other matters, from other parts?—Yes.

16265. With a self-contained division like that, would it be more desirable to keep it by itself?—It would be more expensive. That trenches on the larger question of politics on which I do not wish to express an opinion. I am talking about the efficiency of the present Service.

16266. You desire to split up the Provincial and Indian Civil Services between each division in any case?—Yes. But you might give promotion according to the general list. One of the objections of small *cadres* is that promotion is very unequal.

16267. Would you remedy that by a general list?—Certainly, I would begin with that.

16268. How would you manage when you came to the charge of districts?—Then you would have some inequality. It would be more obvious, but it would be really no greater than the inequality between different provinces now.

16269. In the same way the promotion of a Commissioner, being within a division, might be still more unequal?—Yes. I think the Services will certainly have to forego some of their amenities.

16270. Would you go a step further and let a Commissioner appoint his officers—appoint a man to be an officiating Collector, and a permanent Collector?—I do not see why he should not.

16271. *A fortiori*, of course, he ought to appoint his Sub-Deputy and Deputy Collectors?—Yes, a good many of them are appointed on the nomination of Commissioners now.

16272. You desire further that everybody should put in as much of his time as possible in one district;

would not that tend to develop in practice very considerable divergence in the administrative system as between one district and another, and still more as between one division and another?—I hope it would.

16273. I see your point in the case of divisions, but in regard to districts would it be equally useful?—In practice you would get a good deal of movement between the different districts, but they are under the supervision of a Commissioner who would ensure a certain amount of uniformity.

16274. You have referred as an analogy to a native regiment, but are you aware that a native regiment is moved every three years, and that it is not supposed to be good for the Officers and men to remain too long in one place?—Yes, but that is not quite the same thing; the officers are not moved from the regiment, but the whole regiment is moved to a different part of the country.

16275. What would the people in a district do if you sent an officer to Darjeeling for three months every year as you suggest?—If you take some districts, the District Officer would be just as available at Darjeeling as if he remained in his own district, where he might be 60 miles away from a line of rail.

16276. You have had experience of District Boards and municipalities?—I have had very little experience of District Boards.

16277. A witness has said that the Dispensary Committee was a committee consisting partly of members of the District Board, and partly of outsiders presided over by the Civil Surgeon, if not by the District Board Chairman, and all that the District Board had to do was to hand over their money to the Dispensary Committee to spend; is that so?—That is the system which is being gradually introduced.

16278. Previously, had the District Boards something to say with regard to the management of dispensaries?—Even where that system is in force, the District Board passes the budget, and the expenditure has to be made according to that budget. The object is that people who subscribe to the institution should know that their money is being spent properly instead of being swallowed up in the general fund of the District Board, as used to be the case.

16279. Then the Board passes a vote for Rs. 10,000, say, for dispensaries have no further concern with it?—It gives a grant to each dispensary. It says you must and "We will give you Rs 1,000 this year, and sanction your spending Rs. 1,500, but you one: see if you can raise the other Rs. 500 by subscription, or by income from endowments."

16280. Where does the committee come in?—They supervise the work of the institution, and see that the money is spent in accordance with the budget, and that the doctor does his duty properly.

16281. I understand that there was one committee for the whole district?—No, each dispensary has its own committee.

16282. Does the District Board retain its full powers of control?—Yes. I think the District Board has rather too much power, or had; we want to decentralize it, and let the people feel, if they can get subscriptions, that the money will be spent on a particular dispensary.

16283. Can you do that and other things, by increasing the powers of the Local Boards?—As I understand, Local Boards have very small powers now?—They have small funds.

16284. Would you give them a larger share of the Bed Cess or the district funds, however they are derived, and give them powers with regard to local education and roads, and so forth?—They look after the roads and that sort of thing now; but the real difficulty is where you have five or six Local Boards and one District Board in a district. They are not wealthy enough to pay for five experts, and if a Local Board is to exercise large powers, it must have a competent staff, such as an engineer and so on.

16285. In Madras the District Engineer serves the District as a whole—both the District Board and the *taluk* Board—could that not be done here?—If you make the District Engineer, who is at headquarters under the Chairman, the man to pass the estimates and give out the contract and pass the works, it does not seem to me to make much difference, if you merely pass the money through the books of the Local Board.

16286. The Local Board, at least, would be able to allocate money to local works, and for roads in which it was interested?—It does so now with regard to roads of local interest as compared with roads of district importance.

16287. Have Local Boards sufficient power or are you prepared to give them more?—I do not think there is any need for any change in principle; we should all be glad to give more money to Local Boards and get more work done.

16288. Assuming the system of class representation which the Bengal Government have been advocating comes into force in District Boards and municipalities, would you be prepared to give them larger powers than they have now with less control from outside?—I think there is not much control from outside.

16289. In regard to the undertaking of works costing more than a certain sum, have they not to refer to the Collector or some other officer?—Yes; and I think that is probably necessary. An ordinary small municipality has no competent engineering adviser to advise it.

16290. With regard to the village system you have spoken of, would you utilise it for educational and sanitary purposes by making small grants of money to the villages to spend at their own discretion, subject to proper inspection?—You could do that. I think it would work.

16291. And would it be appreciated by the people?—Yes. They often apply to have a school started in a village.

16292. Supposing it was possible to say, "We give you so much, build your school," would they be able to manage it?—That is what is done now. We give the teacher a small grant, and he gets some small sums from the parents of the pupils.

16293. Is that a satisfactory system?—It is not satisfactory, because we do not pay the teachers enough, otherwise it would be.

16294. Do you do the same with regard to matters of sanitation; do you give them the money and say "Make your well or tank"?—No, they probably could not be trusted to make a well. When I was in Singhbhum, which was more primitive, I used to allow them to make their tanks; I used to give the village headman Rs. 400 or Rs. 500, and tell him to make a tank.

16295. I suppose that could not be applied fully to Bengal proper by reason of the absence of village communities. Could chaukidari panchayats be a substitute?—Chaukidari panchayats are things of purely artificial creation of which I have not had much experience, but at present I do not think there is much use to be made of them in that way.

16296. (*Sir Steyning Edgerley.*) Supposing you wanted to get rid of a man after after about 18 years' service, how would you propose to do it?—You can dismiss a man now for cause shown, but it is very difficult to do it in practice.

16297. Would you accept the difficulty of dismissing a man with between 15 and 25 years' service?—Yes.

16298. Would you have no system of pension?—You suggest that up to 15 years he should serve subject to bonus, and then he should be subject to pension?—Of course it is a great advantage to have security of tenure, and I would like to retain as much of that as possible.

16299. So that you would accept any inconvenience caused by a person deteriorating from 15 to 25 years?—Yes. I do not say that that is a cut-and-dried scheme.

16300. With regard to your evidence as to smaller provinces, supposing you had Commissioners under the Local Government, would you give them as large powers as possible in their areas?—Yes.

16301. In that case would you want the Board of Revenue?—Yes, I think you want the Board of Revenue and the Commissioners, but a great deal of the work is now done twice over.

16302. If you enlarged the powers of Commissioners, as far as practically possible, where would be the necessity of the Board of Revenue?—I would cut out the Commissioner in a great many revenue matters.

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16303. You said that if you placed Sub-Divisional Officers in territorial charge you would lose departmental efficiency, but would you not get very much better inspection?—Yes, but I was thinking of a case in the Santhal Parganas where we had six strong Divisional Officers who knew the district thoroughly, and who had the powers practically of District Officers, but in a question like an excise settlement we found it better not to let them make settlements; the subdivision was too small an area, so we centralized that.

16304. A witness stated that one great danger of the departmental system in the Public Works Department was that there was considerable corruption amongst the subordinates, and that the control or influence of a Collector would be of great value: would you get that by giving territorial charge?—I do not think any system will have any effect on that custom of the country.

16305. But perhaps it might be much more likely to be found out?—It is not a question of finding it out; we all know it. I do not know that it would have any effect.

16306. Not more than if you had all your officers grouped at headquarters?—I do not think so. You see the officers are largely touring officers.

(*The witness withdrew.*)

Adjourned.

TWENTY-THIRD DAY.

CALCUTTA, *Tuesday, December* 31*st*, 1907.

PRESENT:

C. E. H. HOBHOUSE, ESQ., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

BABU JOGENDRA NATH MUKHERJEE was called and examined.

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16307. (*Chairman*) What is your occupation?—I am a lawyer. My home is in Calcutta, but I practise in the *mufassal*, and I am a *vakil* of the High Court. I was a member of the Bengal Legislative Council, upon which my term of service is just over. I have been a member of the municipality of Purnea for about 18 years. I am now the Chairman, and I was Vice-Chairman before for about nine years. The position of Chairman is purely honorary.

The provincial Governments should be invested in certain directions with larger financial powers, although I would proceed cautiously in the matter. Generally speaking, the provincial Governments might be relieved of the necessity of going up for sanction to the Government of India in matters of purely provincial interest or of routine.

A more complete separation than at present exists might be effected between the imperial and provincial finances, and it could be done by letting the provincial revenues alone as a matter of permanent rule, making it possible for the financial relation between the Imperial and the provincial Governments to be readjusted only in cases of extreme necessity. A fixed plan like the above appears to be possible in view of the regular annual surpluses in the revenue, and the practical fixity of currency in point of exchange.

Provincial Governments might be given borrowing powers up to a limit of, say, fifty lakhs, provided the settlements with the Imperial Government in respect of the divided heads of revenue were of a more permanent character than at present. The Local Governments might be invested with borrowing powers on the same conditions as those which exist in respect of municipalities, District Boards, and other local bodies under the Local Authorities Loans Acts, the provincial revenue being rendered liable to make good the debt in case of the failure of the Local Government to repay it. Such loans should be raised with the approval of the Imperial Government.

Delegation of further financial powers to provincial Governments and to heads of Imperial Departments does not appear to me to be desirable in respect of the creation of new appointments, the enhancement of salaries, etc.

Larger administrative powers should be given to provincial Governments generally in the application to local conditions of general lines of policy laid down by the Government of India, and where there is no declared policy I would leave the Local Governments free to act.

Restrictions as to details imposed upon Local Governments in all matters of mere routine should be done away with in all cases. For instance, I fail to understand why it should be necessary for the Local Government to go to the Imperial Government in authorising local bodies to borrow money from outsiders and not from Government. Such a course would appear to be still more unnecessary in view of a more permanently fixed financial settlement between the two Governments. A general Act of delegation in such matters, somewhat on the lines of Act V. of 1868, wherever possible, appears preferable. In other cases specific amending legislation may be resorted to.

In view of a more complete separation of the provincial and imperial finances, it would be well if the duties of Directors and Inspectors-General were confined to the supervision of details only in respect of departments primarily administered by Local Governments.

Provincial Governments should develop their administration on their own lines, with discretion to adopt or not, as they like, suggestions of reform brought to their notice from other provinces. The Government of India should, however, retain in their hands the authority to interfere in extreme cases.

I would leave the right of appeal to the Government of India as it is, and would not curtail the existing rights of appeal by officers of the Government against orders affecting them personally.

Under existing conditions it is neither possible, nor desirable, to allow Commissioners and Collectors to control to a greater extent than at present the expenditure in their divisions or districts. It is desirable to invest them with larger powers of control if they were advised in important executive matters by competent Advisory or Administrative Councils.

The influence of the provincial Governments is not in the direction of excessive rigidity or uniformity. There is, no doubt, some tendency in that direction, but it is unavoidable and not excessive.

The tendency of the provincial Secretariats is to regard matters too much from a purely departmental standpoint. The provincial Governments do not appear to be so impersonal as the Imperial Government; in many cases, however, they are too much dominated by considerations of revenue.

Generally speaking, the European Executive Officers do not have sufficient opportunities for personal contact with the people at large. The existing obstacles in

case of all Executive Officers are to be found more in the temperament of these officers than in the nature and scope of the duties they are required to perform. Some of the means by which obstacles might be removed are (1) to form Advisory or Administrative Councils constituted more or less on an elective basis; (2) more frequent inspection of town and village areas outside the district headquarters. An appreciable number of Executive Officers do not possess a sufficient knowledge of the vernaculars in the province.

Neither any general increase in the administrative staff, nor any general reduction in the area of district or other charges, seems to be required.

Transfers are much too frequent. One of the methods by which they could be reduced is to recast the leave rules.

Larger powers should be given to the municipalities and District Boards in respect of leave, pensions and gratuities. As an example I may state that leave to Chairman should not be made dependent on the sanction of the Government. Such a course, as a rule, is useless. The present functions of municipalities, District Boards, Local Boards and village unions might be suitably extended in respect of education, and of the three last-named bodies, in respect of sanitation as well.

I am in favour of the creation of Administrative Councils to advise and assist Divisional or District Officers; and means should be discovered to secure the services of really representative men for them. These Councils should be mainly constituted on an elective basis. Responsibilities could be given to these Councils on the following subjects: supervision of police work and checking of police oppression in the interior of a district, sanitation, and education,

It is desirable, and possible, to give village communities greater powers in the disposal of local affairs relating to revenue in non-permanently-settled areas, police, sanitary and educational matters. They may also be invested with powers to deal with questions as to easements and encroachments upon village roads. They may also be invested with powers in respect of local option in connection with the excise administration. I would not invest them just at present in Bengal with powers to dispose of petty civil and criminal cases, but would wait until the opportunity was ripe for noting how they discharged their functions in respect of the other matters referred to above.

16308. What is the reason that Divisional and District Officers are not as closely in touch with the people in their areas as they might be and ought to be?—I consider that they are more or less inaccessible, and when visiting the interior, the conversations which are carried on are generally of a more or less formal character. Then there is a tendency on the part of the people themselves to avoid these officers. The people regard them as more or less exclusive in their dealings.

16309. Would the people welcome any greater accessibility of intercourse?—I think so; and a great deal of important information might be obtained by direct communication with the people themselves. At present important information is always obtained through the police, and there is a tendency on the part of District Officers to avoid conversation with the people on any point which is considered to be of importance, such as important points of administration—points regarding new measures that are in contemplation by Government, and things of that sort. If there is anything wrong done by the police, the District Officer would rather not talk on the subject. Of course, if a point arose which he regarded as too important to be passed over, it might be different, but, as a rule, that is my general experience.

16310. Have you yourself experienced any reluctance on the part of District Officers in that respect?—At the beginning of my career I used to feel diffident, but for the last ten or twelve years I have had nothing to complain of so far as they are concerned, and they have always been accessible to me.

16311. And have discussed matters freely with you?—On certain points; but on many points I have come away with the impression that if the District Officer would talk to me freely, I could exchange views with him, and I have had to come away sometimes disappointed.

16312. Do you yourself start subjects and then find him reticent upon them?—Not as a rule. I would not start anything unless it was a matter which concerned my municipality; otherwise I would wait and see if the District Officer would himself give out a suggestion of any sort.

16313. Is there a lack of knowledge of the vernacular on the part of District Officers?—The knowledge of European officers is insufficient to enable them to carry on conversation in matters of administration. As regards Deputy Magistrates, I think that they too are of a somewhat exclusive temperament.

16314. Are not Deputy Magistrates nearly all Indians?—Yes.

16315. Would you put their exclusiveness down rather to the fact that they are officials, and being officials leads them to keep aloof from the general population?—I think that may be said to be so generally.

16316. Is there a sort of feeling that their office is so important that they must not come in contact with the people?—More or less, that is so.

16317. Are Deputy Magistrates wanting in knowledge of the vernacular?—A Bengali Deputy Magistrate, for instance, who has been deputed to Bihar, does not understand the vernacular of the country or the language that is known by the better classes sufficiently well to carry on conversations as regards the practical concerns of everyday life. There are men, of course, who have a comprehensive knowledge of the language.

16318. Is the knowledge of the language greater or less now than it used to be both on the part of Deputy Magistrates and Collectors?—I have not noticed whether it has improved or otherwise.

16319. You are in favour of giving larger powers to municipalities and District Boards?—Yes. I quality that as regards leave, pensions and gratuities. Government looks upon these bodies with a certain amount of suspicion, and thinks the powers of leave and pension and gratuities, which a District Board might grant to their servants, would be abused. Therefore anything with regard to these matters has to be sent up for sanction to the higher authorities, with the result generally that there is a dislocation of business for a time.

16320. As Chairman of a municipality, do you apply to Government for leave?—Yes; of course I did not have to apply to come here, because I should not be away for a very long time; but sometimes when a man applies for sanction for leave, he does not obtain it for nearly a month. Such a provision is unnecessary and undesirable.

16321. Might the Local Government leave all these matters to the Commissioners, and perhaps to Collectors, to settle on the spot?—Yes.

16322. Generally speaking, might greater powers be given to municipalities?—In my experience I have had nothing to complain of; but I do not know about other municipalities. I have read about complaints as to interference and so on. If I wanted to apply funds for sanitation or roads and other things, I have found that my plans have never been interfered with in any way.

16323. If they had power to depart from the budget, would municipalities take money which was meant for education and use it for roads, or that they might take money which was meant for sanitation and apply it to increasing emoluments or things of that sort?—Of course there might be some danger of that; but what they would do from a practical point of view, it is difficult to say.

16324. Having been a very long time the Head of a municipality, do you think such a thing might occur? I have never done it. If I want to transfer money from one major head to another, I have to apply to the Commissioner.

16325. But if you had that power, would some Councillor probably make that suggestion to you?—I would not do it myself. Of course it is possible.

16326. And if that were done, would it not be a very improper use of the money?—I think so.

16327. With regard to village communities, you represent that in certain respects an attempt might be made to create an interest in local self-government among them. Would you allow them to interfere

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with regard to education?—So far as the village schools are concerned, I would try to institute a sense of self-help in villages.

16328. Do you mean you would not give them control over expenditure, but that you would allow them to interest themselves in the management?—In Bengal, village communities are not worked on the system which obtains elsewhere in India. But an attempt might be made to organize them; a village or a cluster of villages might be formed into a unit. Of course there is a system of village unions, but, as a rule, they are very few, perhaps none at all in Bihar. Outside village unions, there is no administrative provision under which village communities can be approached, or under which local questions could be dealt with by them.

16329. You would like to make some beginning, but you would not give them any extensive power?—Yes. I would wait and see how they work with small powers.

16330. Would you entrust them, to begin with, with any powers to dispose of criminal or civil cases?—I would not. Of course I know that on the Bombay side there are *patels* and so on, who exercise civil and criminal functions to a limited extent. But there is so much party feeling in almost every village in Bengal that it would be better to wait and see how they exercise any small powers entrusted to them before investing them with civil and criminal powers.

16331. Does that party feeling exhibit itself between Muhammadans and Hindus?—No. It is quite apart from that. In a village, for instance, where a man had many people in the shape of followers of his own, the villagers would follow him and carry out his behests in opposition to the desires of the rest of the people.

16332. Is the existence of men of that sort a source of danger?—Not always, because there are some good points in it; such a man becomes a sort of headman and adjusts disputes, and in many ways represents the villagers.

16333. (*Sir Frederic Lely.*) Have you taken an interest in public life for many years?—Yes, for 20 or 21 years.

16334. Are not most of the Deputy Magistrates in these days English-speaking graduates?—Yes.

16335. When you began life were they so well educated?—Yes; almost as well as they are now. Under the competitive system many young people have been appointed Deputy Magistrates.

16336. Have you noticed any tendency amongst highly educated Indians to adopt an exclusive attitude towards the people? Do you think that is a usual result or accompaniment of high education?—I cannot say it is the result of high education. Neither do I think it is an accompaniment of the education they receive, but it is to some extent the result of the exclusive character of the office they hold.

16337. As a matter of fact, is an Indian officer of to-day more exclusive than he was 20 years ago?—I think within the last 20 years the difference is not very noticeable. There may be a tendency that way, both amongst Europeans and Indians.

16338. Do the people take a real interest in municipal affairs?—The general body of the public in backward districts do not. As regards Purnea, they sometimes take an interest in the proceedings, but not as a rule.

16339. Do they watch how their representatives vote?—No, I do not think they do.

16340. Are there any contested elections?—Yes.

16341. Upon what points do contested elections turn as a rule; on the personality of the candidate?—I think so, and not upon any question as to what his views are.

16342. Would his caste make a difference?—No; they think what sort of man he is—is he likely to do them any good?

16343. Are the municipal proceedings conducted in English?—Yes.

16344. Are there many members who do not understand English?—Just a few; but there is no one now on the municipal Board which I represent who does not know English.

16345. Does that not rather tend to give an undue advantage to an English-speaking candidate?—Yes, to some extent; but, to my mind, that does not make any difference.

16346. Do you not think there would be a feeling that there would not be much use in electing a vernacular-speaking man?—Yes; there is some sort of feeling that he would not be of much use on the Board.

16347. You say your villages are torn by factions; if power were given to village panchayats or village bodies in Bengal, would it not really mean that it would be adding to the power of the zamindar?—In suburban areas, I do not think it would be so, but in the interior I think it might give some importance to the zamindars and to the money-lending classes as well.

16348. (*Mr. Dutt.*) Are most Deputy Collectors graduates of the Calcutta University?—Yes.

16349. Are they selected by competition?—They used to be; but that is abolished now. They are now appointed by nomination from amongst certain classes.

16350. When was that change introduced?—Five or six years ago.

16351. Are the nominated Deputy Collectors more accessible than the old class of Deputy Collectors who entered by competition?—No.

16352. Are they an improvement on the old system?—No.

16353. Are they worse than the old class who entered by competition?—I think that there are certain tendencies in these people to stick more to the Government. They are less accessible to the people.

16354. Would you like to revert to the old system of competition?—Yes; of course, there are good points and bad points on both sides, but, on the whole, I should like to do so.

16355. You are in favour of a general Act of delegation with regard to matters of mere routine. In those matters would not a general Act of delegation empower the Local Government to delegate any of its powers to any of its subordinates?—Under Act V of 1828 it would mean something like that; but I have confined my answer to acts of delegation in connection with purely routine work.

16356. How would you define an Act of delegation confined only to routine matters?—Of course there would be some difficulty.

16357. Do you object to any material powers being delegated by a general Act of delegation?—Yes.

16358. In such cases would a specific amending Act be better?—Yes.

16359. Have not provincial Governments been inclined to introduce too many changes according to the ideas of every new Lieutenant-Governor?—Yes, I have noticed that to be so.

16360. So that, if you allowed Local Governments a free hand to proceed on their own lines, would that not lead them to bring in more frequent changes which might be undesirable?—Looking at the question from that point of view, certainly it would; but my answer was not confined to that class of questions, but to questions which require steady application for years. For instance, so far as Bengal is concerned, sanitation is a very important question. If there was a fixed policy pursued with reference to sanitation by the Government of Bengal, it would require some time to develop and execute, and therefore some real power should be given to the provincial Government to develop their ideas on the subject.

16361. In matters on which the policy has been laid down, you think the Local Government should have a free hand in following it out?—That is my view.

16362. But you would not allow the provincial Government to bring in changes of policy without the control of the Imperial Government?—Quite so.

16363. If Advisory Councils were formed, would they bring the officials oftener into touch with the local men?—Yes, I think so, provided they are not place-hunters or seeking for the favour of the Collector; if they were truly representative men with whom the Collector came into contact, I think the result would be what I have indicated.

16364. How would you provide against place-hunters finding a seat on an advisory Board?—It would be very difficult to lay down any rule of conduct.

16365. Is the Vice-Chairman of your municipality also an Indian?—Yes.

16366. So that practically the whole work of the municipality is carried on by non-officials with paid servants under you?—Yes.

16367. Is the work proceeding smoothly?—I think so. There has been little or no hitch.

16368. Are the collections satisfactory?—Yes. They generally average 98 or 99 per cent.

16369. In sanitary matters is the municipality conducted as well as when the Collector was the Chairman?—Quite as well, because when he was the Chairman we had practically the carrying on of all the work.

16370. Have you much money to expend on sanitary improvements?—No. A great deal of the money we receive is devoted to the charitable dispensary and to roads, &c. For sanitary works, such as drainage, very little money is left.

16371. What are the sanitary works which you can execute within your means?—Some drainage in bazars. The municipality is a very scattered one, and of course a comprehensive drainage scheme would mean a considerable outlay, which we cannot afford under existing circumstances. A second difficulty is, that even if we had such a scheme carried out, we would not be in a position to keep it up, because even now we have to take the rain-water a distance of three or four miles from the municipal limits in order to find an outlet for it.

16372. Supposing Government came to your help, and gave you either a bonus or a loan, to carry out a comprehensive drainage scheme, would you have sufficient money to keep it up?—I think so. As far as bazar places and thickly populated places are concerned, we might be able to do it.

16373. Is the management of the dispensary in the hands of the municipality?—No. There is a Dispensary Committee, consisting of members of the District Board and the municipality, and outsiders, the Civil Surgeon and the Collector included. The Collector is Chairman.

16374. Do you only find the money?—Not only the municipality, but the District Board to some extent, though we pay the major portion.

16375. Have you any schools in the municipality?—There is a school which is kept up by Government entirely; and there are primary and secondary schools within the municipality towards which contribution is made by the municipality.

16376. Are they supervised by the municipality?—No; there are sub-inspectors and deputy-inspectors of schools who are paid by Government, or by the District Board, and they inspect; but reports with regard to certain matters are submitted to the municipality, and if there is any suggestion contained in these reports, it is attended to and carried out.

16377. So that you pay the money, but you have practically no hand in the management of the primary schools? Practically that is so.

16378. Do you not think you ought to have the management of the schools, as you find the money for them?—That is my view.

16379. In the matter of leave, pensions and gratuities, you think the municipality ought to have a free hand. But might that not lead to jobbery?—It might.

16380. Then is it not safer on the whole that Government should have some control over the grant of gratuities?—Of course, if it was found there was a tendency to jobbery, I would rather keep the final control in the hands of Government.

16381. Then you do not insist on complete independence in that matter?—It is a matter of minor importance, and there is some risk.

16382. You think District Boards ought to have a free hand in regard to primary education; but has not a District Board a free hand now?—But the supervision and direction are carried out through the Government officials.

16383. Have you not sub-inspectors who are the servants of the Board, who inspect all these primary schools?—Yes, but the schools are managed and kept up under certain rules framed by Government, and those rules have to be observed. The deputy-inspectors and sub-inspectors of schools are more or less guided by the rules, so that, practically, the District Board has no voice in the management.

16384. Do you not recognize the necessity of some rules being laid down by Government?—Yes, I do.

16385. But you think they ought to be a little more elastic, and that the District Board ought to have power to modify them according to circumstances?—Yes, I would be satisfied with that.

16386. Would you recommend the formation of sub-committees for the management of different branches of the District Board's work?—Certainly.

16387. Each sub-committee having a Chairman of its own and laying its report before the Board?—Certainly, I think that would lead to better results than are produced now. There is one point, and that is with regard to the Sanitary Board, as to which I feel keenly. Although the Local Self-Government Act contains a section to the effect that the Government may extend powers with regard to sanitation to District Boards, I propose that it should be just the other way about, and that every District Board should have the power to deal with sanitary questions, and in case the Government thought that the circumstances of any particular District Board did not admit of their dealing with sanitary questions, such a District Board might be excluded. But as the law stands at present, Government can only extend it to particular District Boards, and very few of them enjoy this power.

16388. You say when an Advisory Board is formed the supervision of police work should be entrusted to them. How would you effect that?—The members of the Council, being in touch with the people, should be in a position to bring anything like police scandals and things of that kind to the notice of the District Magistrate, but if the matter was left to the department, probably such questions would never reach the ears of the Magistrate.

16389. Should the Advisory Board be consulted on proposed legislative measures?—Yes, I am decidedly of that opinion. I think those things should be submitted to the Advisory Councils, and if there was a practical unanimity of opinion, Government should think over it, and either introduce, or not introduce, the measure. I would leave the final power in the hands of Government, but the opinions of the Boards ought to be obtained.

16390. (*Mr. Hichens*). How long has Purnea been under municipal Government?—I should say over 40 years.

16391. Do you think, looking back over the period during which you have been connected with it, that the people take more interest now in municipal affairs than they used to do twenty years ago?—Yes; decidedly they do.

16392. For example, in the matter of elections, did they elect members twenty years ago?—Yes.

16393. Are the elections as keenly contested to-day as they used to be?—They are more keenly contested now. At the beginning there was practically no contest; but for the last twelve years there have been frequent contests.

16394. Do the leading men of the town come forward to stand for election?—Leading men who have public spirit do come forward. There are leading men who are simply engaged in making money or minding their own business, who do not take any interest in public affairs, and do not take the trouble to seek election.

16395. To what do you attribute that?—To want of education and want of public spirit.

16396. Is it partly due to the fact that the municipality has not enough power?—I think a municipality has got sufficient power for ordinary purposes. I have never been thwarted in my office, and I find that the work can be carried on smoothly as far as I am concerned. I cannot speak, of course, with regard to other municipalities, or as to how they might be interfered with; but I have read accounts of their having been interfered with in my own division.

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16397. But is it sufficiently pressed home that if things go wrong in the town, and the people suffer inconvenience, they are only to blame themselves for not displaying public spirit?—Or do they merely think that they cannot get into very serious trouble, because if anything happened the Government would step in and put things right?—I do not think they have any opinions of any kind whatever: they are simply indifferent, and amongst the money-making classes, perhaps, they cannot afford the time.

16398. Has the municipality power to make the majority of appointments in the Council?—Yes, subordinate appointments. The appointment of Chairman has to be sanctioned by the Government. We have no Secretary; the Vice-Chairman does the work of Secretary. He is not a paid official. Under him there are overseers and an accountant head clerk with office staff, and an outdoor establishment which carries on the outdoor work. We appoint these ourselves without the confirmation of Government. The Board can also dismiss them.

16399. Without an appeal to Government?—I am not sure about the appeal.

16400. Do you think there should be an appeal or not?—I would not restrict the right of appeal, because if the municipality went wrong, it should be set right.

16401. Is your principal source of income from an assessment rate?—Yes, the principal source of revenue is that derived from the assessment of landed property, carriage licences, and things like that.

16402. Do you impose the maximum rate imposable under the law?—Yes.

16403. Therefore you cannot, practically speaking, increase your expenditure, unless the town increases in size and your revenue rises automatically?—That is so.

16404. Does the Government make you any contribution?—Sometimes. Now-a-days, owing to the surpluses, Commissioners are given certain amounts to be distributed amongst District Boards and municipalities at the end of the year. But that is not very satisfactory, because there is some difficulty with regard to the application of the money. It comes in generally at the fag end of the year and without any forethought the money is distributed; it has to be spent, and is spent, without much discrimination.

16405. If you have anything at all, do you feel you would like to count upon it when making up your budget?—Yes.

16406. Is your budget submitted to Government?—It is, nearly two months before the financial year to which it applies.

16407. (*Mr. Meyer.*) Were you in the Legislative Council when the last provincial settlement was made in 1904?—No; I have read the debates on the budget of the Indian Government of that time.

16408. There was a new settlement in 1906; were you there then?—Yes.

16409. Was that settlement explained by the Financial Secretary in putting the Bengal budget before the Legislative Council?—It was to some extent, and we had some intelligent grasp of the thing. I could follow the general principles of it.

16410. You say that there should be a more complete separation between imperial and provincial finance in particular matters, the financial relations between the Imperial and provincial Governments being adjusted only in cases of extreme necessity. Is that not what has been done?—Yes, there is a fixed proportion under the divided heads, but there is no assurance; the Government can step in at any moment, and unless there is any certainty, the Local Governments cannot have distinct funds of their own for the purposes of work extending over a series of years.

16411. Are you aware that the Government of India have stated that they will not alter the provincial settlement, except in cases of grave imperial emergency?—Yes. I refer to the speech of Sir Edward Law in introducing the budget of 1904–5.

16412. Assuming that there has been such an assurance, does that not meet your view?—It does. But, to my mind, the assurance given is not sufficient for the credit of a *quasi*-independent provincial fund to the extent of enabling it to borrow. I think the Government of India should specify the emergencies which would be held to justify them in disturbing the existing settlements.

16413. When speaking of investing the provincial Governments with borrowing powers up to a limit of 50 lakhs, do you mean 50 lakhs in one year?—No, altogether.

16414. Would that not interfere with the borrowing powers of the Government of India as regards rupee loans?—That is a difficult question to answer; but I think not, because the borrowing powers of the Government of India are practically unlimited.

16415. Is not the amount that is tendered for loan in this country relatively small?—It is.

16416. And if the provincial Governments absorb some of it, will there not be less left for the Imperial Government?—But my idea is that money can be raised in England on much more favourable terms by the Government of India. I would negotiate the market, as I found it.

16417. Anyhow you would admit that the needs of the Imperial Government must come first?—Certainly.

16418. You say that you do not want to delegate further financial powers to Heads of provincial Governments with reference to the creation of new appointments, and so forth; but at the same time you want to give provincial Governments a freer hand in matters of detail. Is that quite consistent?—I refer to the actual acts of administration. I do not include new appointments. I think that every such case should go to the Government of India.

16419. You think the influence of the Departments of the Government of India is in the direction of excessive rigidity or uniformity — have you any experience of your own upon that point?—I am not prepared to cite instances, but with regard to land revenue adequate consideration is not given to the circumstances of a particular district or province.

16420. Do you mean with regard to such a matter as the assessment of land revenue?—Yes.

16421. But is that not a matter for local officials?—But there are certain fixed rules.

16422. Might the Public Works Department be more under the influence of the Commissioners?—Yes, I think in the Public Works Department there should be less rigidity, and I have come across instances of great dilatoriness and expense incurred in having to get certain things from England from the Stores Department of the Secretary of State.

16423. Would you be in favour of giving a Commissioner the power of financial sanction with regard to a number of Public Works projects which are now sent to the Local Government—in fact, giving him a little budget?—I think that would be better than the present practice.

16424. How would you have the Administrative Councils elected?—I am not prepared to go into details, but I have indicated the principle. I think municipalities and District and Local Boards might be asked to return members, and some other electorates might be improvised to return members; and there might be a certain element of nominated members.

16425. Supposing the Collector does not agree with the Administrative Council on any matter, what would happen?—He would be bound to refer the matter to higher authorities.

16426. Would you propose to allow members of Administrative Councils to dispose of minor matters on their own authority?—I would not risk an opinion without knowing the members of the Council.

16427. At any rate would you have such a system introduced by way of experiment in two or three divisions or districts?—Yes.

16428. In general district administration is there a tendency to concentrate a good many Deputy Collectors and officers at headquarters?—Yes.

16429. Would it be better to divide a district more into territorial sub-divisions, and to give each man a territorial charge, both criminal and revenue?—I would keep the magisterial powers separate.

16430. Would you have more Magistrates scattered about the districts, so that the people could come more

readily to their courts, or would you have them concentrated at headquarters as they are now?—I have not been able to give that matter much consideration.

16431. Purnea is in Bihar. Have you real villages in Bihar?—Yes.

16432. Could you work on the natural village system instead of on an artificial grouping like chaukidari unions?— Chaukidari unions already exist in the district.

16433. But that is an artificial grouping more or less?—Yes.

16434. Supposing you wanted to develop village government, would it not be better to go on the natural village lines than on the lines of this artificial community?—I think it would.

16435. You speak about the power of municipalities to grant leave, pensions and so forth. Are there not general rules on the subject and within those rules the Chairman can grant leave and pensions?—Yes. But it requires the sanction of the Government in several matters.

16436. Is it not necessary, supposing the Chairman proposes to take long leave, that the Collector or Commissioner should be informed of the fact?—Certainly; all I object to is that it should go right up to the Government.

16437. Might not the Commissioner also have some other powers which the Government now exercise vested in him with regard to the control of municipalities?—Yes.

16438. For instance, might he not appoint the nominated members?—Yes.

16439. Would you make the Commissioner the local representative of Government?—Yes.

16440. Have municipalities less power than District Boards in the matter of administration?—I think so.

16441. Does a municipality simply pay for its schools while the Education Department manages them, whereas a District Board has the management of its primary schools?—Yes, in a way. The management, however, depends on certain fixed rules of Government even in the case of District Boards.

16442. But, subject to those rules, a District Board can open or close a school, and raise the pay of any teachers which a municipality cannot do?—Yes, the sub-inspectors or deputy inspectors send in reports to the municipalities, and the municipalities have to act upon them more or less. I know of an instance where my municipality wanted to act somewhat contrary to the report of the sub-inspector, but the Education Department intervened and the municipality had to give way.

16443. How does the Education Department intervene—what is the procedure?—The inspector of schools writes to the Magistrate: A copy of the letter is forwarded to the Municipal Commissioners and discussed; they send their reply; but the result is that the opinion of the inspector of schools is upheld.

16444. Supposing a case occurred in which the Municipal Commissioners did not agree with the inspector of schools, but held to their previous resolution, would the Divisional Commissioner have power to make you conform to the view of the inspector of schools?—I do not think the Commissioner has any direct power, but he has the right to sanction or disallow the budget.

16445. He might put pressure on you through the budget?—Or by some other means which I cannot at present think of.

16446. When the budget comes up before the Commissioner, do the Educational and Medical people make remarks upon it?—As a rule they do not do so at the time of the preparation of the budget, until they are consulted as to their requirements. Those are considered by the Budget Committee of the Municipal Council.

16447. But do they also write to the Commissioner and say: "We think this allotment is satisfactory or unsatisfactory"? I do not know whether they do so, or if they do it through the Magistrate or directly.

16448. If the departmental people write to the Commissioner about your allotments, do you not know what happens?—No.

16449. In regard to the grant of larger powers to District Boards and municipalities, might that be facilitated by having a different system of election, and by having representatives of various classes and grades in the community, instead of representation by local areas as at present?—No, I do not think that would work. I prefer the local area system because I think the best men would thus be brought out.

16450. Does the present system afford a complete safeguard to the minority?—Yes, I think it does.

16451. (*Sir Steyning Edgerley.*) In all questions where the Government officer has to judge of the mistakes of subordinates, has he not to be very careful to maintain a reputation for impartiality?—Generally, of course, that is the case.

16452. You instance that sort of question as one on which a Collector was rather loath to talk at large. Do you not think that if he did talk at large, it would be a very dangerous thing?—From a certain point of view, and having regard to the kind of question which might be put, it might be so on occasions.

16453. And the officer whose conduct was under enquiry might feel himself seriously prejudiced?—Certainly.

16454. Are not these personal questions in a district extremely interesting to everybody?—They are bound to be more or less.

16455. You said that you found officials would not discuss certain important subjects, and amongst others you mentioned the conduct of police officers—could they discuss that properly?—Generally they might, without any imputation against any particular officer.

16456. What is the size of the Purnea municipality?—It is scattered, but it has a population of about sixteen thousand. Its revenue is about Rs. 26,000.

16457. Has the growth in Local Self-Government within your experience been as much as might have been reasonably expected?—I am not satisfied certainly with the present state of things, but there has been a marked improvement, and people have been taking more interest in public matters recently.

16458. Do you think you could go quicker?—I do not think so, until the class which holds aloof comes forward, and participates more in public affairs.

16459. Some witnesses have suggested to us that there is a certain lack of continuity in the policy of the Local Government—do you share that opinion at all?—Yes. The only remedy I can think of is that the policy should be laid down in black and white with regard to any definite scheme to be developed, and that successive Governments might then go on with such a scheme.

16460. You do not think any alteration in the constitution of the Local Government could be made which would meet the difficulty?—Do I understand you to mean the Legislative Council.

16461. An Executive Council?—I have not thought about it.

16462. Is the municipality represented on the Dispensary Committee?—Yes.

16463. And is the only contributor?—It is the main contributor.

16464. Does it furnish the largest number of members?—Yes, but there is no fixed rule. We have a full representation on the Committee.

16465. Is there any educational sub-committee of the District Board?—I think there is, but I am not a member of the District Board.

16466. You say that you have no voice in the management of primary schools. Is that only in the case of grant in aid schools, to which the Government give a settled grant?—Yes, but also in the case of schools within the municipality maintained solely by it, with the help derived from school fees.

16467. If you liked to start schools quite independently of the rules with your own money, could you do so?—I think the department would have to be consulted.

16468. Surely anyone in Purnea could start a private school?—Yes.

16469. Is not the municipality in the same position? Is it not only because you want a grant-in-aid that you

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have to comply with the rules?—Yes, it is generally so, but under the existing rules the application of money to any school cannot be made unless the school is carried on in accordance with the Government rules.

16470. You suggest Advisory Boards for the Commissioner and Collector?—As regards the Commissioner, I am not quite clear, but I am very keen about the Collector.

16471. As regards the District Officer, he has his District Board which he meets once a month—does he want a separate body for advice?—By Advisory Council I meant a separate body. The District Board deals with a limited class of questions only, and there are other questions which might be conveniently dealt with by an Advisory Council.

16472. Could you not achieve that by extending the authority of the District Boards?—If that could be done, well and good.

16473. What is the object of creating a second body in a district?—Because the powers of the District Board being limited, they would have no statutory authority to deal with questions outside the Local Self-Government Act.

16474. If you were to widen the powers of the Local Self-Government Act would not that be remedied?—Of course it would have to be changed in that case, but it comes to the same thing in the result.

(*The witness withdrew.*)

MAHARAJ-KUMAR KRISTO DAS LAW was called and examined.

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16475. (*Chairman.*) Are you a zamindar?—Yes. I live in Calcutta. My native place is Gauhati, but I came here when I was very young.

The provincial Government should have the power of creating new appointments when occasion arises up to Rs. 500, or enhancing the salaries up to that amount without taking the sanction of the Government of India.

Executive Officers generally have not at present sufficient opportunities for personal contact with the people. The existing obstacles are want of proper knowledge of vernaculars, pressure of official duties, and, above all, their want of sympathy and good feeling leading in some cases to discourtesy and disinclination to mix with the people. European Executive Officers on arrival in this country should be made to learn the vernaculars, and they should also study the current vernacular literature by reading newspapers, periodicals, novels and so forth. They should mix freely with senior Indian officers of all grades, whether Judicial, Executive or Educational, and on festive and other suitable occasions, such as musical parties, mournful occasions, &c., with the community at large according to the Indian custom. Provision should be made in the rules of promotion to give preference to those who, besides their official qualifications, pure and simple, possess the quality of sympathy and good feeling, thereby narrowing the gulf between the rulers and the ruled. The Divisional Commissioners in their periodical inspections of the work of the subordinate European Executive Officers should be directed to report also about their behaviour towards the people generally.

An increase in the administrative staff is required. Owing to the increase of work in the different departments, the present officers are overworked. Curtailment of the areas of large districts is not desirable, as by the division the smaller part is generally joined to an adjoining district, the headquarters of which become more distant than that to which the people were accustomed. Besides it would involve division and transfer of an immense number of records which in course of transit might be lost or get mixed up. All these combined cause dissatisfaction among the inhabitants thereof on account of the inconvenience in transacting their business.

Should the powers of the Commissioners, Collectors, and other local authorities be enlarged, preference should be given to capacity and experience over seniority, as seniority does not necessarily denote the necessary qualifications for administrative and executive work.

Transfers of officers are frequent, and in order to obviate this disadvantage the staff should be increased, so that in case of the illness or absence of an officer on leave, &c., the next senior man there may officiate in his place.

I am in favour of the creation of Advisory Councils only to assist Divisional Commissioners, and they should be empowered to create Advisory Councils in the headquarters of each district under their charge. Each Council should consist of five or seven members representing the different important interests, such as land, sanitation, education, trade and agriculture, &c., and the Commissioners should consult with them on these and on all other important matters, either on their inspection tours, or by means of letters when occasion arises. The reports of such Councils should be sent to the provincial Governments.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities, as it may cause friction.

It is desirable that village communities should be vested with powers with regard to primary education, and in the disposal of petty criminal and civil cases. Should they be found working satisfactorily in the aforesaid matters, police and sanitation may also be placed in their charge.

16476. You state that District Officers are not only ignorant of the vernacular, but that some of them are apt to show want of sympathy towards the people?—Not all of them, but some of them. I do not say they are ignorant, but they are not very tactful.

16477. Have you yourself come across any personal cases of discourtesy on their part?—No.

16478. Then what you state is what you have heard other people say?—Yes.

16479. If there was more social intercourse between District Officers and the people in a district, would things work better?—Yes.

16480. Would either Hindu or Muhammadan gentlemen be disinclined to welcome a closer social intercourse?—I do not think so; I think the natives of the country would like it and appreciate it.

16481. The last witness said that not only were the European officers rather exclusive but that the Deputy Collectors who are Indians also were inclined to show the same exclusiveness; would you agree with that?—I have no personal knowledge, but so far as I can hear, I do not think it is so.

16482. You think that they are not carried away by their official position into exhibiting some haughtiness?—Some little haughtiness, of course, would result from their position, but not to the extent suggested.

16483. Would you increase the powers of Commissioners and Collectors and other district authorities?—I have no objection to increased powers being given.

16484. With regard to Advisory Councils, you think that such Councils might be created to assist the Divisional Commissioners. Should the members be selected and appointed by the Commissioner?—I have not given the matter consideration in that way, because I do not know how a provincial Advisory Council would be formed.

16485. With regard to Advisory Councils to District Officers, what have you to say?—I do not think they are necessary.

16486. Would you suggest that village councils or village communities should be formed?—There is some kind of village community now in existence, and those I think should be encouraged. I would give them rather larger powers.

16487. Would you give them power to dispose of criminal cases?—Yes, small criminal cases, such a case, for instance, as that of a man who has stolen fruit from another man's garden.

16488. (*Sir Steyning Edgerley.*) Have you lived all your life in Calcutta?—Nearly all my life: when I was about 10 or 12 years of age I came to Calcutta. I practically live in Calcutta all the year round.

16489. (*Mr. Meyer.*) Is not what you have said as to village communities and district organisations, and the rest of it, based upon hearsay?—Yes.

16490. (*Mr. Dutt.*) When you spoke of village communities as being in existence, were you referring to the chaukidari panchayats?—Yes.

16491. Is anything left of the old village communities in Bengal?—No.

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(*The witness withdrew.*)

Mr. FREDERICK GEORGE DUMAYNE was called and examined.

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16492. (*Chairman.*) You are one of the members of the Port Trust of Calcutta?—I am Vice-Chairman of the Calcutta Port Trust. I was appointed by the Local Government. I am the principal Executive Officer of the Trust. There are various matters which I would like to represent on behalf of the Trust.

Section 31, clause (3) of the Calcutta Port Act (Bengal Council) 1890, requires that the Commissioners' rules regarding the granting of leave, leave allowances, acting allowances, regulation of period of service, pension, gratuities and compassionate allowances to their officers and servants shall be confirmed by the Governor-General in Council. But under sections 32 to 34 the power of appointing, promoting, suspending, dismissing, fining, reducing, or granting leave shall be exercised by the Vice-Chairman in the case of officers whose monthly salary does not exceed two hundred rupees, and in any other case by the Commissioners in meeting, subject to the previous sanction of the Local Government as regards every order relating to officers whose monthly salary exceeds Rs. 500. It would appear to follow that the Local Government should also be the final authority in respect to the rules referred to. Port Trust officers and servants are not Government officers and servants, and the conditions which obtain in Government service are not necessarily suitable to the special conditions of service in the Port Trust. There does not, therefore, appear to be any reason for the rules to be confirmed by the Governor-General in Council. These rules, like the appointments, should be subject to the approval of the Local Government only. They are not of such general importance as to require the confirmation of the Government of India.

With reference to section 24, clause (3) of the Calcutta Port Act 1890, the Trustees should be allowed to invest the sinking funds in the public securities defined in section 20 of the Trusts Act, II. of 1882, and not be restricted to Government promissory notes and Calcutta Port Trust debentures, as at present. The Commissioners for example, in 1903 and 1904, could have invested their sinking funds in the debentures of the Rangoon Port Trust bearing interest at 4½ per cent. at favourable rates. The Calcutta Port debentures should also be held to be available for investment of trust funds as is the case with the Bombay Port Trust, the law on the subject being made uniform and amended accordingly. Enquiries were quite recently made by two Insurance Companies as to whether Port Trust debentures were funds in which trustees could invest.

As regards sections 32 to 34 the Commissioners propose that they should only be required to obtain the previous sanction of the Local Government so far as orders relating to the Chief Accountant, Deputy Conservator, Chief Engineer, Traffic Manager or Secretary, in the matter of appointments, leave, leave allowances, pensions, gratuities, compassionate allowances, dismissals, &c., but that they themselves should dispose of the cases of all other officers. The Commissioners will then deal with all officers excepting the five principal officers above referred to. They are in a better position than the Government to deal with these cases as they are better acquainted with each officer's service, and will deal with the cases under rules approved by the Local Government.

In section 40, clause (1), the clause as to meetings should be altered as the Commissioners now meet once a week, and it should be open to them to meet at such intervals as they may from time to time determine.

As regards section 48, the Commissioners should not be required to obtain the sanction of the Local Government to enter into contracts, when such contracts are for the carrying out of works sanctioned under the Act. This sanction to enter into contracts by the Local Government seems to be quite unnecessary if when the Local Government sanctions the carrying out of works it has the expenditure for such work before it and sanctions that expenditure. As matters stand at present the Commissioners may get sanction to the building of a warehouse for, say, Rs 5 lakhs, and then they have to apply to Government for sanction to enter into contracts for the iron-work, bricks, mortar, or other materials required in carrying out the work, although the amounts of those contracts in the aggregate are less than the sanctioned estimate for the whole work.

Section 49 should be held to refer to capital works only as the budget estimates provided for under Part V. of the Act should be sufficient authority for carrying out the ordinary revenue works of the Trust. This was understood to be the intention of the Legislature, and the Commissioners have all along so construed the section. Section 50 should likewise be held to apply to capital work only, as above.

Under section 51 (1) the limit of the cost of works which may be carried out without the plan and estimate being submitted for the approval of the Local Government should be extended from Rs. 50,000 to Rs. 2,00,000.

Under section 51 (2) the limit of sanction to the Local Government should be increased to Rs. 5,00,000. In explanation of the proposed extension of the limits provided in section 51 above referred to, it may be stated that the revenue of the Trust has, since the Act of 1890 was passed, risen from Rs. 17,82,531, to an estimated income this year of Rs. 1,09,00,000, and the operations of the Trust are on a much larger scale.

As regards section 55, the period for which the Commissioners may grant leases of any immovable property with the previous sanction of the Local Government should be extended to 50 years, as in Bombay. This is absolutely necessary, as the period of 10 years, now provided, is too short to induce lessees to spend any large sums of money in buildings, etc. If 50 years be a suitable term for Bombay it should certainly not be less for Calcutta.

Section 73 should be held to apply to expenditure for revenue purposes only.

Regarding section 74, such excess expenditure should be reported by the Vice-Chairman to the Commissioners in meeting and not to the Local Government, as it would be included in the supplementary estimate submitted to the Local Government under section 72. At present supplementary estimates are submitted to the Local Government for every deviation from, or addition to, the sanctioned estimates, whether they exceed Rs. 5,000 or not, which involves an immense amount of trouble. In fact, in view of section 72, the provisions of section 74 appear to be superfluous.

Section 75 is exceedingly troublesome in regard to matters of a very trivial nature, such, for instance, as the employment of a few tally clerks, or of a temporary typist for a few days when there is a rush of office work. The Commissioners should be left free to make any such appointments as may be necessary in the course of a year, subject to the submission, before the end of the year, of a supplementary estimate to the Local Government under section 72. The necessity of employing more staff arises quite suddenly in consequence of the fluctuation of trade and other causes, which cannot be foreseen and provided for at the time of preparing the budget.

Under the provisions of section 83 of the Calcutta Port Act, 1890, no condition can be made by the Local Government in assenting to the erection of a private jetty, and in many cases the erection of such jetties without certain conditions would be objectionable from the Commissioners' point of view. It is proposed to amend the Act so that assent may be given to the

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erection of a jetty under whatever conditions the Local Government may approve as necessary in the interests of the port.

Under section 111, for the amount of all tolls, dues, rates and charges leviable under the Calcutta Port Act in respect of any goods, the Commissioners have a lien on such goods, and may seize or detain the same until such dues are fully paid, but this lien is gone the very moment the goods are delivered or removed. It may afterwards be found on audit that all the proper charges have not been recovered, and there is a difficulty sometimes in recovering these charges. The only way of recovering them is by a suit against the owner, a very burdensome process. The Commissioners are of opinion that they should be given the same powers as are conferred upon railways under section 55 (1) of Act IX of 1890, viz. :—

"If a person fails to pay on demand, made by or on behalf of a Railway administration, any rate, terminal or other charge due from him in respect of any animals or goods, the railway administration may detain the whole or any of the animals or goods or, if they have been removed from the railway, any other animals or goods of such person then being in, or thereafter coming into, its possession."

Powers should also be given to the Commissioners to grant remissions of tolls, dues, rates and charges to meet cases of hardship, *e.g.*, when an importer through the non-receipt of his bills of lading and other documents is unaware of the arrival of his goods, and consequently incurs the special rent charges which are leviable with the object of hastening the removal of goods from the wharves to prevent the wharves becoming congested.

Under section 35 the works to be constructed and carried out by the Commissioners should further include :—

(*a*) Light-houses, light-ships, beacons, boats and all other appliances necessary for, and incidental to, the safe navigation of the port and the approaches thereto. The Commissioners now provide light-houses, dredgers, and fire engines holding that they are included in "all such other works and appliances as may, in the opinion of the Commissioners in meetings," be considered to be necessary for carrying out the purposes of this Act, clause (8) ; but they consider it desirable that such works should be specifically stated.

(*b*) The building of vessels for the purpose of carrying goods in the port by inserting the words " of goods and " in clause (7*a*) after the words " carrying " in the first line. When in 1905, the Commissioners obtained power by the Calcutta Port Amendment Act IV, 1905, to build vessels to carry passengers and their personal effects, the Commissioners sought to obtain power to build vessels for the carrying of goods also, but this was not proposed on account of the objections that were made at the time. The Commissioners would not undertake the duty of providing vessels for the carriage of goods within the port so long as the requirements of the trade were adequately provided for by private agencies and at moderate cost, but the power should nevertheless be given them, so that they might undertake the duty whenever they considered it to be desirable that they should do so in the general interests of the trade of the port. The Trustees of the Port of Bombay are given this power under section 45 of the Bombay Port Trust Act, VI of 1879.

(*c*) The construction and application of dredgers and other machines for use in the docks and channels by adding to clause (6) after the words "river bed" the words "docks and channels," and further adding the words "and the approaches thereto" after the words " within the port," as the navigable channels in the river leading to the port may require attention as well as the docks and channels within the port.

(*d*) The equipment, maintenance and use of engines and other appliances for the extinguishing of fires ashore on the property of the Commissioners, and afloat in the port and in the approaches thereto.

(*e*) The building and equipment of vessels, tugs or other boats, and the use as well within the limits of the port as on the river and the high seas beyond those limits, for the purpose of rendering assistance to any vessel, whether entering or leaving the port or bound elsewhere, and for the purpose of saving or protecting life or property. This may be done by a modification of clause (7). At present the Commissioners are only given power to build vessels for the purpose of towing vessels in the port, but it is desirable that they should also be empowered to render assistance to vessels in distress, as when a vessel may be ashore or in other difficulties outside the port.

The Commissioners would urge that the administration of the Pilot Service should be transferred to them. To the Commissioners are entrusted the conservation of the River and its approaches and their improvement, the improvement of the conditions and facilities required for the commerce of the port and its future needs ; and the study of the economical advantages of the locality and of the best methods for insuring the despatch of vessels and the handling of their cargoes. The Commissioners, therefore, are in close touch with all the requirements of the shipping, and all the resources of the port are theirs. The Pilot Service is but an integral part of the general operations of the port, and it is an anomaly that it should be under separate management. The Port Trust of Calcutta should administer all the affairs of the port, and, as at Liverpool and other large ports in the United Kingdom and in India, be the controlling authority in regard to all matters connected with the pilotage of vessels. It is a change that would also be likely to result in considerable economy in administration.

The Port Commissioners are of opinion that they should be vested with the same rights and privileges as are mentioned in section 72 of the Bombay Port Trust Act, VI of 1879.

(*f*) Clause (8) should be modified to give greater latitude in the works that the Commissioners may carry out, so as to cover any works which, in the opinion of the Commissioners in meeting, may be desirable in the general interest of the trade of the port.

16493. You represent that a good many of the references which now have to be made by the Trust to Government could be easily dispensed with and the work carried out by the Trust itself ?—Yes, we should like to get rid of a good deal of the check over detail, but the control of the Local Government and the Imperial Government should remain in regard to the larger works of the Trust.

16494. With regard to the dismissal or appointment in the intermediate stages of officers whose monthly salaries do not exceed Rs. 200, or in fact with regard to all such officers whose salaries do not exceed Rs. 500, would you like matters to be dealt with by the Port Trust ?—Yes. At present, up to Rs. 200, the the Vice-Chairman deals with them, and he is the final authority—there is no appeal past him. But from Rs. 200 to Rs. 500 the matter goes to the Commissioners, and above Rs. 500 to the Local Government—in no case to the Government of India.

16495. With regard to the sections you have quoted, and the duties of reference which are imposed upon you, could all these matters be dealt with by an amendment of your Act in the local Legislature ?—Yes.

16496. As regards some of the references, which are now imposed upon you by the existing Act, do you, as a matter of fact, first carry them out, and then get subsequent sanction ?—Yes. Many of them are now referred *pro formâ* ; they were introduced 30 years ago, and they are no longer of any consequence to the Government or to us.

16497. With regard to the limit of cost of works, you now have to go to the provincial Government for sanction for works over Rs. 50,000, and you want to be able to finish works on your own responsibility up to two lakhs of rupees ? Notwithstanding any other restrictions, either upon the Local Government or upon the Government of India, with reference to the orders of the Secretary of State, do you think the experience of the Port Trust is such that you are perfectly capable of dealing with works costing in sterling £13,000 or £14,000 ?—I am certain that it is.

16498. If a Bill was introduced into the Legislative Council dealing with all these questions, would there be any opposition on the part of the Local Government ?—None whatever ; we are really doing the work now with their approval.

16499. Have you ever promoted a Bill in the Legislative Council to do any of these things ?—No, but we have no reason to anticipate any objection whatever. The fact is that the Commissioners take this opportunity of representing points which they might have laid before the Local Government at some convenient time.

16500. (*Mr. Hichens.*) How are the members of the Port Trust appointed?—Six of them are elected by the Chamber of Commerce, one by the Trades Association, which is also commercial, one by the Bengal Association—an Indian Association—which is also commercial, one by the Corporation of Calcutta, and there are three large lines of railway running into Calcutta, two of which are usually represented on the Trust, their representatives being nominated by the Local Government. Then there are the Collector of Customs, and the Deputy Director of Royal Indian Mails. Our Chairman who is one of the Commissioners and presides at our meetings, is generally the senior member of the Board of Revenue, and the Collector of Howrah is a member, because Howrah has an interest in our operations. Finally there is the Vice-Chairman.

16501. Under whom is the administration of the Pilot Service now?—It is under a Government officer called the Port Officer of Calcutta. He is subordinate to the Marine Department of the Local Government.

16502. Have you any reason to suppose that the Local Government would be unwilling to give up that branch of the work?—I do not think the Government would be unwilling; the pilots might object to be transferred from what might be termed a Government Service to the Service of a Port Trust.

16503. Can you issue a loan without the sanction of the Government of India?—No.

16504. Do you see any objection to that restriction?—No, no objection whatever; in fact, we quite agree that the Government of India must have control in that matter, because the interests of the tax-payer must be superior to the interests of the local rate-payer, and we can only float our loans after consideration of what the operations of the Government of India may be.

16505. Do you mean that your loans might spoil the market for the Government of India?—That is one reason; a second is that we have the advantage of the financial advice of the Government of India, and freely avail ourselves of it.

16506. Do you ever raise your loans in England or Europe?—This year we obtained for the first time, on the recommendation of the Government of India, the sanction of the Secretary of State to raise a million of money in London, and as it happened that I was on leave at the time, I interested myself in London in seeing what could be done in the way of raising money on more profitable terms than in Calcutta. It may have been that at the time the London market was unfavourable, but at any rate I found that I could probably raise a loan at 96, out of which I would have to pay underwriting charges and brokerage, while we were able at that time to place the same loan in Calcutta at about 96¾ nett.

16507. Are all large works put up to public tender?—No; in Calcutta we usually do most of our work departmentally, and our objection to going up for the sanction of the Government to contracts is that whereas the Government, or the Government of India, agree to the amount of the work, and may sanction a work up to two or three lakhs of rupees, we then have to go up to Government for sanction to a contract for bricks or a contract for sand, which we think is unnecessary.

16508. You mean that, first of all, you get the various administrative sanctions that are necessary, and, having got those, you have to get sanction for the individual contracts?—Yes, that is what we object to.

16509. Is it not desirable that there should be a rule to the effect that the purchase of any article over a certain sum in value should be put up to public tender?—No, on the contrary I think that would be objectionable; you might very frequently have to meet a ring of speculators who had worked the market against you, and it would be very difficult to break through it. For instance, we may buy land to make our own bricks, or we may buy a quarry to get our own stone, and I think we ought to be absolutely free in all matters of that kind.

16510. (*Mr Dutt.*) Does your total loan amount to a large sum?—It is about 8 crores in all to the public, and to the Government.

16511. Is the money borrowed on the security of the property vested in the Commissioners?—Yes, none of it is guaranteed.

16512. (*Sir Frederic Lely.*) What are the functions of the Port Officer?—He has control of the Pilot Service, and he is also the Shipping Master, that is to say, he deals with the engaging and discharging of crews, and he also administers several of the Acts with regard to the registration of vessels, &c.

16513. You propose to take away from him the control of the pilotage, is that all?—The Commissioners are largely representative of the commerce and shipping of the port—they represent the shipping as well as trade, and it is the Commissioners' ships that are being navigated, so to speak; therefore it is the Commissioners who are most interested in the Pilot Service, and they think that they should have the right of control over it.

16514. Do you come into collision with the Port Officer at all?—No, except in the matter of pilotage, and even then I could not say we come into collision; but we think it is not a right distribution of work.

16515. (*Sir Steyning Edgerley.*) Is it satisfactory that your Chairman should be only a part time officer?—The question has only been informally discussed. In the Bombay Port Trust the Chairman is a man who devotes his whole time to the work, but here it is the Vice-Chairman who is the Executive Officer, and I rather regard it as advantageous to this Trust that we have the senior member of the Board of Revenue as our Chairman, because it helps us in conducting our business with the Government. I think that it is a good arrangement, and there has been no difficulty in regard to it.

16516. Is not the Chairman a fairly busy man independently of the Port Trust business?—Certainly.

16517. And unless there happened to be a very carefully selected Vice-Chairman, there might be some difficulty in carrying the work on?—There might be the same difficulty if you had a carefully selected Chairman.

16518. In proposing that you should take over the Pilot Service, do you suggest that it is not efficiently managed at present?—No; we only suggest a change.

16519. (*Mr. Meyer.*) Is the senior member of the Board of Revenue always Chairman of the Port Trust?—Not always; occasionally the junior member is Chairman.

16520. Suppose the senior member takes leave and the second member becomes acting senior member, would he act as Chairman of the Port Trust?—No, not *ex-officio*—Government would have to appoint him.

16521. Would it not be better if one member of the Board of Revenue were to be appointed Chairman of the Port Trust during his term of office without reference to the fact that he was first member or second member?—No, I think that Government should have the selection. They may appoint any official they please, and it happens that they have always appointed a member of the Board of Revenue.

16522. Does that lead to a good many changes in the Chairmanship?—Yes.

16523. Is that prejudicial to the working of the Trust?—No, the Chairman presides at our meetings.

16524. It necessarily, however, makes the Vice-Chairman the real Executive, does it not?—Yes, and it is so intended by the Act that he should be; but, on the other hand, while it makes him the real Executive, he is not the Chairman, and he has not the full control, perhaps, that he might otherwise have.

16525. Speaking generally, do you find that the Chairman takes full interest in the administration?—Yes.

16526. With regard to the present restriction in the matter of works, do you find that that leads to useful engineering advice being given you by the high Public Works officials of the Local Government and the Government of India?—No, they have left us very much to ourselves; they consider that we know what suits us best, and they leave us to carry out the works we suggest. I presume they always approve of them, because we have never had any point raised.

16527. You say that you desire to be allowed to invest your sinking fund in any public securities, and

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that you wish the same latitude as is accorded to other Port Trusts?—Yes, I think the Bombay Port Trust has greater latitude than we have.

16528. Would you like to have the same general latitude as the Bombay Port Trust has?—Yes, quite as much as they have.

16529. With regard to the Pilot Service, how far does your jurisdiction as a Port Trust extend down the river?—Really to the Sandheads. The pilot comes on board at the Sandheads.

16530. So that you would not require any extension of jurisdiction to take in the Pilot Service?—No.

16531. Has the matter of extension of jurisdiction been discussed?—The matter came forward on one occasion when I was a member of a Committee about three years ago to consider the fees payable to the Pilot Service, and, by the order of the Commissioners, I represented to the Committee the advisability of the Commissioners taking charge of the Service. The Committee considered that the matter was outside the province of its enquiry, and said that, if we wished, we might submit it to the Government. We did not do so, and have not done so up to the present time, although, perhaps, we might do so later.

16532. May I put it that your Trust, as a Trust, have not really fully considered the matter?—No, they have fully considered it and determined upon it.

(*The witness withdrew.*)

Mr. G. W. KÜCHLER was called and examined.

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16533. (*Chairman.*) You are on special duty in the office of the Director of Public Instruction of Bengal, and have been in the Educational Service in India since March 1885?—Yes.

The present status of the Director is not of a nature calculated to secure for educational projects the attention which they deserve. The department has often been blamed for defects in the educational system of the country, for which it is nowise responsible. The proposal that the Director should be given the status of a Joint-Secretary to Government would go far to remedy the present ineffectiveness of the Educational Department, and if this reform could be introduced without difficulty, it would probably be wise not to go further than this for the present. The ultimate, and the best, solution of the problem will be to create an independent Secretariat, and to make the head of the Department a Secretary to Government. The work of educational administration is so complex and covers so wide an area, that it cannot be satisfactorily dealt with by a Secretary, of whose duties it forms only a small portion. This position has been accepted in practically all other civilised countries, and its reasonableness cannot long be gainsaid in India.

As long as the functions of the Director-General of Education are purely advisory, his influence is, I think, entirely for good, but his designation, under those circumstances, seems to be somewhat of a misnomer. Such co-ordination of educational policy as is necessary in India can be effected on the basis of the information which it would be his duty to supply, and the advice which he may be able to give to the Imperial Government. Should, however, greater latitude be left to the provincial Governments in their educational policy, the Director-General's functions will be necessarily considerably diminished, and it becomes doubtful whether the continuance of the post is necessary, at least in its present form.

An Inspector of Schools should have a thorough knowledge of the vernacular or vernaculars of his division. Without such knowledge, he cannot possibly keep in direct touch with vernacular education or control the work of his subordinate officers. An adequate test of his knowledge of the language should, therefore, be insisted on in the case of inspecting officers.

Transfers of educational officers, though not so frequent as in the case of civilians, still occur too often for efficiency. Professors should, as far as possible, be appointed permanently or at least for a long term of years to the individual colleges. Transfers, especially in the middle of the session, are extremely hampering to the work of the college, and have, as already indicated, been till recently regulated too much by mere departmental convenience.

The value of the work of Inspectors naturally increases up to a certain point with their knowledge of the division and their acquaintance with the language. And though it is desirable in their case that their experience should not be confined to one division, their term of service in any one post should be of reasonable length.

The management of primary and middle schools by District Boards has not been a conspicuous success, and under these circumstances, the delegation of further powers to these bodies would not be justified. The unsatisfactory state of the schools under their control is largely, but not entirely, due to want of funds. When the management of primary education was entrusted to the District Boards, a certain allotment was made from provincial funds, and, in addition, certain sources of revenue—*i.e.*, pounds and ferries—were handed over to the Boards to enable them to carry out the work. The revenue from pounds and ferries was partly assigned to the cost of education, partly to that of medical aid. These revenues are of an expanding nature, and have in fact expanded considerably of late years, but practically no part of the increase has been devoted to education. Presumably the intention of Government in assigning these sources of revenue was to provide an automatic increase of income to meet the natural increase in the demands of education, and the failure of the Boards to apply the available funds to this purpose can only be taken as an indication of their general apathy in educational matters. One way, for example, in which the money at their disposal might profitably have been employed, would have been to the improvement of middle schools managed directly by the Boards. These schools are intended to serve as model schools, but, far from fulfilling this object, they are as badly off as most of the schools of this class as regards buildings, equipment, and staff, and are indeed considerably inferior to many of the institutions which are under private management, and merely receive grants-in-aid.

The above remarks apply equally to Local Boards. More might be done in the way of interesting the members of village unions in village education. They might, for example, be of use in selecting sites for schools, supervising the work of the *gurus*—i.e., seeing that they attend regularly, etc.—and in other matters of this nature. When inspecting officers have approached them in the proper spirit, members of these unions have generally shown themselves willing to contribute to the erection of *patshalas* either in material work or cash. It would not be wise to entrust them for the present with any financial powers.

16534. A scheme has been put forward by the Director of Public Instruction by which he would become a Joint-Secretary to Government for the purposes of education. In that proposal do you concur?—Yes.

16535. At the present moment, in making their proposals, why do not the Education Department go to the Secretary to Government, before they have actually formulated them?—I understand that the Secretary in the General Department prefers, before he passes judgment on any proposal, that it should be put before him in a cut and dried form.

16536. Do you see any objection to the Head of your Department conferring unofficially with the Secretary to Government, before these proposals are formulated?—No; it would be an excellent thing.

16537. It might save, what the Director calls, laborious working up in the office of the various schemes?—It might to a certain extent, but still it would not alter the procedure, which the Secretariat would think necessary, namely, that when any proposal did come from the office of the Director of Public Instruction, it should, first of all, be noted on in the Secretary's office.

16538. Who are the gentlemen who note on it in the Secretary's office?—After a case has been very

laboriously worked up in the Director's office, it is then presented in the form of a letter addressed to the Secretary. That is in the first place noted on by a subordinate clerk ; his remarks are generally not, of course, of very much value. Then it goes up to the Under-Secretary, who writes a full note on the subject, and then it finally reaches the Secretary.

16539. What service has the Under-Secretary ?—Usually about five or six years' service.

16540. Would he have any technical knowledge as a rule ?—No.

16541. Therefore, from your point of view, it would be more advantageous and more simple, if, after a verbal discussion with the Director of Public Instruction, the scheme went up straight to the Secretary to Governnment ?—Yes ; that is, it should go up direct to the Secretary, and not be noted on by any subordinate officers, in the first place.

16542 Subordinate and, in your judgment, ignorant officers ?—Yes ; from the technical point of view, of course.

16543. And if such an informal conference between the Head of the Education Department and the Secretary to Government were not only encouraged but insisted on, would that remove your desire to see the Head of the Department a Joint-Secretary ?—Not entirely ; not only that would have to be insisted on, but also the point you yourself mention, namely, that proposals should go direct to the Secretary.

16544. At all events, if there was such a conference between the officials, a great deal of labour might be saved ?—Yes ; that would be one great advantage.

16545. Where is the office of the Director of Public Instruction ?—It is in the same building as the Bengal Secretariat. The Director's and the Secretary's offices are not far apart.

16546. The Director of Public Instruction states that the system of work in his own office is utterly dispiriting ; what is the system of work there ?—The dispiriting factor arose from the difficulty which the Director had in getting his projects through ; I did not understand that he referred to the work in his own office, because, if he has any objection to the procedure in his own office, he has the ultimate voice in the matter, and can reform it.

16547. Does the Education Department feel that in regard to any attempt to carry out the policy of the Government of India, there is too great a restriction upon it in matters of detail ?—Yes.

16548. Are those details insisted upon by the Local Government or by the Government of India ?—I take it, by the Government of India. Of course, this is a complaint made by the Local Government itself, and only indirectly by the Director of Public Instruction.

16549. Has there been any desire on the part of the Government of India to interfere in educational details ?—I have only been here since the 19th December, but one thing has come to my notice in connection with the transfer of the Engineering College from Sibpur to Ranchi. A letter had been addressed to the Local Government which filtered down to the office of the Director of Public Instruction in which certain suggestions were made, which, I consider, dealt with matters of detail, and which ought to have been left to the discretion of the Local Government acting on the advice of its advisers.

16550. What have you to do with the Engineering College ?—It is an educational institution, and all educational institutions, with the exception perhaps of Medical Institutions, come under the Education Department.

16551. Can you recollect the details in which the Government interfered ?—There was a question of having a common play-ground, upon which the Local Government was perfectly capable of arriving at a decision. The Local Government does not object in the slightest degree to suggestions coming from the Government of India, but delay arises from their being expected to defend their position, and to send in a report to the Government of India. There would be no harm if the Government of India were to say : "We suggest that such and such a thing should be done upon matters of detail ; will you take them into your consideration ?" but they should leave the Local Government to exercise their discretion, which, I consider, they are perfectly capable of doing. Great delay is caused from the fact that the Local Government has to send in a report to the Government of India, and in order to send in that report, it has first of all to come to the Director, and he has to work up a case in support of the position which he has taken in the matter.

16552. Do you have to answer the criticisms of the Government of India paragraph by paragraph ?—Yes, and we have to make out a case.

16553. You would prefer broad principles to be laid down by the Government of India, and, inside those principles, great latitude to be left ?—Yes.

16554. Does the Director-General of Education interfere in your department ?—He does not interfere directly, but in connection with the point I have just raised, there might be a good deal of undue interference. He of course advises the Home Secretary to the Government of India, and then the Home Secretary, acting on the advice he has got, sends these letters to the Local Government, so that though the Director has no direct power, he has a good deal of indirect power, and I should imagine since the office of the Director-General of Education has been instituted, that there has been a good deal more interference in matters of detail in purely educational matters with the Local Governments than there was before.

16555. You have never been in the Secretariat of the Education Department ?—No.

16556. So that you have no special experience, either one way or the other, of whether there was, or was not, interference ?—Except in one or two cases, which have been put before me, and Mr. Earle has shown me one or two cases in which there has been undue interference. One case I might cite was in connection with the organization of European education here. The last letter that came from the Government of India went into very great detail with regard to purely educational matters. The Government of Bengal has its educational advisers, who are quite competent to advise them on all these points, and, of course, it is not a question of the Government of India merely giving the advice ; it is a question of their expecting an elaborate report in reply to their suggestions.

16557. Is the organization of European education to which you refer, confined only to the province of Bengal ?—No ; it is a scheme which affects the whole of India. There must be a certain amount of co-ordination in respect of education, but within the limits of that co-ordination, a certain amount of latitude should be left to the Local Governments each to work out its own scheme.

16558. Can you give any other instances of detail with regard to education in which the Government of India have unduly interfered ?—Yes ; they went very fully into the curricula of study, and into the question of the syllabus and the method of awarding scholarships ; also into the method by which the schools should be inspected. The Government of Bengal had put forward certain proposals with regard to a system of inspection of schools, and that system was taken exception to by the Government of India ; they said that, unless the case was put more clearly, they would not be able to give their sanction.

16559. With regard to the curricula or the method of inspection, is there any reason why the procedure in Bengal should differ from the procedure in the United Provinces ?—There might be some local conditions which might give rise to a difference, but apart from that, the Local Government ought to have a little initiative. We ought not to have an absolutely stereotyped system throughout the whole of India.

16560. One can understand that in different provinces, with different races and different languages and so forth, they might require different treatment ; but in the case of European education, would not the conditions of European education be very much the same in all the provinces ?—They would, at any rate in the north of India.

16561. Would it not be desirable to standardize that education in the case of Europeans ?—The powers the Local Government proposed to exercise were very small ; it was merely a question whether manual and scientific education should both be made compulsory.

16562. Might not a general principle be involved in that ?—There is something to be said from that point

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of view, but there would be no harm, if one province, for instance, in a matter of detail like that, did have its own rules, which might differ from those of another province. Any advice coming from the Government of India would of course be listened to, though it might not be finally accepted, simply, perhaps, because there might be local conditions which militated against it. Then there was a case of an officer who was appointed Superintendent of the Reformatory School. The standing orders require that, in the case of the appointment of a European, certain particulars should be furnished to the Government of India. In replying to the request for information these particulars were not furnished, and the Government of India wanted information why an officer from the ordinary Provincial Service had not been appointed. The correspondence to which this gave rise delayed the matter for many months, and in consequence of this delay the unfortunate individual concerned did not get any pay for seven months. The Government of India might have sufficient confidence in the Local Government to allow them to pass orders in such a case. It did not seem to be necessary that they should withdraw their sanction and consequently withhold the pay of this gentleman, who was doing the work, for a long period pending the receipt of the necessary sanction.

16563. Would you regard the appointment of a single individual, a European, as standing on exactly the same lines with regard to the interference of the Government of India, as the adjudication upon the curricula or the method of inspection?—Not on quite the same lines. There must be standing orders with regard to a case of this kind, but the only point is with reference to the procedure and the unnecessary delay caused by not placing sufficient confidence in the Local Governments.

16564. Apart from such advice, which may run counter to the views of the Local Government, do you regard the appointment of the Director-General as satisfactory?—In many respects the Director-General's appointment is an extremely useful appointment. We must have co-ordination in education throughout India, and the Director-General would be able to give the necessary advice to the Government of India with regard to that point.

16565. Does the Director of Public Instruction correspond with the other Education Departments in the provincial Governments?—Yes, he corresponds with them unofficially, and there are also conferences of directors, which are held periodically.

16566. Is there any stated time at which these conferences are held?—Nothing has been laid down with regard to having them at regular intervals.

16567. The first one which was held was held in 1901?—Yes.

16568. How many have been held since?—I think there was one later than 1901.

16569. At what intervals would you suggest that they should be held?—Every three years at least, and such conferences would largely take the place of the Director-General, because from the work of these conferences the Government of India would be able to get the necessary information which they require.

16570. Would you say, if it was laid down that conferences should be fixed at brief intervals, that the Director-General might disappear?—I would not like to give an opinion upon that, because I am not acquainted with the details of the Director-General's work; I am only speaking on general principles, but it seems to me that there might not be the same necessity for the Director-General as there is at present.

16571. Perhaps someone in the position of a Secretary to collate the work of the conference might be a good substitute for the Director-General?—Yes, that was my idea.

16572. With regard to the delegation of powers by the Local Government to the Director-General, Mr. Earle and you agree that the Director-General ought to be allowed to make appointments to the Subordinate Service and to the Provincial Service?—Yes, but I understand Mr. Earle to mean that he ought to be allowed greater powers, not only as to appointments up to a maximum salary of Rs. 250, say, but also with regard to the creation of fresh appointments subject to a maximum limit of Rs. 5,000 a year.

16573. Would they be pensionable?—Yes.

16574. I understand that in no single case during the last five years has any appointment recommended by him been refused by the Local Government?—Yes.

16575. You say the Director-General would like to be able to incur any additional expenditure up to Rs. 10,000 a year. Is that very much on the same lines as the power which a Commissioner has in Bengal at present?—Yes, it is pretty much on the same lines; of course the Director wants to have his power of expenditure raised.

16576. Does he want to have a special sum earmarked to be at his disposal for any purpose?—No, he would have an allotment of a considerable sum, and for each single project he would not be able to exceed Rs. 10,000; but the total amount would be considerably larger.

16577. There ought to be a delegation of powers to inspectors and principals of colleges, provided that the Collector of the district agreed with the proposal?—Yes.

16578. Whence is the expenditure upon education in primary schools derived?—Partly from a direct grant from provincial revenues, and partly from certain revenues which are at the disposal of the District Boards.

16579. One witness to-day told us that the District Boards managed the primary schools, but subject to certain general rules and regulations laid down by the Government; is that so?—Yes, under certain rules which restrict, or define, their control.

16580. Has the District Board any real power of control or management?—The whole management of primary education is very small indeed—really there is none—and it merely consists in the distribution of stipends to the *gurus*. The District Boards might show more initiative with regard to primary education. During the whole period in which they have been charged with primary education they have shown no initiative, and have made no serious proposals towards the improvement of primary education.

16581. What sort of proposals could they make?—For instance they have a certain number of schools which are called model schools, but they never have made the slightest attempt to improve them. It would have a good effect on education generally if District Boards would come forward and make their schools really model schools.

16582. But could they improve the school premises?—They could provide better school-houses to begin with.

16583. Out of the funds provided by Government or by increased taxation?—It is quite possible they would have to come up to Government for increased funds, but that is where the initiative would come in. Why do they not come up and say, "We would like to improve our schools, but we have not got the money?"

16584. Suppose they came and said, "We want better school buildings, better school furniture, we want a better class of instruction, and we want to raise the pay of our teachers"; is that the sort of proposal which Government would be prepared to consider?—Yes, those are the sort of proposals to which I refer.

16585. So far as you know would your department be prepared to recommend that the increased expenditure involved in those proposals should be met from provincial funds, or would you require the District Board to provide its own funds?—The department would recommend whether the amount should be drawn from provincial funds. The amount of money at the disposal of District Boards is limited, but even with the money which they have at their disposal, they have not done what they might have done.

16586. How do the District Boards manage their primary schools?—They have no primary schools of their own. There are what are called middle schools, and they have some of those under their direct management. To others they give grants-in-aid.

16587. Do they appoint managers to those schools?—No, they have to approve of the manager's appointment. The local committee appoint him. They send up names to the District Board, and the District

Board approves. The District Board does not actually add a member of its own to the Board of Management.

16588. The Chairman of the Purnea municipality told us that, while the cost of primary schools fell entirely on the municipality, they had no control over them—do you agree with that statement?—I should hardly be inclined to accept it. Municipalities have to contribute a certain portion of their income to private education, but it is simply a matter of giving stipends to the *gurus*.

16589. Who appoints the *gurus*?—They appoint themselves. We have a number of schools which have sprung up in one way or another; the inspectors who are paid by Government inspect those schools, and say which *gurus* are deserving of stipends or not.

16590. Do the *gurus* draw a stipend from the municipality on the certificate of the inspector?—Yes.

16591. Who provides the books used by the scholars?—Ordinarily they provide their own books.

16592. Who provides the furniture in the schools?—Unless there is a special grant made, which is seldom the case, the furniture is provided by the *gurus* themselves.

16593. Does the other expenditure, beyond the stipend of the *gurus*, fall on the municipality?—There is none.

16594. Therefore the statement by the Chairman of the Purnea municipality that the municipality pays the cost of primary schools really only refers to the stipends of the *gurus*?—Yes. As far as primary education is concerned, throughout the country the only expense lies in the stipends of the *gurus*.

16595. Who pays the expenses of middle schools?—The Education Department. No expense falls on the municipality with regard to middle schools.

16596. Therefore from a financial point of view they can claim no control?—Except that the municipalities may give grants to the middle schools. Sometimes a middle school gets a grant both from the department and the municipality. The municipality has no control over the management of a middle school.

16597. In cases where municipalities give a grant would it be advisable that they should have control?—There is little to control. If there was anything of importance to control, I would be willing that the municipalities should have a voice in the matter.

16598. Might you not give them some share in the control and management?—Yes, if the grant were applied to a legitimate purpose.

16599. But is it applied now to any illegitimate purpose?—I do not consider that merely giving a stipend to the *guru* is any reason for giving control.

16600. Is that what the grant always goes to?—Yes, in primary schools. If municipalities were to give a grant to the middle schools for some legitimate purpose, then they might be given some share in the control.

16601. Do they have a representative on the committee of management?—Yes. If they liked they could certainly have a representative on the committee.

16602. Would that be a good thing to do?—Yes.

16603. What would the control of the committee of management over a school amount to in point of fact?—It does not amount to very much.

16604. Ought it to amount to a good deal in a case where a grant-in-aid is given?—Yes, of course; the committee of management ought to have considerable control.

16605. Would you go so far as to say that in most municipalities of moderate size there are persons capable of exercising an interest in the management of schools?—That is the question. There is a committee of management, but they do not take any interest in the schools.

16606. If you give a person nothing to do, what can he take any interest in?—They have something to do if they like to carry out the duties assigned to them—on paper they have a good deal to do.

16607. What is it they can do in practice?—They have control in appointing teachers, and to a certain extent, in regulating the course of study; in giving leave to the teachers and all matters of that kind—the ordinary matters connected with the administration of schools. *Mr. G. W. Kuchler.* 31 *Dec.*, 1907.

16608. Has the committee a free hand in the appointment of teachers?—Yes, subject of course to the approval of the inspector of schools.

16609. What pay does the inspector of schools get?—That varies. He may be an Indian, or he may be a European.

16610. With some real knowledge, of course, of education?—He ought to have a real knowledge, and it is assumed he has before he is appointed.

16611. Under whose care are the secondary schools?—They are entirely under the department; some of them receive grants-in-aid, and some are directly managed by the department.

16612. Where do the funds of the secondary schools come from?—From provincial revenues.

16613. And towards their up-keep neither the District Boards nor municipalities contribute?—No. They may contribute in rare cases, but it is a very exceptional thing.

16614. Who makes the appointment to the Provincial and Subordinate Services?—In the Subordinate Service, below a salary of Rs. 200 a month, the appointments are made by the Director of Public Instruction; after that they are made by the Local Government.

16615. When Educational Officers are appointed from England to this country, are they required to know anything either of the Indian language, or Indian history, or Indian social conditions?—The only requirement as regards language is that, within two years, they are expected to pass an examination up to the Higher Standard in the vernacular of the division in which they are serving.

16616. Are they often moved from division to division?—Yes, too often.

16617. And, in consequence, they may be posted to a division with the language of which they are not acquainted?—Yes, that is frequently the case.

16618. And being themselves inspectors of schools they receive no instruction at all in the literature or history of the country for which they are going to provide education?—Not necessarily.

16619. Do they often have such knowledge when they come out?—If they take an interest in the subject, in a way they do.

16620. But how can they? They do not know where they are going to be appointed to. They are nominated on a vacancy occurring and they come out in the next mail?—Yes.

16621. What is the nature of their appointments?—That may vary. They may be appointed as professors of a college or inspectors of schools.

16622. (*Mr. Meyer*). Do you say that all the primary schools in the management of which the District Boards and municipalities are concerned are under the charge of *gurus*?—Yes. All the primary schools.

16623. Does no municipality maintain a school of its own?—No.

16624. Are there no mission or other primary schools maintained by private resources?—Yes, there are a few.

16625. Would those be aided by the municipality or the District Board?—They would be aided if necessary.

16626. Therefore assistance to primary education is confined to those two classes of schools?—Yes.

16627. Are local bodies bound, in regard to the vernacular schools at any rate, by the recommendations of the officers of the Education Department? Can they aid a vernacular school unless the officer of the Education Department says the *guru* is a satisfactory person?—They could act against the opinion of the inspector; but if they did, the matter could be referred to the Commissioner of the Division.

16628. Might not a municipality have some little power in the matter of selecting schools to which it gives aid?—Of course, if you allowed them to do that it would be on the advice of some Educational Officer.

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16629. Do you think the Education Department is all in all?—No, but there should be some advisory officer with some experience of education.

16630. Should the action of the municipality be in subordination to the Education Department?—It is a very difficult question to answer, because from what we see up to the present time they do not seem to take much interest in primary education.

16631. Will they ever take an interest if you bind them hand and foot in every little detail?—They might take some interest, and there is no harm in their taking the advice of the inspector of schools. They might listen to his advice, and not necessarily accept it.

16632. But at the present time can they reject his advice?—Yes.

16633. Are you prepared to allow them, in regard to aided schools and so forth, to listen to his advice but, if necessary, to go their own way?—Of course there are many things which you might give in the case of one municipality which you might not be disposed to give in the case of another. You might give them certain powers, as a matter of experiment, in order to see what the result would be, but you cannot come to any conclusion without experience.

16634. Are you prepared to try the experiment?—I am perfectly prepared to try any experiment which would tend to make a change for the better.

16635. As things are at present, would it not be better to take the schools entirely under the department; is not the municipal share in them more or less a farce?—The point is that there is nothing in it at all because it is only as to the payment of the *gurus*. It would be no use giving them increased powers unless they were prepared to spend more money on the municipal schools and make them middle schools. Every municipality ought to have one or two middle schools within its area.

16636. But if they have schools, do you admit it to be right that they should claim some voice in their management?—Yes.

16637. Have you any Government middle schools in Bengal?—We have one or two directly paid for and managed by the department, especially in Non-Regulation districts.

16638. What does the Calcutta municipality do in the way of education?—It spends its money entirely in grants to private schools, on the recommendation of the inspector of schools.

16639. Then the municipalities, speaking generally, keep up no middle schools, but the District Board does?—Yes.

16640. Are District Boards better able to manage middle schools than municipalities? Can you tell me how the distinction arose?—I do not know. I know that the middle schools in municipalities are directly aided by Government.

16641. Will the Board ever take more interest in the matter if it is confined simply to the mechanical payment of money?—My experience is that a Board does not object to inspection. What they would no doubt like is that they should be able to act on the advice of the inspector without any further reference, but they are very glad indeed to get advice from the inspector of schools.

16642. You said the Local Government was glad to get advice from the Government of India in matters of detail, but you thought it was a hardship that the Local Government should be obliged to follow it: would you apply your own principle to local bodies and your own department?—Yes, as to the actual getting of advice there can be no objection, nor have the District Boards ever objected to it.

16643. What influence has the Collector over educational expenditure in his district?—I think it practically lies in the hands of the Collector, as Chairman of the District Board; he practically regulates the whole thing.

16644. Is secondary education practically entirely carried on by Government with the exception of the middle schools?—Yes.

16645. Has the Collector any voice in the establishment of secondary schools?—No, practically none.

16646. Has the Commissioner any voice in the establishment of secondary schools?—He has general supervision. Things have been changed of late years, and a Commissioner has to be consulted with regard to all educational projects. I do not know what the exact rules were before, but if he had to be consulted, the rules had fallen into disuse.

16647. Should not a Commissioner have a considerable say as to how the provincial education expenditure should be allotted within his division?—There would be no objection at all to the Commissioner having a say in the matter, but I feel convinced that with the amount of work a Commissioner has already got to do, he would have to depend on the advice of his expert officials.

16648. Is there any objection to the inspector of schools standing to the Commissioner of a Division in much the same relation that the Director of Public Instruction does to the Lieutenant-Governor?—That of course raises the whole question of the powers of a Commissioner of a Division. Theoretically there is no objection. If the Commissioner is the practical Head of the Division, all other officials within the division should stand in the same relation to him as other Heads of Departments stand to the Lieutenant-Governor. Before answering the question I should like to know exactly what it involves.

16649. It involves non-technical control, as you might call it. The qualifications of teachers and so forth must necessarily rest with the Director of Public Instruction, but the application of funds to start a school at A. as against B. and so on, would rest more largely with the Commissioner?—I do not think there would be any objection to certain functions being put into the hands of a Commissioner of a division, but they would have to be carefully defined, and I am not prepared at the present moment exactly to say what power should be given to him, or taken from the Director of Public Instruction.

16650. Generally, do you think the Commissioner might have a larger say?—I have no objection to your putting it in that way.

16651. With regard to college education in Bengal, is the Government much concerned with it?—There are five Government colleges, but of course a college like the Presidency College is a very large unit; though it is only one college it represents a large sphere of educational activity.

16652. Does the Government spend more money in direct colleges of its own, or in aiding other people's colleges?—It spends its funds almost entirely at present on its own colleges.

16653. Was there not a recommendation, made by the Education Commission of 1882, that the Government should gradually withdraw from higher education as they found private enterprise supplied it?—Yes.

16654. Is the Bengal policy in that direction?—I understand they are acting on later advice.

16655. And was that general idea not repeated in the resolution of 1904?—Yes, it might have been, but still a large amount would have to be spent by Government. Latterly a large number of grants-in-aid have been given to private colleges, and the policy of giving grants-in-aid to these colleges has been extended. That is a recent development.

16656. Did Government aid them formerly?—No, but the regulations now require so much higher standard that the other colleges regard it as necessary to ask for aid.

16657. Did not the Government of India enjoin that policy for which they gave a special grant?—Yes, and that is, of course, in accordance with the policy.

16658. Therefore the merit, such as it is, is with the Government of India?—Quite so. I do not wish to detract from their merit at all, but it certainly is a policy which I should have been very strongly in favour of from the beginning, only the difficulty lay in getting the money.

16659. You propose that when a scheme has been prepared in the Director's office it should not be noted on, in the first instance, by clerks in the office of the Secretariat, but that it should go straight to the Secretary?—Does the Director get elaborate schemes from inspectors of schools and principals of colleges?—Yes.

16660. Would you think it wrong that they should be noted on by clerks in the Director's office?—No.

But to a certain extent there is an objection to that procedure. Of course when a scheme comes to the Assistant Director, he has the necessary knowledge, and can correct any mistakes which have been made by the clerks.

16661. Is not the Assistant Director a junior officer?—Yes, but he is an Educational Officer and I would recommend that certain cases should go direct to the Assistant.

16662. Has not the Secretary a great deal of work to do? He gets schemes which go into many details. Is it not reasonable that he should get some one in his office to note the *précis* and so on?—To a certain extent; but the point is, whether the information he gets from the Director of Public Instruction is not sufficient for him to come to a conclusion on the case cited. If it is not, why is he not placed in closer touch with the Director of Public Instruction?

16663. Is the Director of Public Instruction aware of all the precedents and rulings and so on?—He ought to be; in educational matters the Director of Public Instruction should be absolutely conversant with them.

16664. Under your plan would it not be better to abolish the office of the Director of Public Instruction and allow it to be amalgamated with the office of the Secretary?—If that can be done.

16665. You desire greater latitude to be given to the Local Government in matters of detail, and you complain of two or three cases in which you say that there has been unnecessary interference in matters of detail. If you can only produce three instances, is it not possible that in many other instances there was nothing to complain of?—There were other instances; but I only wished to take three important ones; I have many other instances in the file of papers before me.

16666. Are you aware that the Viceroy has to be consulted before the Local Government can be overruled on any such matter?—Yes.

16667. In many cases are not questions of detail put to the Local Government merely for consideration?—It is possible, but the impression as to any suggestion made is that even if it is in the form of a suggestion by the Government of India, it is expected that the Local Government should issue a full report on that particular point and that nothing can be done until it receives the final sanction of the Government of India.

16668. Have you never seen letters in which the Government of India say, "The decision on this point is, however, left to the discretion of the Local Government"?—No, I have not.

16669. Is it not rather difficult to discriminate matters of detail from matters of principle?—It is; but at the same time, if there was a general ruling to the effect that questions of detail should be left to the discretion of the Local Government, I think that would be quite sufficient.

16670. Would you call the creation of an appointment a matter of detail?—No, with regard to the creation of appointments you must have standing orders.

16671. When a Local Government proposes the creation of an appointment which, it may be, requires the sanction of the Secretary of State, is not the Government of India bound to consider whether a case for making such an appointment is justified?—Certainly.

16672. And might it not send it back for further information, if necessary?—Certainly, under the present orders. It is with regard to that point that I should very much like to see the powers of Local Governments increased.

16673. Would you consider the filling up of an appointment a matter of detail, in which the Government of India should not interfere?—Ordinarily I should consider that that ought most certainly to be left to the Local Government.

16674. Some little time ago there was a Civilian Officer appointed to the Directorship of the Education Department of this province?—Yes.

16675. Did not several members of the Education Department decide to memorialize the Government of India?—Yes; I am sorry to say with no effect.

16676. In that case they did not accept the discretion of the Local Government on a matter of detail?—They did so far. It was not so much questioning the right of appointment of the Local Government as making an appeal to a superior authority on general principles, which, I think, is a different thing altogether.

16677. You have referred to the case in which a European Officer was appointed to a position of over Rs. 200. Is it not necessary to safeguard Indians against the undue appointments of Europeans?—Yes.

16678. You spoke of conferences possibly taking the place of the Director-General of Education; but supposing there was no Director-General of Education, who would preside over the conferences?—I should say the senior Director of Public Instruction, or still better, an officer of the Home Secretariat.

16679. Do you think such conferences would come to any real good? Might they not possibly dissolve in talk?—I hope not; I am very strongly in favour of conferences, because I think they afford the best means of arriving at some useful result on definite subjects.

16680. Supposing an officer went from Mad as to such a conference, and some new method which he did not like was put forward, and accepted, by the majority of the conference, might he not go back and say to his government, "It is true the majority agreed to this, but they know nothing about Madras, and therefore we need not trouble about it?"—That is exactly in accordance with the general principle which I maintain. Local Governments ought to be allowed a certain amount of discretion.

16681. You have admitted however that it is useful to have an Imperial Officer who goes round to control what is being done?—I am not prepared to say that the Director-General of Education is not a useful officer.

16682. As regards the European schools, did not the Government of India lately give a special grant for their assistance?—Yes.

16683. Might they, therefore, claim some voice in regard to the policy?—Yes. They should have a very considerable voice; but it is not a question of policy, it is a question of detail.

16684. Do you think a centralized code for all India is unnecessary in the case of European schools?—I think in many respects it is undesirable.

16685. Does the ordinary Education Code differ from province to province?—Yes.

16686. Is that again too centralized and ought some of the restrictions to be somewhat relaxed; are they not too rigid in regard to the grant-in-aid rules?—I am inclined to be of opinion. I think that a certain amount of discretion should be allowed with regard to the grant-in-aid rules.

16687. Have any local proposals been put forward to make the education code more elastic?—No.

16688. (*Sir Steyning Edgerley.*) Do you regard education as a purely provincial matter of administration?—Yes.

16689. Do you hold that the function of the Government of India is to discuss policy and not to impose details?—Yes.

16690. Is it beyond the capacity of the Secretary to the Government of India to discriminate in any particular case between what is essential as a principle and what is a detail?—No.

16691. Assuming that a scheme comes up and the Director-General is not satisfied with it, and writes a dissentient memorandum either as to principle or as to detail, or in any other respect, would it be a good thing if that memorandum were, as a matter of course, sent to the Local Government for comment before the Government of India dealt with the case at all?—Yes, I think that would greatly facilitate the dispatch of work.

16692. It was stated in Madras that the Director-General was a very useful officer as tending to reduce the inefficiency, from an educational point of view, of the Home Department of the Government of India; would you share that view?—Yes. The only alternative I can suggest is a conference.

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16693. Does not the Director serve a very useful function, in gathering information as to new methods and studying systems in other countries, and disseminating information?—Yes.

16694. Then it practically comes to this, that you object to interference with administrative detail of any sort?—Yes.

16695. Do you consider that the curricula of European schools is a detail?—I do, except that the broad lines of the curricula might be laid down.

16696. Most of your European schools receive grants-in-aid?—Yes.

16697. Are they Missionary schools?—Largely.

16698. That is to say, they are greatly supported by persons who subscribe to the funds on a religious basis?—Yes.

16699. In order to secure the money given by other countries, you have to consider the susceptibilities of the donors a good deal?—Yes.

16700. And if your curricula are filled up with obligatory subjects, such as manual training and other things, it would be necessary for the size of the schools to be proportionately increased?—Yes.

16701. And there is also danger of overloading the curriculum with subjects?—Yes.

16702. So is there not a great danger, that any too rigid code imposed by the Government of India would be entirely unacceptable to missionary bodies, and that eventually the schools might have to be closed?—Yes, that is an argument against rigidity in the Code and in favour of leaving a good deal to the discretion of the Local Government.

16703. In the European Code have you accepted the conscience clause?—To a certain extent. I mean that religious instruction is allowed to be given, but it is not compulsory, and no one need attend, and it is to be given at the beginning of an hour, so that no inconvenience arises in the working of the school.

16704. How do missionary bodies explain that to their constituencies?—I am not in their councils, so far as that is concerned.

16705. With regard to the Local Government your main proposal is the complete amalgamation of the office of the Director of Public Instruction with that of the General Secretary of the Local Government?—That was Mr. Earle's proposal; my proposal was that ultimately it would be better to have a separate Secretary. I would like an Educational Secretariat, with the Director of Public Instruction as Educational Secretary to the Government.

16706. How would you then arrange for touring?—The Director has really very little touring to do; he is only expected to be some forty days on tour. He is not exactly the same as an Inspector-General of Education; and he really is required to be largely at headquarters on account of his administrative duties. But if it is considered desirable that there should be some inspection by a superior officer of Government, that difficulty would be met by having a Deputy. It is at present argued that the Director's office is undermanned in this respect.

16707. Would you suggest a Deputy Director working with the Secretary in the General Department, and the Director himself occupying a position something like that of the Inspector-General of Irrigation in the Public Works Department, that is to say, that he could tour anywhere where it was necessary and still deal with any big cases?—That is not a solution I have yet thought of; it seems plausible, but I am not prepared to give an opinion on it off-hand.

16708. With regard to the Medical College, is your Medical College in Calcutta under the Director at all?—No, it used to be. About ten years ago, on the representation of one of the Inspectors-General of Hospitals, who objected to have it under the Education Department, it was put under him; but there was no opposition offered at the time by the Education Department to the severance.

16709. Has the Education Department any information as to how that has worked?—We have heard of no complaint. I do not think the control which the Education Department formerly exercised was of a rigid nature. It was more nominal than anything else.

16710. Then you think that the undivided and direct responsibility of the Inspector-General is a better arrangement?—Yes.

16711. You have suggested that there should be a certain governing body of colleges in the *mufassal*, and your suggestion makes them entirely official; is it wise to entirely exclude the non-official element?—No. I simply put that forward as a tentative proposition. If there was a properly constituted body, I do not see any objection to having one or two non-officials upon it.

16712. Might not a strong governing body for these colleges, under the presidency of the Commissioner, practically relieve the department of the whole of the detail work?—Yes. I am strongly in favour of the colleges being independent and corresponding directly with the Government, but not under the present conditions. I think that the Director should be relieved from the administration of the colleges. They would have a much more vigorous life if they were directly under Government, but under present conditions I would be loth to make any proposal of that kind, for the reason that the General Secretary has so much to do that he knows very little about educational matters. Therefore it is better, under present conditions, that anything in connection with colleges should come through someone who has a grip of education.

16713. But under the new Universities Act surely you have inspection?—Yes, but that has not been properly organised. If there were an Executive Head of the University, such as a paid Principal, which there is not at present, then I should say they might be put under an official of that kind.

16714. Are you not prepared to trust a University Syndicate?—It is too large a body, and the work would be much too heavy for a purely honorary body.

16715. Is there no small sub-committee for college work?—No.

16716. You tell us that you would like professors to have grants for their scientific expenditure and apparatus and so on, but if they had those grants, what would happen if they did not make both ends meet at the close of the year?—I do not know how that difficulty would be met financially; but of course any deficiency would be taken off any further grant for the next year, and thus far it would be met; they would have to retrench in the next year.

16717. You would not say to them, "You have had your grant; you have not made both ends meet, and you must get on without anything"?—No, but that contingency is not likely to arise.

16718. Do you complain generally, with regard to the difficulty in getting the necessary apparatus to carry on your work?—Yes, we certainly have good grounds of complaint in that respect.

16719. As regards District Boards, you say that the pound and ferry revenue has increased, but you have had no share of the increase. On what basis is the share actually settled which you have; is it a fixed sum, or is it a proportion?—It is not a fixed sum, and nothing is laid down. Pound and ferry revenue is simply set apart for educational work and medical aid. When it was first granted a certain sum was given to one branch and the rest to another: the amount under medical aid has increased correspondingly to the increase in the revenue, but nothing additional has been given to education.

16720. Is there anything in your Local Self-Government Act providing that the Board shall devote one-third of their revenue, or any other proportion, to education?—No. There are checks, but not of this nature.

16721. And nothing as to the income from pounds and ferries?—No, it is left to their discretion.

16722. Have you any prescribed syllabus for primary schools?—Yes.

16723. Is that available in the vernacular?—Yes, it is at present being changed, but, of course, there always has been a syllabus. We have complete control over it.

16724. (*Sir Frederic Lely.*) When you say that stipends are paid, do you mean that they are sums paid in the shape of grants-in-aid?—It is not exactly the same as grants-in-aid; the *gurus* in charge of the schools got a certain fixed sum, based on inspection of their work.

16725. Does the Subdivisional Officer visit these schools?—Yes; it is laid down that he should do so.

16726. Has he any regular means of communication with the department with regard to the result of his visits?—If he writes anything in the inspection book, it is always put before the inspector.

16727. What is the link between the Director and the schools; not only primary schools but middle schools and high schools?—The whole of the school work in the division is really under the inspector. There are six divisions and six inspectors.

16728. Does the department invite any co-operation as to the inspection and management of the schools?—To a certain extent; there are what are called Boards of Visitors, and where there are managing or visiting committees, the members of those committees are expected to visit the schools and make suggestions.

16729. Who is the Chairman of the visiting committee as a rule?—They would elect their own Chairman.

16730. Has the Collector any definite obligation, for instance, as to a training school or a high school?—No; training schools and high schools are practically outside the jurisdiction of the Collector. But at the same time he often visits these schools.

16731. Supposing there was any great laxity in a training college in his district, would the Collector be expected to know about it?—No; it would not be brought to his notice officially, but if, when visiting a high school, he saw it was not being properly conducted, he would make a note of it, and his note would be sent to the inspector of schools. The Collector would not be responsible in the slightest degree.

16732. As a matter of fact, do you ever ask the District Officer's advice on educational matters?—In regard to anything connected with middle schools and primary schools his advice is always asked. In respect of secondary schools his opinion is asked with regard, for instance, to projects for new buildings and hostels, but not with regard to the administration of the school.

16733. Are there any model schools in the province?—There are schools which are under the direct management of District Boards which are supposed to be model schools, but they are not really model schools.

16734. I understand that the municipalities pay for middle schools, but have no hand in the management of them?—Yes, but such payments are very exceptional within municipal limits; they are aided by the department direct.

16735. But on other than financial grounds would it not be a very good thing if a municipality had a right to interfere and to lay down the hours of attendance, the holidays, or the fees that should be levied?—I think it would be a very good thing if the municipalities were to take a more direct part in the management.

16736. Are not the parents better able to judge of those points than a Government department?—To a certain extent. But if an inspector is worth his salt, he ought to be thoroughly conversant with the wants of a district.

16737. But he cannot be so conversant with the wants of a district as the parents of the children themselves?—But the question is whether the parents of the children are sometimes going on right lines. This is not only an Indian question but a question which we find in all countries in the world, and parents might not always want what is good for their children.

16738. Would you not admit that it is a good thing for the masters to be interested in pleasing the parents as well as the department?—Yes.

16739. Is not the effect of the present system to make them look only to the department for approval, and not to care in the least about the wishes of the parents?—That is a very large social question. I think we should find that the masters do care very largely for the opinions of the parents, and they could not set the opinions of the parents at defiance. In fact there is a little too much of that kind of thing in schools.

16740. (*Mr. Dutt.*) If the Director of Public Instruction was a Secretary to the Government of Bengal, might that have the effect of raising the purely departmental view of questions to undue prominence as compared with the administrative view?—I think not. Because a man has special knowledge of a subject he is not therefore debarred from taking administrative charge of the branch which deals with the subject. There are advantages and disadvantages, and certain of the advantages more than counterbalance the disadvantages.

16741. There are other Departmental Heads, for instance, the Medical and Police Departments. Would you recommend that those Heads should also be Secretaries to Government?—Each case ought to be judged entirely on its merits. The educational affairs of the country are of extreme importance, and they ought not to be made a small part of the duties of one Secretary.

16742. Does the Inspector of Schools act in consultation with the Commissioner in any educational matters?—Yes. Chiefly in connection with projects for new buildings—matters of administration rather than education.

16743. By whom are appointments and transfers in the Provincial Service gazetted?—By the Local Government.

16744. A suggestion has been made that the Director of Public Instruction should be empowered to appoint and transfer the officers in the Provincial Service; would you agree with that view?—Yes, for the reason that the recommendations of the Director are always accepted by the Secretariat, and correspondence merely causes unnecessary delay. The Director is in a position to know more about such things than the Secretariat.

16745. Does it not give a man a little more dignity if he is appointed by the Local Government?—I would consider that an argument for making the Director a Secretary to Government. It is quite possible that the members of the Provincial Service would prefer to be appointed by the Local Government rather than by the Director of Public Instruction.

16746. Does that portion of the District Board budget which relates to education go to the Education Department?—Yes; it is sent first of all from the Magistrate to the Director, and then the Director sends it to the Commissioner with any remarks which he cares to make. Of course the budget is in the first place drawn up in consultation, nominally, with the inspector, but, practically, with the deputy inspector, who knows more about the district than the inspector.

16747. Does it often happen that the Director makes any alterations in the budget?—I think it hardly ever happens, as long as the District Board spends its allotment. There is a certain minimum sum which they have to spend on education.

16748. The Director does not sometimes say, "You are spending too much on secondary, and too little on primary, schools," or anything of that kind?—No, but he has the power to do so.

16749. Do the same remarks apply to the municipal budgets?—Yes. There, of course, we have to see that they spend the minimum sum.

16750. Do you ever make any suggestions as to an increase in the number of the primary schools, or as to raising some of the schools to secondary schools, or anything of that kind?—The deputy inspector very often makes suggestions as to an increase in the number of the primary schools or opening new primary schools in places where they are wanted.

16751. Are those remarks generally attended to?—Yes; with regard to opening of new primary schools. As regards more expensive proposals the deputy inspectors are not in a position to have their opinions really listened to.

16752. So that, generally speaking, you have nothing to complain of as regards the way in which District Boards and municipalities deal with the question of education?—Nothing, except that I do not think they have shown enough initiative in the matter. They are slightly apathetic with regard to education, and look at it as the last thing they have to consider in the budget.

16753. You have a class of officers called sub-inspectors of schools. Were they previously servants of the District Boards?—Yes. We have now taken them under the Education Department in so far as they are

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paid by the department. The District Boards have still practical control over the sub-inspectors, and even to a larger extent than before.

16754. In what way?—With regard to the power of transfer. In other respects they are servants of the department.

16755. Do they look after the primary schools under the District Boards?—They are almost entirely concerned with primary schools.

16756. Is it satisfactory that the work of the District Boards should be done by men who are servants of another department?—In theory, of course, it is unsatisfactory, but in practice it has worked pretty well, and there has been practically no harm done.

16757. Have the District Boards the same interest as they had before in founding new schools, and in getting the villagers to find houses for schools, and getting contributions from villagers, now that they have to work through servants who are not their servants?—The sub-inspector understands his position; he is really under the Chairman of the District Board and has to listen to his orders. I admit it is a peculiar system.

16758. On the whole, would it be a better arrangement to re-transfer these officers to the District Boards, and let the sub-inspectors work under the District Boards as their servants?—Yes; in some ways it would, so long as their prospects would not be interfered with. One of the most important reasons for transferring them to the Education Department was that they had very poor prospects under the District Boards.

16759. Suppose increments were allowed them by the District Boards, and they subscribed to a provident fund, would there be any great reason for complaint?—I do not think there would be any reason for complaint so long as the District Boards did their duty; it all turns upon that. The inspectors will look after the sub-inspectors; I doubt if we can guarantee that the District Boards will look as well after them.

16760. Would the District Boards take a little more interest if they had to work through their own servants in their own way?—I can only judge from what has happened before, when the sub-inspectors were the servants of the District Boards, and then I cannot say that any more interest was shown. Of course the whole thing is largely due to the fact that, through lack of funds, the District Boards have not been able to do much.

16761. In other respects, with regard to fixing the hours of attendance, the number of holidays in the year, etc., do you not think a large amount of discretion can be given to the District Boards, who are more in touch with the villagers than the officers of the Education Department?—Yes, if they really had the primary schools to look after.

16762. Has a District Board now the power of laying down a rule that schools during, say, two months in the year, should be held in the mornings, without reference to your department?—They would have to refer to our department, but we would not interfere in a matter of that kind.

16763. With regard to these matters would you have any objection to making the rules elastic so as to give more discretion?—No; it is really a question of the District Boards acting up to their duties.

16764. Does your department inspect all the colleges?—No, only the aided colleges and Government schools; the private colleges have not hitherto been inspected; but they are now inspected by the University under the new Regulations.

16765. What sort of supervision by the Education Department do you propose over private colleges?—We propose to encourage the system of grants-in-aid, which will make them amenable to departmental inspection

16766. Would you try to encourage the establishment of private colleges?—Yes, but I think they must be liberally aided by Government, because education cannot be conducted as a commercial undertaking.

16767. But there may be colleges which are not commercial undertakings?—There may be, but not many of them have appeared so far.

16768. (*Mr. Hichens.*) You expressed a view that the Government of India should concern itself with principles and that the details should be left to the Local Government; do you say that the way to tackle the problem as to the division of authority between the two is to decide first of all what the details are?—I should be quite content if a general ruling were laid down that the Government of India should not interfere in matters of detail, except in so far as they might give advice. I do not think one could really say what is a matter of detail and what is a matter of principle: it would be very difficult to differentiate. You must leave it to the commonsense of the parties concerned.

16769. If you want to avoid perpetual discussion as to what is a detail and what is a principle, must you not try and lay down some principle?—Yes, you would have to do that.

16770. Is not the way to deal with the problem to lay down certain principles and to say that the interpretation of those principles should rest with the Local Government?—If that could be done, I should welcome it.

16771. Is it possible to lay down educational principles of universal application, and to say that the carrying out of those principles should rest with the Local Government?—It would be, to a certain extent; but there would always be cases in which it would be difficult to say whether or not they came under the general principle.

16772. Can you give me any examples of general principles?—With regard to University education, general principles would regulate the admission to Universities, and would, for instance, decide the age at which the students entered the Universities.

16773. You think that is a matter which ought to be uniform throughout India?—Even with regard to that, I would say that the matter of age might perhaps be left within certain limits; the Government of India ought to lay down a minimum age for admission to Universities.

16774. Is it not more difficult to deal with the matter of education as a general principle than it is to deal with anything else?—Yes, that is so; I find it exceedingly difficult to lay down a general principle with regard to education.

16775. So that it is extremely difficult to lay down or decree in any way the functions of the Government of India in all respects?—It is very difficult.

16776. Have you ever considered whether it would be possible to pass a general Act in which the principles in regard to education should be defined?—I think that would be extremely difficult; I should simply prefer it to be laid down as a general ruling.

16777. What happens to-day is that each Local Government frames its own regulations, which are submitted to the Government of India for sanction?—Yes, but from time to time the Government of India itself publicly issues general resolutions on the question of its educational policy.

16778. Is the purport of those resolutions embodied in your Regulations?—Yes, we have always to abide those general Regulations, but the Government of India go far beyond that when they come to criticise projects which come from the Local Government.

16779 If you want to get a clearly defined line, ought you not to depart from the principle of each Government submitting its own defined Regulations to the Government of India, leaving the Government of India to issue a general Act, and leaving the interpretation of that Act—that is to say, the making of Regulations—to the Local Government?—I should very much like to see that done if practicable.

16780. You are aware that there are Education Acts in most countries?—Yes.

16781. And there is no reason why, if there are Education Acts in other countries, there should not be a general Education Act in India?—Yes, but are there Education Acts in countries which present such diversities as India, and which have so many independent Local Governments? That is where the difficulty comes in; of course if there was a general Act it would have to be on very broad lines indeed, and if you had an Act on very broad lines you would have to leave very great discretion to the Local Governments when it came to questions of detail.

16782. Do you not think that Local Governments ought to have great discretion, particularly in the

matter of education?—Certainly, because I think the Local Governments have the best advisers with regard to education.

16783. Is the number of transfers among your inspectors very frequent?—Yes, very frequent.

16784. Is that a sound state of affairs?—No, it is very undesirable indeed. With regard to inspectors, I certainly think they ought to stay in a division for five years as a minimum.

16785. Would you say, as an ideal that they should be there a good deal longer?—I am not quite so certain about that; I am certainly of opinion that it is desirable for an inspector to get experience of all the divisions; it is possible that he might become a Director, and it is not desirable that his experience should be confined to one division merely; and he would have a broader view, I think, upon educational questions if he moved about from one division to another.

16786. Can you give me roughly any idea of how long inspectors stay in a division now?—It varies very greatly. I should put the average time as between one and two years. Of course there have been exceptions, but on the other hand there have been very frequent transfers.

16787. How would you propose to remedy that state of affairs?—I think it could be very easily remedied; you have simply to lay down a general order that an inspector should ordinarily stay five years in his division. *Mr. G. W. Küchler.* 31 *Dec.*, 1907

16788. If that is desirable, why has it not been done?—Because the matter has been simply left to the consideration of the moment. I suppose it is so apparent that no one has ever thought of putting it into standing orders, and then questions of departmental convenience arise, and a man is transferred for reasons quite apart from considerations of efficiency in his work.

16789. Have you an adequate number of inspectors?—We have not an adequate number of inspectors at present, but the number is being largely added to, and I think we shall have an adequate number in the course of the next few years.

16790. There will be no difficulty, then, in the way of securing that people should remain a reasonable time in their districts?—I do not think there will be any difficulty.

(*The witness withdrew*).

Adjourned.

TWENTY-FOURTH DAY.

CALCUTTA, *Thursday*, *2nd January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E, C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E, I.C.S.
W. L. HICHENS, Esq.

RAJA RANAJIT SINHA BAHADUR OF NASHIPUR was called and examined.

16791. (*Chairman.*) Where do you live?—I am a zamindar of Nashipur in the Murshidabad district. I am chairman of the Murshidabad municipality, a member of the District Board, and was a member of the Bengal Legislative Council about two years ago. *Raja Ranajit Sinha Bahadur.* 2 *Jan.*, 1908.

The present system of renewing the provincial contract after the lapse of five years according to the requirements of the provincial Governments is based on sound principles and needs no change.

A more complete separation than at present exists should not be effected between imperial and provincial finances, as the provincial Government, in case of complete separation, may cease to take such interest as it now takes in respect of revenue with which it will have no concern. Local Governments need not be given borrowing powers.

Local Governments should have powers to create new appointments carrying a salary of Rs. 500 or less, and they should also have powers to increase the salaries of the ministerial staff and ungraded officers of Government.

The Directors and Inspectors-General under the Government of India should, as often as possible, meet the officers in charge of the corresponding departments of the Local Government, and discuss with them important matters relating to their departments, but in no case should the views of such Directors and Inspectors-Generals be finally accepted by the Government of India without consulting the Local Governments concerned.

I would not curtail the right of appeal to the Government of India or to the Local Government now granted in respect of administrative action either by law or by rules having the force of law, or by executive practice. There should be no appeal against the orders of the provincial Government to the Government of India in respect of officers drawing a salary of Rs. 250 or less.

Small sums should be placed at the disposal of Commissioners and Collectors to meet the requirements of their divisions and districts.

The influence of the Commissioner in respect of the Education and the Excise Departments is not sufficiently strong, and adequate weight is not given to his views. District Officers are generally overworked and have very little leisure at their disposal, and, as such, have not sufficient opportunities for personal contact with the people; but the opportunities which they do have are not properly utilised by many officials. The people generally are afraid to approach the officials for various reasons; if the Executive Officers be sympathetic and kind in their treatment and take the people into their confidence, the administration will be much improved. I think these officers have the requisite knowledge of the vernaculars.

There should be a general increase in the administrative staff, and there should be a reduction in the area of some districts and sub-divisions the areas of which are unusually large. Every district should have a Joint-Magistrate.

The transfers of officers are not very frequent nowa-days. The District and other Executive and Judicial Officers should not generally be transferred within three years from the date of their posting to a charge.

Municipalities should have larger powers in respect of their finances, but I do not think that at present the functions of municipalities and District Boards could be suitably extended.

Raja Ranajit Sinha Bahadur.

2 Jan., 1908.

I do not think it is expedient, or that it will serve any useful purpose, to have Advisory or Administrative Councils to assist District Officers; but an Administrative Council to assist the Divisional Officer might be created. He might be authorized to choose men from the landholders and the members of municipalities and District Boards. All important administrative matters should be referred to them, and Divisional Officers should generally act on such advice, though I would not fetter them in any way by such advice.

I would not invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

Village communities, under proper safeguards, might be generally invested with powers as regards the disposal of local affairs relating to revenue, police, sanitation and education. They may also be authorised to dispose of petty civil cases.

16792. Have you experience, as Chairman of a municipality, of questions of education?—Yes, but it is only primary education with which we have to deal.

16793. Does the Commissioner take any interest in those schools?—The Divisional Commissioner does not take much interest in them.

16794. Ought he to have some increased power in his division in that respect?—I do.

16795. Are the people in a district in any way reluctant to come and see either the Commissioner or the Collector?—Yes, they do not dare to approach them, because they fear they will not be properly received or treated properly.

16796. Do you know of any instance in which they have not been kindly received or received in a friendly manner?—I cannot give you any particular instance, but generally we find that the District Officers think that their positions will be degraded, and that the people will take advantage of them, if they mix freely with the people.

16797. Have you any knowledge of your own beyond the general opinion that people have been received by officers in an unfriendly way?—My experience is that they have not been properly received.

16798. Has such a thing ever happened to you?—No, but I have been told that it has happened in other cases.

16799. Are the areas of some of the districts too large?—I think Midnapore is too large.

16800. Apart from Midnapore, is there any district which you think too large?—No.

16801. How long ought an officer to remain in a district before he gets sufficiently acquainted with the people?—He should remain for three years, but he ought to know the people within a year.

16802. Ought he to remain longer than three years?—No, I think not.

16803. In a large district such as you have described, would he have time to get round it in three years?—I think so.

16804. Do the District Officers now consult the people at all?—Very rarely.

16805. Have they ever consulted you?—No. I do not remember to have been consulted.

16806. Have not they asked you: "Is it a good thing to do this or that"?—No, but I think they should. They generally consult the Vice-Chairman of the District Board among non-official gentlemen of the district, but no one else. The Divisional Commissioner does sometimes consult other gentlemen of influence, but the District Officer never.

16807. Would it be well if that were done?—Yes, it would be well, and it would be better for the administration.

16808. Would it be easy to find proper people to consult?—I do not think it would be very difficult. There are a good many representative people in a district.

16809. Would you have those people consulted in a formal way as a Council, or would you have them consulted just as the District Officer thought fit?—As the District Officer thought fit, and there should be no Advisory Council.

16810. With regard to municipalities, ought they to have larger powers than they have?—Yes; as regards finance. In other matters they have sufficient powers, but as regards finance they are controlled by the Divisional Commissioners, even in minute matters.

16811. In what sort of things would you give greater freedom?—There is so much voted for education, so much for sanitation, and so on, and we should not be interfered with in matters of detail. Supposing we have to spend Rs. 5,000 for some local purpose, such as medical, and we have allotted Rs. 500 out of that sum for sanitary measures in order to deal with an outbreak of cholera or small-pox; but if we want to appoint a Medical Officer on Rs. 50 per mensem, we are required to take sanction. In my opinion when Rs. 500 were set aside for the purpose the Municipal Commissioners should have power to spend that amount as they like.

16812. Supposing you were to spend more than your municipal income, where would you get any increased income from?—We have to keep within our income and must not exceed it: if we exceed our expenditure on one item, we have to curtail it on others.

16813. Then it is not a case of wanting to spend more money as a municipality, but you want greater freedom with regard to the way in which you spend what you have got?—Yes, that is the difficulty, and the people are too poor to pay any larger amount of taxes.

16814. Should village communities have increased powers?—The powers of the panchayat should be greatly increased.

16815. (*Sir Frederic Lely.*) Would you also give the Collector a voice in matters of education?—Yes, they have to see that the schools are going on properly; they travel in the districts, and it would be better for the schools if they visited and inspected them.

16816. Are you aware of any harmful result that would follow on Commissioners or Collectors not having a voice in the management of the schools?—I think so, because unless the Collector goes, no one looks after the schools.

16817. Should all Municipal Commissioners be elected?—Two-thirds are elected now. That is enough at present.

16818. Would you give any right of appeal against the orders of Municipal Commissioners?—Yes

16819. Would you give a dismissed *employé*, for instance, a right of appeal against the decision of the Municipal Commissioners?—No, I would let people appeal with regard to building regulations, burial-grounds, and burning ghâts, and matters of that kind, but in no other case.

16820. Would you give municipalities full power of taxation?—Yes, but I would not give them power to impose any additional tax which is not within the Act.

16821. (*Mr. Dutt.*) How long have you been Chairman of your municipality?—Twelve years.

16822. What is the population of the town?—10,000. It is about 5 miles from the headquarters of the district.

16823. Are there any sub-committees in the municipality?—No.

16824. Do you, as the Executive Officer of the municipality, place your work before the members to be passed?—Yes.

16825. Is the assessment list made out by you?—It is made out by the office, and is sent to the Ward Commissioners who generally assess the taxes. There are two Commissioners in every ward, and in some wards there are three. The assessment lists are then laid before a meeting and passed.

16826. Do you make any contribution to the high school?—No. We support the primary schools only.

16827. Are there any members whose duty specially it is to inspect the schools?—No.

16828. Is sufficient attention paid to school work?—There is a School Committee. It is composed of non-official members. There are two or three Commissioners of the municipality, and two or three are elected from outside.

16829. Do they submit their suggestions or remarks to you?—No, they are submitted to the President of the School Committee, and if the President likes to consult the Chairman, he does so.

16830. Are there any dispensaries in your municipality?—Yes. They are supported from municipal funds and by subscriptions.

16831. Is the management in the hands of the Medical Department?—Yes.

16832. You are also a member of the District Board?—Yes, for six years. I was nominated by Government.

16833. Do you find that you have lost the confidence of your countrymen in consequence of that nomination?—No.

16834. Have you any sub-committees on the District Board?—Yes, there is a Finance Committee and an Education Committee. The Finance Committee checks the accounts only.

16835. Who prepares the budget?—The Vice-Chairman. It is not placed before the Finance Committee. It is passed by the District Board.

16836. Would it be a good thing if it was placed before the Finance Committee to be checked and revised before coming before the full Board?—Yes.

16837. You think that village communities should be generally invested with powers with regard to schools and village affairs—by "village communities" do you mean the head panchayat and other members?—Yes.

16838. When those village committees are formed, would you refer to them local affairs with regard to revenue, police, sanitation and education?—Yes.

16839. What revenue duties would you delegate to them?—The collection of the chaukidari tax.

16840. And with regard to sanitation and education?—Only that they should look after roads and tanks and keep the village in order. The schools within the village should be supervised by them.

16841. (*Mr. Hichens.*) Would you suggest that a Collector ought to continue in a place after he has been there for three years?—No, that is not imperative, but I should not allow him to remain more than five years, because if he were an unpopular man the people would wish him to go away.

16842. Supposing he was not unpopular, and was an able and efficient officer, should he not then stay longer than five years?—I think after five years he would cease to take any interest in a place.

16843. Do your duties as municipal Chairman take up much of your time?—Yes; about two hours a day.

16844. Would there be any difficulty in most towns in finding a non-official prepared to give up that amount of time?—No.

16845. It has been stated from time to time that although municipalities have nominally a good deal of power, yet, in practice, they are rather dominated by the Collector—what do you say with regard to that?—I do not find that to be the case at all.

16846. You do not find, for example, that the Collector sends you orders that you must spend more money on this matter or that?—No.

16847. He gives you advice, but he does not give you instructions?—Yes.

16848. Do you feel that you are always entitled to consider his advice on its merits, and reject it or take it as you please?—Yes.

16849. Is it possible to delegate more work from the District Boards to the Local Boards?—Yes, I think so, at least as regards roads and education.

16850. Would you say that a Local Board has very little power at present?—Yes, very little.

16851. Is there much interest taken in their work?—No, I do not think there is because they have so little power.

16852. Is it worth while to try to build up local feeling by strengthening the power of Local Boards?—Yes.

16853. Would you be prepared to make them fixed financial grants?—There is a proposal that three-fourths of their income should be given them, and I agree with that.

16854. (*Mr. Meyer.*) Do you say that the Collectors do not make sufficient use of their powers in the way of interviewing natives, zamindars and others?—They travel about their districts when the zamindars do see them, but other people are not allowed to do so.

16855. Is not the district organisation capable of improvement, and is there not too much concentration of Deputy Collectors and other people at headquarters?—Yes, also, I think the districts are sometimes too big.

16856. There are a number of Deputy Collectors at headquarters; might it not bring the Government more in touch with the people if those Deputy Collectors were given sub-divisional charges instead?—Yes, but the Deputy Collectors have to do Collectors' work also.

16857. Is not the headquarters sub-division at present under the direct charge of the District Magistrate?—Yes.

16858. Might not a special officer be placed in charge?—I do not think there is any necessity for that.

16859. You have spoken about delegation of certain powers to village communities; do you refer to the village groups that are made into chaukidari unions?—Yes.

16860. In your part of the country there is no real village community, but only these artificial groups?—Yes.

16861. You have a number of large zamindars?—Yes.

16862. Would it be possible to invest a zamindar with some authority to try small civil and criminal cases?—Some people who live in towns are now appointed as Honorary Magistrates, but the educated classes seldom remain in a village all the year round.

16863. Do you mean that the zamindars are absentees?—They do not live in the villages; they live more in the towns.

16864. If a zamindar does not reside on his estate in the country, has he some one there to represent him?—Yes.

16865. Would it be possible to give those gentlemen small powers with regard to civil matters?—Yes, I think so, but not in criminal matters.

16866. Would you prefer to vest those powers in a zamindar himself who is an Honorary Magistrate?—Yes.

16867. Would you give the Commissioner larger powers with regard to Public Works?—Yes, I omitted to mention that.

16868. Have you, as Chairman, power to dismiss or fine or reduce your municipal clerks?—Yes, and then they can appeal to the Commissioners at a meeting.

16869. Can they go on to the Divisional Commissioner?—Under the present law they can if their pay is Rs. 20 or upwards.

16870. Have you any men under your municipality lent by Government, such as Hospital Assistants and people of that kind?—Yes, I have got an Assistant Surgeon.

16871. In order to punish them have you to get the sanction of the Government?—Yes, we have no authority to punish them. We can only complain and get them removed.

16872. Do you support the primary schools by grants-in-aid or do you maintain them yourselves?—By grants-in-aid.

16873. Who settles which schools are to be aided and which not?—The Commissioners settle that, but of course they consult the inspector of schools.

16874. Does he tell you which schools ought to be aided?—He advises. We are not bound to accept his advice.

16875. Have you any reason to complain that the inspector of schools has interfered unduly?—No.

16876. Does he interfere with your budget allotment?—No.

16877. With regard to District Boards, are you in favour of any change in the present scheme of election?—I do not think I would interfere with the present system.

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16878. Are you of the same opinion with regard to municipalities?—Yes.

16879. (*Sir Steyning Edgerley.*) Have you a dispensary committee in your municipality?—Yes.

16880. Is the municipality represented on it?—The Chairman of the municipality is Chairman of that committee.

16881. Who is the Chairman of the Local Board?—He is a non-official gentleman.

16882. Is there more life in the way of local self-government in your municipality than in your District Board?—There is more life in the municipality. The people do not take so much interest in the District Board, because the people who are elected on them come from the interior and they are less advanced in public matters.

16883. Do you mean that, as a whole, they are more rustic?—Yes.

16884. May I take it that you have a very fair measure of local self-government in your district?—Yes, as regards municipalities.

(*The witness withdrew.*)

RAI SITANATH ROY BAHADUR was called and examined.

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16885. (*Chairman.*) What is your occupation?—I am a zamindar, banker and merchant. All loans, whether intended for imperial or provincial purposes should be raised by one and the same central authority, *i.e.*, the Government of India; otherwise the application of the Supreme Government and of the provincial Governments to the market for their respective loans, if made simultaneously, would unsettle the market: the provincial Governments would not be able to raise loans on the same terms as the Government of India, and the tenders for their loans will always be at a heavy discount. I would allow provincial Governments borrowing powers, provided they had complete control over their respective finances, and provided such finances were distinct and separate from the imperial finances.

Delegation of additional powers, whether financial or administrative, to provincial Governments or to Heads of Imperial Departments is not necessary, for they are already invested with powers sufficient for all necessary purposes, nor are additional powers in the direction of creating new appointments or of enhancing salaries desirable.

So far as the people are concerned, the Government of India is impersonal, for they are not at all in touch with the representatives of the people. In all matters relating to the people and the country, when people want money for public purposes, the Government of India is too much dominated by considerations of revenue.

I have no definite knowledge of the respective functions of Directors and Inspectors-General under the Government of India, but the general impression is that these are sinecure and ornamental posts. The departments which the Directors and Inspectors-General are supposed to supervise and control could be better controlled by provincial Directors and Inspectors-General. But the presence of Imperial Directors and Inspectors-General with the Government of India is sometimes necessary in order that the latter may have the benefit of expert advice from the former on local and technical matters.

I would not curtail the existing right of appeal either to the Imperial or Local Government. Withdrawal or modification of the right of appeal would lead to abuse and to arbitrary action and hasty dismissal.

At present all items of expenditure in the provincial budget are fixed not according to the official requirements of the province, but according to the doles of charity received from the Imperial Government. Constituted as the provincial Governments are, with an entire absence of popular element in them, I cannot advocate delegation of further financial powers or the powers of borrowing money to them.

Opportunities exist, but the Executive Officers do not take advantage of them, to come into personal contact with the people, nor do they relish the idea of coming into contact. The plea that the District Officers are overworked and have no time to receive people is a vain excuse, for much of their routine and departmental works are done, and done very well, by the Deputy Magistrates in charge of the several departments. They are required by departmental rules to spend 90 days in a year on tour in the *mufassal*, and during these tours they have ample opportunities to mix freely with the people to hear their grievances, to ascertain their wants and requirements. But this they seldom do, for portions of their time on tour are devoted to either visiting and inspecting schools here and there, or a solitary charitable dispensary, or *khas mahals*, and portions are devoted to the disposal of petty criminal cases. It is not overwork, but the pride of the office, which prevents officials, both European and Indian, from mixing with the people. As for mixing freely or on terms of equality, it is out of the question. Want of sufficient knowledge of the vernaculars can be no excuse, for the upper and middle classes of people can talk English or Hindustani. But I would insist on a thorough knowledge of the vernaculars, and this should be a condition precedent to promotion.

Midnapore and Mymensingh are the two largest districts in Bengal and Eastern Bengal respectively, but even the inhabitants of these districts do not like that a new district should be carved out of each of them; for the creation of a new district or of a sub-division tends to promote litigation—the nearer a Court the greater is the incentive to make a complaint. The present staff of District and Sub-Divisional Officers would be enough, provided they could be freed and released from their labours of love in connection with District and Local Boards and municipalities.

Transfers are too frequent; before an officer is sufficiently acquainted with his new duties and with the people around him, the next Gazette announces his transfer to another district. The remedy lies in promoting the next senior or qualified officer on the spot to fill up the temporary vacancy.

The former constitution of the Calcutta Corporation should be restored, and the two co-ordinate authorities, viz., the General Committee and the Chairman, should cease to exercise functions independent of the Corporation. The number of elected Commissioners should be raised to the former number of 50. By reducing the number of elected Commissioners from 50 to 25 all popular control over the affairs of the town of Calcutta has been taken away and the whole authority now vested in the Chairman; for it is the official Chairman who now rules the Corporation through the nominated Commissioners. The General Committee have, as it seems to me, usurped the functions of the Corporation by taking on themselves the authority to sanction, illegally, I should say, expenditures and estimates up to Rs. 10,000 without any reference to, or the approval of, the Corporation. What we want is that the General Committee should cease to exist as an independent co-ordinate authority, but like the Town Council of the old Act it should be a Sub-Committee of the Corporation without an independent existence of its own, and what we more particularly want is that the number of elected Commissioners should be raised as before to 50. The Chairman of the Corporation who is to preside over the deliberations of the Corporation should be distinct and separate from the Executive Head of the Corporation, and all assessment appeals should be disposed of, as heretofore, by a special committee of the Corporation.

Though, in name, municipalities are self-governing bodies, in reality they are not so, they being too much under the control of the District Magistrates and the Divisional Commissioners, the latter having the legal power to upset even the unanimous decision of a municipality. All undue interference should cease, and the only controlling authority should be the Local Government, while the functions of the district authorities should be to guide and advise. Municipalities should have complete freedom to prepare their own budgets. Officials should never allow themselves to be elected as Chairmen of municipalities; with a Magistrate acting as Chairman, elected members, however large their number may be, cannot have free scope and

independence of action, and they have to bow, involuntarily, as it were, to the decision of the Magistrate-Chairman.

The Chairman of the District Board should be a non-official gentleman, and two-thirds of its members as in a municipality (but I would rather have three-fourths) should be elected, and even amongst the nominated members there should be a large preponderance of non-official persons and the District Magistrate should have no connection with it.

Before constituting councils for Divisional or District Officers I would prefer to wait till the results of the workings of the proposed Imperial and Provincial Advisory Boards are known. The answer to this question entirely depends on whether the proposed Divisional and District Councillors are to be invested with some statutory powers; whether they should have some control over the administration and finances of the division or of the district, or whether they would be purely honorary advisers, mere ornamental bodies, no statutory obligation being attached to their advice or decision.

It would be a great blessing if the village communities, now nearly extinct, could be revived and invested with, besides other powers, powers of disposing of petty civil and criminal cases.

16886. What are your reasons for recommending that all loans should be raised by the Government of India and not by the provincial Governments?—Until the provincial Governments have complete control over their own finances, I would not allow provincial Governments to raise loans. Moreover, if loans were raised by them, it would tend to unsettle the market, and they would not be able to raise money at the same price as the Government of India would. The credit of the Government of India in the local market is much greater than that of the Local Governments.

16887. Is there any rupee market which is now untouched by the Imperial Government which if the provincial Governments had power to borrow could be touched by them?—I am not aware of any. All markets are open to the Imperial Government.

16888. Would investors have any preference towards a provincial Government as against the Imperial Government?—Most decidedly not.

16889. Do you think that the Divisional and District Officers are in touch with the people?—So far as the people are concerned, they are not at all in touch with them generally.

16890. Where do you live?—In Calcutta, but I am a resident of the Dacca district, and I am a member of the Eastern Bengal Legislative Council; I am a member of the Calcutta municipality, and I was also a member of the Port Trust.

16891. Have you much knowledge of the country outside Calcutta, such as would bring you in touch with the people in the country districts and make you acquainted with the work of Collectors and Commissioners?—I have some knowledge of the people in my own district and also of the local authorities.

16892. Is the management of the Court of Works as it exists at the present time satisfactory?—I think they are inclined to take the management of private estates too much into their own hands.

16893. Does the Court of Wards now take an estate out of your hands and manage it while you are still in possession of it?—They would like to. They do it on the plea that the property cannot be properly managed. When property is in the hands of females, the Court of Wards tries to take advantage of the situation and say that females are not competent to manage their estates. In the case of a man dying it must have been his wish that his estate should remain in the hands of his wife, but in such cases the Court of Wards are too much inclined to take over the management of private estates. In that direction their action is objectionable; otherwise the management is very satisfactory.

16894. Has a Commissioner sufficient control over the expenditure of the Court of Wards?—I have no knowledge as to that.

16895. Is there much sympathy between the officials of the Government and the people of a district?—I do not know whether there is sympathy, but there is not much intercourse.

16896. Does that affect both the native and the European Executive Officers?—To some extent.

16897. Is it more noticeable in one case than the other?—It is more noticeable in the case of the Europeans, who are very exclusive.

16898. Can you suggest any reason for that exclusiveness?—I ascribe it to their unwillingness to mix with the people—they think it a great condescension, and that it is below their dignity except, of course, with regard to the big Rajas and so on.

16899. Do the people desire that the District Officers should mingle with them?—Certainly, I think they would like it.

16900. Is there any obstacle, as far as you know, to their doing so?—Not to my knowledge, but I know that amongst some of my educated countrymen they do not think they get proper treatment when they go to see officials, and they are not therefore willing to go to see them.

16901. Do you mean that there is a section of the community which does not like to see the officials?—Yes, because they do not receive proper treatment.

16902. Have you any knowledge of the work of municipalities?—Only a slight knowledge, but I think there is too much indifference on the part of municipalities with regard to their work.

16903. (*Sir Steyning Edgerley.*) You would like to see the provincial Government self-contained, with control over its finances, provided the people were allowed a voice in that control. What exactly do you mean by that statement?—The Provincial Government should be assisted by an Advisory Board, and no measures should be carried out unless they were sanctioned by, say, three-fourths of the members of that Board.

16904. Do you mean that you would have a Government with a large Executive Council?—Not necessarily, but I think if anything were opposed by three-fourths of the members, it should not be carried out. Whether that is feasible or not, however, I leave the Government to decide.

16905. How long is it since you were a member of the Port Trust of Calcutta?—About nine years.

16906. Do you regard the Trust as an efficient business body?—I think it is an efficient body.

16907. You spoke of the difficulty of intercourse with the people, but have you ever met with any personal discourtesy or difficulty as regards officials?—No. At the beginning of my career I used to experience some little difficulty, but now I have none.

16908. (*Mr. Meyer.*) With regard to the suggested separation between imperial and provincial finances, would it be possible in this country?—I think the Government of India might retain some control and power of supervision, but I do not see any reason why the finances should not be separated.

16909. Are you aware that the present financial system is based upon divided heads?—I know that some of the heads of finance are under the provincial Government, but I am not aware of the system.

16910. Are you opposed to the taking over of estates by the Court of Wards?—If it is against the feelings of the members of the family, I am opposed to it; if the members are willing to agree, I do not see any objection.

16911. The law now limits the taking over by the Court of Wards to estates which pay revenue to the Government. Do you think the Court of Wards ought to be able to take over the management of any estate, whatever its character, if it were an important one?—I would have no objection to that.

16912. Would you have any objection to Commissioners being invested with the powers of the Court of Wards which are now exercised by the Board of Revenue?—I think I would prefer the present system to continue.

16913. You spoke of the advantages of the present work of Collectors being done by Deputy Collectors in charge of their several departments; is there not room for further delegation?—Deputy Magistrates are already invested with sufficient powers, and I do not wish them to have more. I do not think the people would like it.

16914. You spoke of the zamindar being constantly accessible to his tenants, but large zamindars very often do not live on their estates at all?—Most of

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them do not, but there are several who do live on their estates. Of course we go now and then to our country houses, and then we are accessible to our tenants.

16915. How often do you go to see your tenants upon your estates?—I do not go simply for the purpose of seeing my tenants—I go four or five times a year for my own purposes.

16916. Have your tenants sufficient opportunities of access to you during those visits?—Native gentlemen are always open to access by their tenants.

16917. How long do you stay on these occasions?—Sometimes for a fortnight, sometimes for a month. I spend about three months in the year there.

16918. You say that the District Board work should be taken away from Collectors, would you also be in favour of magisterial work being taken away from Collectors?—Yes.

16919. Would you reduce the Collector to a mere Collector of revenue?—I would not go so far as that.

16920. Is it not important that a Collector should be looked upon as the representative of Government in his district?—Certainly, but I do not think he should have any judicial power.

16921. You say that he should not be Chairman of the District Board? Does that mean that you desire that he should have no connection with education, roads, and sanitation in his district?—Not actually, if any other man is entrusted with the position of official Chairman, the Collector of the district might have some control over him.

16922. But would the Collector take as much interest in local matters if he merely came from outside to exercise a check, as if he sat on the Board and discussed questions first hand?—The complaint is now that a Magistrate is over-worked.

16923. But, supposing he could find the time, is it not of importance that he should meet the best men of the district, on the District Board, and talk matters over with them?—I think the elected and nominated members do not have freedom of action on those occasions.

16924. Are they afraid of the Collector?—Certainly.

16925. Do you mean that men like yourself are afraid?—Yes.

16926. Would you be afraid to speak your mind if the Collector was presiding at a District Board meeting?—To some extent, yes.

16927. (*Mr. Hichens.*) Are you a member of the General Committee of the Calcutta Corporation?—No.

16928. How is that Committee appointed?—It is appointed partly by election and partly by nomination.

16929. You suggest that it has usurped certain functions which should properly belong to the Corporation? Have you ever brought the matter to the notice of the Corporation?—It has been several times discussed at meetings, but the Chairman was of a different opinion.

16930. We were told by the last witness that he did not think the Collector in any way dominated over his municipality; was that an exceptional case?—I have no personal knowledge of the work of a municipality and what I have said is from hearsay. I think the public opinion is that there is a tendency to interfere with municipal work.

16931. (*Mr. Dutt.*) Supposing the District Magistrate still remained Chairman of the District Board and the actual work was distributed amongst sub-committees, each sub-committee taking charge of one department and the District Magistrate retaining supervision of the whole, would that be any improvement on the present state of things?—But everything has to be brought up before the meetings of the District Board and discussed ultimately for final disposal; so that the Magistrate still would have the power to dominate over them.

16932. But would it not be an improvement on the present state of things?—Not necessarily.

16933. Is not the Road Cess now spent in the district where it is levied?—But the district does not get the benefit of it, and that is a misfortune.

16934. Is not the whole of the Road Cess, *minus* a part spent on establishment, spent within the District?—But how it is spent, I do not know.

16935. Are you a member of the District?—No, but I know that the people do not see the results. That is my complaint. We pay the tax, but we do not enjoy the fruits.

16936. In a sub-division are there no agencies between the Sub-Divisional Officer and the people except the police?—I wish there were.

16937. Your complaint is that the people are not sufficiently in touch with these Sub-Divisional Officers. Would it be an improvement if smaller areas were created and a Revenue Officer, with some judicial powers, was placed in charge of each of these smaller areas?—I would not like to have the number of officers multiplied; I would like to see the powers given to the communities and to presidents of panchayats. They would not abuse these powers and the people would like it. I think village panchayats should be revived.

16938. Do you propose that power in a village should be given to one man as the head of the panchayat, or to a number of persons forming a panchayat?—Powers might be given to the president of the panchayat, or it might be given collectively.

16939. Would you also give them some small judicial powers?—Certainly. In regard to small civil and criminal cases, it would be a blessing. They could act as peacemakers between the parties, and settle cases which otherwise would have to come before the Magistrate.

16940. Would you also give them power of managing village schools and of keeping the villages in a proper sanitary condition?—Yes; the more powers given to village communities, the better, because they are in direct touch with the people, and they know the conditions and wants of the place.

16941. In that way would the villagers also be brought into closer touch with Sub-Divisional Officers and others?—Not necessarily.

16942. Is your suggestion only made in order to give them some power to deal with their own affairs?—Yes.

16943. (*Sir Frederic Lely.*) As regards the pride of office which you allege, has the Indian Officer become worse in that respect of late years?—I cannot say that they are worse in that respect.

16944. Have the Europeans got worse?—All I can say is that they are not in touch with the people; they are not accessible, but I do not know whether they are good, bad, or indifferent.

16945. Can you compare them as they are now with what they were formerly?—It is the general belief that formerly they were more accessible than they are now. When there were no railways, or steamer communications, they used to live in isolated villages and could not help mixing freely with the people, and they did so with the view of killing time. But now Calcutta and other places being so accessible to them, and there being such a large European colony, they do not mix so much with the people.

16946. Have you observed the same sort of change in the Indian officer that you have observed in the European officer?—No, I do not find any change in Indian officers.

16947. Is it a fact that the District Officer treats all men alike and that he does not recognize distinctions of rank?—He certainly does.

16948. You say that the people should be brought in to help in the administration of affairs, but that you cannot formulate any scheme by which that can be carried out. Can you suggest any one who can formulate a scheme for that purpose?—I am afraid it must be left to the members of the Royal Commission to formulate it and not an humble individual like myself.

(*The witness withdrew.*)

Mr. A. L. McINTIRE was called and examined.

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16949. (*Chairman.*) You are the Conservator of Forests in Bengal?—Yes, my service dates since 1884.

16950. What is the organisation of your department?—The gazetted staff of the Bengal Forest Circle at present comprises, exclusive of a Conservator, 11 Imperial Service, and 10 Provincial Service appointments. Of these officers usually 12, including the Andamans divisional forest officer, who is supplied from Bengal, hold charge of forest divisions, *i.e.*, forest charges which include all the Government forests in a sub-division of a district or in a district, or in a group of districts. The rest of the officers who are not on leave, or on deputation to appointments on the list, are usually employed as attached or range officers, ranges being units into which forest divisions are subdivided, which are mostly placed under the charge of subordinates. My own duties as Conservator are those of a consulting officer in forest matters to the Local Government; an inspecting officer of the divisions included in the circle and of their offices; an auidit officer of divisional accounts with powers of sanction of revenue and expenditure transactions which are beyond the powers of Divisional Officers.

I have powers to appoint, promote and post to forest divisions subordinates in superior service and clerks, and I have limited powers of passing first orders in cases against Upper Subordinates and clerks and of passing orders on appeal against punishments which divisional forest officers are competent to award.

In the matter of working-plans and preliminary reports on their preparation which are submitted direct by me to the Inspector-General of Forests, I am in large measure responsible for the work of the compilers of these plans. The Inspector-General is under no obligation to forward preliminary reports to the Local Government unless he takes strong exception to any of their proposals. But he is bound to submit complete working-plans to the Local Governments concerned with his recommendations. Thus in the matter of preparing working-plans I am, for all practical purposes, directly subordinate to the Inspector-General. In practice I have only a right of appeal against the Inspector-General's orders on working-plans to the Local Government, which, if it supports me, must refer the matters in dispute to the Government of India. The wide powers formerly exercised by the Inspector-General in this respect have lately been enhanced by the Government of India's rules for the employment of officers of the Imperial Research Institute at Dehra Dun. Under these rules, the Inspector-General is at liberty to send to any forest the Imperial Superintendent of Working-Plans, whose duties are largely those of a professor, and to supply him with local information which he is at liberty to accept to the ignoring of the views of the Conservator and divisional officer concerned.

Local Governments should exercise full powers under the Forest Act, except that section 26 of that Act, which makes the previous sanction of the Governor-General in Council necessary for the issue of a notification disforesting any reserved forest, should be retained. The previous sanction of the Governor-General in Council required under sections 39 and 77 should be dispensed with. The intervention of the Inspector-General of Forests in connection with working-plans should be limited to advising Local Governments. Articles 85 and 90 of the Forest Department Code should be changed so as to provide for the direct submission of preliminary reports on working-plans and of complete working-plans by the Conservator to his Local Government, which would forward them to the Inspector-General for favour of his opinion. The direct issue of instructions by the Inspector-General to Conservators under article 86 of the Forest Department Code should be stopped. Local Governments would thus obtain the benefit of the general knowledge and experience of the Inspector-General and of information brought to light through the work of the Research Institute, while Conservators would no longer have to serve two masters, and should have a better chance of securing due consideration of local conditions than they at present possess.

Sufficient powers have been delegated to Conservators under financial rules, and additional delegations which might be considered are of trifling importance. Greater powers should, however, be delegated to Conservators in respect of sanctioning deviations from working-plans.

In forest matters the influence of the Commissioner must largely depend on his personality. As many divisions contain little or no forest, some Commissioners cannot possess much knowledge of, or interest in, forest questions. In divisions in which forest interests are relatively important, it is desirable that the influence of the Commissioner in forest matters should be strengthened. It is not clear to me how this could be done under the present organization of the department, except in revenue divisions where forests are of sufficient importance and well enough distributed to warrant the employment of sub-circle officers, who would exercise most of the powers of a Conservator and would be subordinate to the Commissioner in much the same way as divisional forest officers are subordinate to District Officers.

Executive Forest Officers, generally, have sufficient opportunities for personal contact with the people, and in most cases pick up sufficient acquaintance with the vernaculars to be able to communicate direct with most of these people. The number of different vernaculars in use in the forest regions of their province is so great that only a first-rate linguist, who could give up most of his time to their study, would arrive at a working knowledge of all the languages.

Transfers of Forest Officers in Bengal have of late years been over frequent. Where frequent changes have been necessary, their necessity has been mainly due to the depletion of the staff of Imperial Service Officers through their deputation to fill appointments on the India list.

16951. Previous to the submission of working plans to the Inspection-General is the Commissioner consulted?—We are not bound to consult the Commissioner, but if there is any point which particularly concerns him, he is consulted.

16952. Is the method of sending your working plans to the Inspector-General a good one?—I do not think it is a good one, because it practically forces the Inspector-General to exercise administrative power; he practically directs the preparation of working-plans.

16953. What better method could you suggest?—The Conservator should submit plans direct to the Local Government, which should merely ask the Inspector-General for his advice.

16954. Would not that cause greater delay?—Hardly any, I think.

16955. Does the Inspector-General interfere, in the matter of working-plans, with your administrative powers?—He does in a way. He brings pressure to bear upon me to prepare working-plans exactly as he wants them to be prepared; that is to say, to prepare them according to a general scheme. This has always been done, and to some extent it has had good results. but as we get to know more about things in the provinces and the working gets more detailed, it is a hindrance to effective working.

16956. What province were you in before you came to Bengal?—I was in the Punjab nearly all my service.

16957. Was the method of working in the Punjab practically identical with that in Bengal?—The general lines were much the same, but the details were very different.

16958. In consequence of having to make reference to the Inspector-General, does he perhaps force upon you uniform methods, when it might be more profitable to have a divergence of method?—It tends that way.

16959. If you worked in the way you suggest through the Local Government instead of direct through the Inspector-General, would it make any difference?—I think it would make a great deal of difference. Knowing that the papers would go before the Inspector-General would, to a certain extent, make us more careful than we otherwise should be. But the Inspector-General should confine himself to general questions on which he might give advice to the Government.

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16960. Is the Inspector-General under any obligation to forward any report to the Local Government?—With regard to completed working-plans he is. He sends the working-plans back with remarks.

16961. Has the control over you increased in any way in recent years?—Yes, by the opening of the Imperial Research Institute. There is one of the Professors of the Institute called an Imperial Superintendent of Working-Plans, who can be sent by the Inspector-General, with the permission of the Local Government concerned, to inspect the forests and gather information concerning them. The Inspector-General gets leave from the Local Government for the Imperial Officer to correspond with me direct.

16962. Does he in any way interfere between the Inspector-General and the Local Government?—The arrangement must give the Inspector-General a more direct power of control. It has only just been introduced and we have not seen its practical working yet.

16963. Do you think the Forest Act is in any way too cumbrous and too centralized?—No, it is a very good Act indeed, except with regard to minor details.

16964. Does the Code hinder or hamper your discretion?—No, except with regard to working-plans; my powers might be enlarged, but that is only a matter of detail which is being considered by Government, and they will be enlarged as far as is necessary or desirable.

16965. Have you not to make reference, if you wish to deforest any part of your area?—Yes; in reserved forests. It is very desirable that we should do so. Policy changes and the matter requires a great deal of consideration; there ought to be plenty of scope for consideration before reserved forests are deforested. Once they are deforested, they cannot be afforested again.

16966. Could you not act according to the discretion of the Local Government in a matter of that sort?—Generally you could; but I think you might sometimes temporarily have a change which was opposed to forest interests, and if there was no check, I might get rid of forests which would afterwards be required.

16967. Would it be possible to place a limit upon the area in respect of which an application to the Government of India would be required?—It would be a difficult thing to decide, because area is so indefinite; in some places a small area is of greater value than a much larger area in other places. It is so difficult to make any general rule in that way. It is best at present that the matter should go to the Government of India. You might give the Local Government some discretion.

16968. Has the Divisional Commissioner sufficient influence in forest matters?—If he likes to exercise his powers, he has; it depends upon the Commissioner very largely.

16969. Have your officers a very good knowledge of the vernacular?—Yes, on the whole; most of them go so much about amongst the people that they get a fairly colloquial knowledge.

16970. Are they transferred very often?—Not as a rule. The Provincial Officers have not been very much transferred, but some of the Imperial Officers have been transferred too frequently.

16971. What happens when they are transferred from one province to another? Are they as a rule ignorant of the language of the province to which they go?—If it is a Hindustani province, they would not be quite ignorant of it. But Forest Officers usually have more concern with local dialects, and these differ in almost every district.

16972. Might that want of knowledge lead to complaints on the part of the people in a district?—It might under special conditions, but it is not so in my experience. Most of the officers make efforts to pick up something of the language, though they are not qualified from an examiner's point of view.

16973. (*Mr. Hichens.*) I understand you advocate that all questions regarding deforestation should go to the Government of India upon the ground that you are more likely to get a continuity of policy. Can you give any instance of lack of continuity on the part of a provincial Government?—Not in any place where I have served myself, but I have heard that in Assam there was some difficulty with regard to it six or seven years ago. I have known an instance where forests would have been deforested, but for the fact that they could not have been deforested without the matter going to the Government of India.

16974. Do you know of any other instance in which the policy of a provincial Government has changed or shifted?—Only the one which I have mentioned.

16975. Have Divisional Commissioners any actual powers in forest matters, or is their position merely advisory?—They are merely advisory, but they have some powers in very small details; they are confined to settling disputes between District Officers and Forest Officers.

16976. Is that all the power they should have?—I cannot quite say that; of course a Commissioner does get executive orders from Government to do certain things, such as giving opinions. A Commissioner's opinion is always sought for, on any important question raised concerning his division.

16977. Do the forest divisions correspond with the administrative divisions?—They are generally parts of divisions; as a rule, as far as possible a forest division corresponds with the district—sometimes we have more than one forest division in a district, and sometimes a forest division comprises more than one district. Every forest division falls inside some division, but no forest division extends into two Commissioners' divisions.

16978. (*Mr. Dutt.*) How are the appointments to the Provincial Service made?—The system of recruitment has been recently altered. Formerly a candidate had to go through a preliminary training at Dehra Dun—a two years' course—then after passing he was appointed as a forest ranger on Rs. 50, and after serving five years, he qualified for promotion to the Provincial Service. Now he can be selected by the Local Government to go to Dehra Dun on a special stipend, and after a three years' course there he can be appointed a probationer by the Local Government.

16979. You say that you have some reserved forests and some unreserved forests?—We have protected and unreserved forests—the latter are designated protected forests. The Act provides for the notification of reserved and protected forests.

16980. Do you allow grazing in these forests by the villagers?—As a general rule reserved forests are closed to grazing, but protected forests are open to grazing. Practically, grazing is free, so far as the villagers are concerned: except in one district, where we follow the Central Provinces methods, I do not think any of the villagers pay for grazing. There are some nominal restrictions, but there is no interference.

16981. Do some of these protected forests come close up to villages?—Yes, in some villages all the waste areas have been classed as protected forests.

16982. Are there many complaints on the part of the villagers that the forest guards do not treat them fairly?—Most of the complaints of that nature do not come to me unless it is a case of prosecuting a guard, but considering the opportunities the guards have of making themselves objectionable, the complaints are very few.

16983. Has the District Magistrate any say in those matters?—Yes; if he does not think the forest officer is taking proper action, he can give him orders, or have his own enquiries made. Such cases are not frequent. Generally the complaints are made to the forest officer, and, as a rule, he satisfies the people and takes the necessary action.

16984. Would it serve any useful purpose if you placed a limit as regards the area within which the Local Government might be empowered to deforest?—I do not think it would do much good.

16985. With regard to disafforesting ten acres of land near a village, would it be worth while to go to the Government of India to get orders?—Usually it would not be worth while, but I do not see how you can put a limit on the authority of the Local Government in that matter.

16986. Could you put some limit as regards area?—No, I think if you allow the Local Government to do it at all, you must give them free permission to do it without any limit. It is a legal matter.

16987. (*Sir Frederic Lely.*) Would you deem disafforestation unjustifiable?—No, in some cases it is quite justifiable.

16988. Would your professional feeling lead you to think that disafforestation is a greater danger than

afforestation?—In some cases; generally we think afforestation is below the requirements, although this is not always the case.

16989. (*Sir Steyning Edgerley.*) Has not the Local Government full powers of disposing of working-plans?—They have not full powers, because, in a case of dispute with the Inspector-General, the matter has to be referred to the Government of India.

16990. Is there any special reason for that in Bengal?—No.

16991. Was it the case in the other provinces where you served?—It applies to all the provinces in India.

16992. (*Mr. Meyer.*) Will you explain generally what working-plans are?—A working-plan is a report describing a forest and containing a detailed description of its management for a period which varies according to conditions, usually not less than 10, or more than 30 years. The cutting of timber is the main point.

16993. A working-plan, therefore, might considerably affect the revenue to be derived from a forest?—Yes, to a very great extent indeed.

16994. And the Government of India is interested in that?—Yes, I think it gets half the forest revenue at present.

16995. Is that not possibly the reason why the Inspector-General of Forests has to be consulted in these matters?—No, the reason is that he has to see that proper methods of working are applied.

16996. But are not proper methods of working a *sine quâ non* to proper receipts of revenue?—But improper methods of working might result in a larger revenue for the time being, and less revenue thereafter.

16997. Apart from any need of professional supervision, might not some control of the Inspector-General of Forests be required on general financial considerations, having regard to the fact that there might be a tendency to raise revenue to the detriment of future receipts?—I think the Local Government is quite capable of exercising its discretion in that matter.

16998. You spoke of the Imperial Institute at Dehra Dun as having been only recently established, was there not an Imperial School before?—The whole scheme has been altered. Formerly the officers employed were merely professors, or teachers and lecturers to subordinates; now the thing has been turned into a Research Institute, and they do not spend half their time teaching.

16999. The supervision of working-plans is made over to the best officer in the Department?—I cannot say. It is a selection appointment.

17000. Does he come to you to talk over matters?—He can exercise his own discretion; he can either repeat to the Inspector-General what is suggested by me or by the divisional forest officer, or he may entirely rely on his own observation.

17001. At any rate you have the opportunity of having a discussion on the subject with another expert officer?—Yes.

17002. In the larger forest provinces, such as the Punjab, would it not be possible to give Local Governments a freer hand to appoint their own Conservators as the Madras and Bombay Governments do already?—I think that is undesirable. It is better that those appointments should be on a general list. When the expert of one province gets transferred to another province, it tends to keep things more even.

17003. Do you prefer the transfer of senior Forest Officers from one province to another?—Under present conditions it is desirable.

17004. Would it not be desirable that a Forest Officer should know, not merely the language, but the revenue law of the province, and the customs and prejudices of the people?—That does not concern Conservators so much as it concerns the divisional officers. It is better if they know them, but the advantages of wider experience outweigh those considerations.

17005. In a matter like the Forest Department, which in some way has to infringe upon what the people regard as ancient rights, do not subordinates rather take their tone from the Head of the Department?—No, I think they take it rather from the divisional officer.

17006. And does the divisional officer take his tone from the Conservator?—Yes.

17007. If the Conservator shows himself ignorant of the revenue law and the customs and manners of the people, is it not the tendency of the divisional officer also to regard them as of no importance?—No; Conservators have enough general knowledge to know the importance of it, and to keep the divisional officer up to the mark.

17008. But would it not be better that the Conservator should have an actual knowledge as well?—Of course, the more he knows of the province the better, but the only questions seems to me to be the relative value of local knowledge and general knowledge.

17009. Are not Local Governments restricted, with regard to the appointments of subordinate officers?—Yes, they are governed by rules.

17010. Apart from any general financial restrictions which may be necessary, should they have a freer hand in fixing the *cadre* of the Provincial and Subordinate Service and of making appointments?—I think the present arrangement is the best one for the time being.

17011. In regard to deforesting, does not the present law require the previous approval of the Governor-General in Council?—Yes.

17012. Might it not be possible to alter "previous "approval," to "subject to such general conditions as "the Governor-General in Council might from time "to time prescribe"? If the Governor-General in Council might say: "You can deal as you like with "disafforesting anything under, say, 100 acres, but "you must refer any larger matters"—would not that meet your object?—It would be safer to leave things as they are.

17013. You spoke of differences of opinion between the Collector of a district and the divisional forest officer, but is he not an assistant to the Collector with regard to forest matters?—Yes.

17014. Then how can an assistant have differences of opinion with his Chief and have to go to some outside authority to determine them?—He is not directly under the Collector in the sense that a Deputy Collector is under a Collector; he belongs to another department, and the Collector has not exactly the same hold over him as he would have, if he were his assistant or an officer on the ordinary district staff.

17015. In Madras he is regarded as the assistant to the Collector in matters affecting the people and the revenue generally, and independent, subject to the Conservator, in matters of general forestry—is that the case in Bengal?—Yes.

17016. But in these matters affecting the people of the country generally, if there is a difference of opinion with the Collector, it must go to the Commissioner?—Not in every case; the general custom is that whenever there is any dispute of any kind, and any doubt is raised, the Commissioner is consulted and decides the matter.

17017. As between the Collector and the district Forest Officer or as between you and the Collector?—Either. There might be some difficulty between the Forest Officer and the Collector which might be referred to the Commissioner without consulting me.

17018. You say the district Forest Officer has the right to say to the Collector "I cannot accept your decision," and can ask for reference to the Commissioner?—I said disputes are referred to the Commissioner.

17019. Does not the Collector act on his own discretion, and if there is any doubt he would refer to the Commissioner?—Yes.

17020. But if he thought an objection of the Forest Officer unimportant, it would be open to him to tell him to accept orders?—Yes.

17021. Is not the Commissioner consulted in regard to taking up any new forest area?—Yes, always.

17022. Is he consulted in regard to the preparation of the forest budget?—No.

17023. Has he any power with regard to the appointment of forest guards and so on?—No.

17024. In the matter of punishments, is there any appeal to the Commissioner?—No.

(*The witness withdrew.*)

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Mr. A. KNYVETT was called and examined.

17025. (*Chairman.*) You are the Inspector-General of Police in Bengal?—Yes, under me there are Deputy Inpectors-General, District Superintendents, then inspectors, and sub-inspectors; there is also a new grade of deputy superintendents, which has just been introduced, belonging to the Provincial Service.

17026. We were told in Burma that there were some difficulties with the Commissioner as regards the posting of inspectors of police—have you found the same difficulty?—No, not during the period of my tenure.

17027. Who posts the inspectors?—It is done by the Inspector-General of Police in consultation with the local authorities and in agreement with the District Magistrate.

17028. Mr. Daly told us that the custom of cold-weather touring was finally put a stop to in 1899—is that so?—Yes; the District Superintendent had to come back at the end of the month to sign certain registers and there was such an order passed.

17029. Was that a good custom or has it in any way restricted the intercourse of Police Officers with the people?—The order was due probably to the shortness of officers, but now since the Police Commission recommendations have had effect, we have more officers at headquarters who are able to do that particular work which the District Superintendent of Police was ordered to come back to do, and that order might very easily be withdrawn.

17030. Does the power with regard to these tours rest with you?—Any order like that would be passed with the approval of Government, and therefore would have to be withdrawn with the approval of Government.

17031. Would it be a good thing to restore the earlier state of things?—I think it would certainly.

17032. Have many of your Superintendents an imperfect acquaintance with the vernacular?—As compared with other provinces, perhaps, they have, but in the United Provinces, for instance, they have only to do with one language, while in Bengal we deal with two and very often more—Bengali, Hindi, and if a man goes to the frontier districts he comes across all sorts of other languages

17033. Would the language difficulty be a reason why you should attempt as far as possible to stop transfers?—There would be difficulty in this way; in Bihar they have a language of their own, in Bengal they have a language of their own, in Orissa they have a language of their own, and, unless you keep a certain number of officers in each of these three circles, you can hardly expect any improvement with regard to the question of vernacular.

17034. Do officers nowadays stay long enough in their districts to get a real knowledge of them?—That has not been the case.

17035. Would it be more advantageous to the Government to keep an officer even at the risk of health in an unhealthy district than to transfer him constantly?—I think that these transfers have not been so much due to that reason, as to the depleted *cadres* and men going away on leave.

17036. But have you not filled up your *cadres*?—We have not; we have been trying to do so, but we are still 27 officers short.

17037. Who is responsible for the transferring of officers and filling up vacancies and appointments?—It rests with the Local Government; a recommendation goes up and is accepted or not, as the case may be.

17038. Then has the Inspector-General really no power to make appointments or transfers?—He has the power of suggesting, but the responsibility rests with the Secretary of the Government.

17039. Have you many officers whom, upon the mere score of inefficiency, you would like no longer to retain?—No, there are not many, and our recent recruitments have been exceedingly good.

17040. Have you had any difficulty in getting rid of any such officers?—Yes. A man may be inefficient, but Government does not turn him off, although it is against the interest of the Government to retain him.

17041. Ought there to be greater power of selection before promoting officers?—Yes. We are free to select officers for promotion, but it is in the recruitments that mistakes are made; I am not speaking of the recruitments of late years, but in former years.

17042. Ought you to have greater powers of selection than you have at present?—No, I do not think so; the present rules are very good.

17043. Are the traditions of your Service against the exercise of powers of selection when cases for promotion come up to be considered?—Yes; they have been almost entirely regulated by seniority up to certain grades, but, latterly, the powers have been extended in the way of barring officers from entering the higher grades, and that has now come to be recognized.

17044. Are you quite satisfied with the relations of your District Superintendents and the District Officers?—Yes, except in one or two instances, which have been put right lately.

17045. Are there not two channels of appeals in diciplinary matters?—There were, but that section has been amended by the new Police Act of 1905, which we have just had orders to introduce. We have no longer any reason to complain with regard to that.

17046. Have you anything to say with regard to the Director-General of Criminal Investigation?—No, he has not interfered with our province in any way that I can complain of.

17047. (*Mr. Meyer.*) Are you quite correct with regard to what you said about the Police Act of 1905?—I referred to the proposals contained in the Police Act of 1905. It has been hung up, and we have recently got orders from the Government of India to give effect to certain sections contained in that Act.

17048. Did not the draft Bill simply lay down the procedure with respect to appeals; that there was to be as a rule only one appeal through the departmental channel, that is to say, from the District Superintendent to the Inspector-General?—Yes.

17049. Has the Bengal Government issued departmental instructions, that that is the course which appeals should take hereafter?—That order has been given, but it has not been given effect to yet. The matter is under consideration.

17050. Is there not an article of the Civil Service Regulations which says than an officer shall ordinarily not be allowed halting allowance for more than 10 days, the object being to ensure that an officer tours properly?—Yes.

17051. There has been an exception made in the case of the Criminal Investigation Branch of the police up to 60 days; and you want power to the Inspector-General to give the same latitude to officers of the ordinary police?—Yes, should occasion require it.

17052. Criminal investigation work may require an officer to halt at one place for days and weeks together?—Yes, and as a matter of fact they do.

17053. Does that apply to the ordinary police?—Yes, it does in some cases. Very often an important case requires a man to be on the spot for several days, over and above the 10 days. Perhaps not up to the 60 days.

17054. Is not "60 days" rather a large number? Could you not do, say, with 30 days?—If we had the power of relaxing the rules and the power of discretion, it would be preferable.

17055. Would you stick to the 60 days, though you admit that there is a difference between the Criminal Branch and ordinary police work?—Yes.

17056. As regards the power of the Inspector-General to withhold memorials to the Local Government, is not the rule now that you need not send on any cases on second appeal with regard to an officer drawing Rs. 50 or less?—Yes.

17057. It has been stated that, when appeals are submitted, the original officer is called upon to reply to long petitions, paragraph by paragraph, and that this takes place every time an appeal goes up a stage higher. Is that so now to your knowledge?—It has been so up to a certain date. The officer who has

passed the order is more or less put on his defence, and charges are brought against him which he is supposed to refute in the margin in forwarding the appeal.

17058. Would appeals from the orders of District Superintendents in regard to constables come to you, after going to the Deputy Inspector-General?—They would not, unless I had interfered originally in the order; unless I order that appeals should be sent to me, they go into other channels.

17059. Do you follow the principle of not calling for a report, paragraph by paragraph, but telling the original authority to send up the record and then seeing if there is anything more to be dealt with?—No, there are certain rules, but when an allegation is made against an officer, who has passed an order, he is supposed to meet that allegation and offer some sort of explanation, whether it is true or false.

17060. Assuming that appeals must go on, is it possible to simplify the procedure on the lines suggested, that is to say, that on appeal from the original officer he would merely send on his record with any further explanatory remarks which the appeal petition might suggest?—Possibly it might. I am not prepared to give a decided opinion.

17061. Have there been a considerable number of changes in the officers holding your appointment?—Since 1898 there have been 5 permanent Inspectors-General of Police, but since 1903 there have been 2 permanent Inspectors-General and two officers who have officiated on occasions.

17062. The police, I understand, used to have a good deal to do with the chaukidari panchayats. Has that power been largely taken away lately?—Yes, altogether—we have nothing to do with the panchayats now.

17063. Or in connection with the chaukidars?—No.

17064. But is there not a head chaukidar?—Yes; a daffadar, whom we have the right of selecting.

17065. From the police point of view, has it been prejudicial or otherwise to the general peace of the country?—It is very difficult to get statistics to judge how a thing like that is acting; but my personal opinion is that, as the chaukidars are the ears and eyes of the police, the police ought to have something to do with their selection and be associated more with them and that they ought to be more or less under him. Of course, as regards getting information and things of that kind, if the hold of the police is loosened over the chaukidar, they are also losing hold of the means of detecting crime.

17066. Has there been any spread of crime or any decrease in the number of offences detected since the change has been made?—I cannot say; there is no reliable statistical indication.

17067. Might larger civil and magisterial powers be given to chaukidari panchayats?—I should like to see a village tribunal or a village panchayat which would take over a great deal of the work in connection with crime which is now dealt with by the Courts. It would be very difficult, but it could be done.

17068. Ought an experiment to be tried and every effort made to bring it to success?—I should certainly think so.

17069. Then you admit there is some amount of grievance at present in the way in which people are brought to or from the courts in small cases?—Yes, and it would do away with the large number of pleaders you see hanging about the courts, who have to live, and therefore foster and promote complaints of this nature.

17070. Would you add, as a corollary, that if such powers were given to panchayat, they should not be appealable to a magistrate?—They should be absolutely non-appealable, and I would not allow a *muktear* or a pleader anywhere near them. I should have a simple record made of what was done, and if possible an officer who could go round periodically and see what the record was, talk over their cases and raise the tone generally of the village community. That could easily be done, and it would be a good thing to do.

17071. Do you mean an officer of the Deputy Collector class?—I would suggest the District Magistrate, and it would bring him more into touch with the people and the Local Government than anything else.

17072. Assuming that it is desirable that there should be some outside inspection of panchayats, would it be better done by the officer who has territorial jurisdiction, say the Sub-Divisional Officer, or by some special officer appointed to have charge of chaukidari panchayat work for the district?—I am distinctly of opinion that if you are going to increase or restore the influence of the District Officer, it should, as far as possible, be the District Officer himself and the Sub-Divisional Officer.

17073. (*Sir Steyning Edgerley.*) Does promotion by seniority go up to the Rs. 900 grade of Superintendent?—Yes.

17074. In 1906 you had an Assistant Inspector-General in charge of the whole of the Railway Police?—We had two Assistant Inspectors-General; one was in charge of the East Indian Railway and that system; the other was in charge of the Eastern Bengal State Railway and the system.

17075. What have you got now?—We have got three Superintendents and one Deputy Inspector-General for Railways; he is also Deputy Inspector-General for crime.

17076. Does one Superintendent take charge of the whole of the East Indian Railway system?—Yes, so far as it is in our province; he is bounded by our boundaries of course. His jurisdiction is about 1,300 miles, up to Moghal Sarai.

17077. Has he no European Gazetted Assistants?—No; he has merely got inspectors.

17078. Is one officer adequate for a charge of that sort?—I think myself that he is overworked; he always has been; he has never been able to carry it out properly.

17079. When a mail train leaves Howrah station, where does it first stop?—It is a very long run, about 60 miles I think, straight through to Burdwan.

17080. Practically there is no suburban station for Calcutta?—No, except Lilloah, where they take the tickets; there is no suburban station where the train stops.

17081. (*Sir Frederic Lely.*) In addition to the power to give administrative sanction to additions or alterations to buildings, would you also empower the Inspector-General to carry it out by the agency of his own people?—Yes, because we can do them almost as well and far more cheaply; also, more quickly.

17082. Has not the scheme for the re-organization of the department, which is still in progress, involved a large number of orders on mere details by the Secretary of State?—Yes, we have had orders on details, on the Police Commission's Report.

17083. Has the regulation of details by the Government of India been excessive?—I could quote one or two cases where it has been, but I have no very general complaint to make.

17084. Would the ordinary organisation be better carried out by the Local Government?—If the Local Government's suggestion had been carried out, we would probably have been better off.

17085. Does the Commissioner co-operate in police work at all?—Whenever any important matter comes up, I always consult the Commissioner. I should not move officers or take any step of that kind, without first ascertaining if possible that it met with his approval.

17086. Has he any authority to take any initiatory steps himself?—He can write and suggest things perhaps; if he should find that there was anything wrong in his division in connection with these charges, he would write: I would welcome any assistance of that kind.

17087. Are Sub-Inspectors now chosen according to the new rules adopted as the result of the report of the Police Commission, and given a special training before they begin their work?—Yes.

17088. (*Mr. Dutt.*) Are head-constables usually now promoted to the grade of sub-inspectors?—It is permissible to promote up to 15 per cent. of the numbers recruited.

17089. Can you yet say whether the work of the police has improved under the new rules?—I think there is no doubt that the class of officer and the class

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of work has improved. The system has been in operation since 1905; we had schools before that, but I think that the improvement has been in the last four or five years.

17090. Are sub-inspectors eligible for promotion to the post of Inspectors and Deputy Superintendents?—Certainly, we do not bar merit.

17091. Have the Magistrate's powers with reference to the police been restricted in any way in recent years?—Not that I know of; he is just what he was before; he is in general charge of the administration of his district.

17092. Has he any power over the promotion of police officers above the rank of head-constable and sub-inspectors?—He has always the power of recommending.

17093. Suppose a man is promoted and he vetoes it; has he any power of suspending promotion?—He has not the power of actually stopping it, but if he gave his reasons for thinking that the promotion should not be made, that would most certainly be considered and given effect to.

17094. Is not the Magistrate the officer who sees the work of the inspectors so far as criminal investigation is concerned?—I do not think he sees the actual work of the officers at all.

17095. Is it the fact that under the old rules the sanction of the District Magistrate was required in Bengal before a sub-inspector could be promoted?—I do not think so; I think promotions are generally made by consultation; my recollection is that one always worked with the Magistrate as far as one possibly could in any matter of that sort. All orders passed by the District Superintendent used to go up to the District Magistrate. The order could not be carried out until it was countersigned by him.

17096. Is that still in force?—Not to the same extent.

17097. So that the Magistrate's control over the police has been relaxed to a large extent?—In certain matters of discipline and internal economy of the force, that is all.

17098. Is that relaxation desirable?—I certainly think so.

17099. Is it still the duty of the chaukidar to attend at the police-station on certain days?—The whole of that experiment is in a state of transition. In certain districts no effect has been given to the new orders at all; in other districts it has; in the districts where the new idea is being worked, the chaukidars come in once a week, instead of once a month.

17100. Do the police still depend upon the chaukidars for information as to crime in the villages?—Yes; that is their only means of getting information.

17101. And you have no power of punishing them or the daffadars if they do not report crime properly?—The District Superintendent can only recommend chaukidars for punishment; the daffadars are under the police, and they can be punished.

(*The witness withdrew.*)

Colonel R. Macrae, K.C.I.E., was called and examined.

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17102. (*Chairman.*) You are Inspector-General of Civil Hospitals in Bengal?—Yes.

17103. Will you state briefly the organization of your Department?—The strength of the gazetted staff of the Department is—1 Inspector-General of Civil Hospitals, 1 Personal Assistant, 52 Commissioned or Indian Medical Service officers, 6 Uncovenanted Medical officers, 27 Military Assistant Surgeons, and 146 Civil Assistant Surgeons, or a total of 223. There are also 336 Civil Hospital Assistants (non-gazetted) and 186 local native doctors. There are altogether 603 hospitals and dispensaries in Bengal, of which 19 are in Calcutta and 584 in the *mufassal*.

The Inspector-General of Civil Hospitals as head of the Medical Service in Bengal is responsible for the general working of the department in all its branches, and it is his duty to see by inspection and otherwise that the work is properly and efficiently carried out. He also controls medical education in Bengal and initiates reforms in all matters relating to the Medical Department. In regard to the Medical College, Calcutta, there is a special College Council composed of the Principal and all the professors who discuss from time to time matters concerning the internal discipline of the College and any other matter of importance concerning the College.

Commissioned officers, *i.e.*, all members of the Indian Medical Service, are appointed in England by the Secretary of State for India. They belong primarily to the Military Department of the Government of India, and are lent to Local Governments through the Home Department, and are liable to be taken back in time of emergency. While in civil employ, they are posted at the discretion of the Local Government on the recommendation of the Inspector-General of Civil Hospitals, except in the case of some Calcutta appointments, which are subject to the approval of the Government of India. The Uncovenanted Medical Service, which now comprises only 6 officers, is being gradually closed under the orders of the Government of India. Postings in this service are made at the discretion of the Local Government on the recommendation of the Inspector-General of Civil Hospitals. The Military Assistant Surgeons' service is a war reserve lent by the Government of India to Local Governments; its members are liable to be recalled to military duty. This service is controlled by the Director-General, Indian Medical Service, with whom the Inspector-General of Civil Hospitals corresponds direct. While they are in civil employ their movements are regulated by the Local Government on the advice of the Inspector-General of Civil Hospitals. The Civil Assistant Surgeons' Service is recruited in Calcutta from passed students of the Medical College. Similarly, in the case of Civil Hospital Assistants, recruitments are made from the three Medical Schools in Bengal. The Inspector-General of Civil Hospitals has no power to punish Indian Medical Service officers, Uncovenanted Medical officers, Military or Civil Assistant Surgeons, but he can, of course, recommend them for punishment. In regard to Civil Hospital Assistants, he has full power, but in cases of dismissal, his action has to be reported for the information of Government.

Our system is unnecessarily cumbrous, dilatory, and roundabout. Work would be facilitated by delegating to the Inspector-General powers which he does not now possess. For example, although the *cadre* of Assistant Surgeons and Hospital Assistants is fixed, I cannot recruit an officer to fill a vacancy without first asking for the formal sanction of Government.

I do not see how it is possible to curtail the right of appeal. If all officers were on an equality in respect of judgment and ability, it would be possible to limit appeals; as it is, I do not see how it can be done without risk of injustice.

So far as my Service is concerned, they have the best opportunities for coming in contact with the people. Many officers acquire an excellent knowledge of the vernaculars, and all are required to pass a colloquial examination in the language of the district in which they are employed.

No general increase in the administrative staff is necessary, but owing to the size of the province, it is not possible for the Inspector-General of Civil Hospitals to give the necessary time to inspection. To secure greater efficiency in this respect, the Inspector-General of Prisons and Sanitary Commissioner might be authorised to inspect hospitals in places visited by them if the officer in charge is junior to them.

17104. With regard to the Commissioned Indian Medical Service officers, are you free either to promote or to post these officers?—I am not free to promote them, that is to say in rank; I recommend postings to the Local Government.

17105. Are your recommendations as to postings often over-ruled or disregarded?—No. As a rule I get my own way; practically when there are many postings to be done, I arrange them with the Lieutenant-Governor before sending up regular proposals.

17106. Are you content that reference should be required to the Local Government before your recommendations are sanctioned, or would it be well that

you should be able to transfer your officers as you please?—I undoubtedly think the head of the Government should have a voice in the matter. I think the system under which we work is not a good one. My proposal goes to the Secretariat, and is noted on by the Secretary; it may be criticised there, and possibly it may go on to the Lieutenant-Governor for final decision, without my knowing, or having any opportunity of replying to, any arguments that are put forward in the Secretariat, for or against my proposal.

17107. Have you power to post or transfer subordinate officers, the Assistant Surgeons or Civil Hospital Assistants?—Yes, I can post them except in the case of a Civil Surgeoncy; if a Civil Assistant Surgeon is appointed to a Civil Surgeoncy I require the sanction of Government; with regard to the majority of appointments to which that class are appointed, I can appoint them myself.

17108. And the same with regard to Civil Hospital Assistants?—I have full authority over them.

17109. Amongst your Commissioned Officers have you any whom it would be desirable to get rid of?—I think that, as a body, they are a very efficient service of men. Possibly there are one or two that I might be willing to get rid of.

17110. Have you any difficulty in retiring officers from the Service on account of their connection with the Indian Medical Service?—There is no means of retiring them as long as they behave properly; it is a very difficult thing to prove that a man is inefficient.

17111. If you had a free hand with regard to Commissioned Officers, would it be easier for you to retire inefficient officers?—We had it in evidence in Madras that it was difficult to get rid of inefficient Medical Officers because the Director-General would not take such officers back to Military employ, and in Madras there were officers who were retained in the Service to its detriment because of the difficulty of retiring them; is that the case in Bengal?—No, I will not go so far as to say that.

17112. Is there any Sanitary Board in Bengal?—There is; I am not a member of it. I know very little about its work. I sometimes get references from the Sanitary Board on sanitary and medical and other questions.

17113. You say that your Service is controlled by the Director-General of the Indian Medical Service, with whom you correspond. Does he interfere in any way with your administrative action?—No, there is very little interference; he has a right to interfere in a few of our appointments in Calcutta; for instance, the Principal and the Professors of the Medical College and the Superintendent of the Presidency General Hospital are appointed subject to the approval of the Government of India; they have nothing to do with other appointments, and they never interfere with them. The system I think is a good one. It was introduced so that we should have a larger field of selection of officers for these appointments, professorships and that sort of thing.

17114. You say that your system is "unnecessarily cumbrous, dilatory and roundabout"?—I have to send up so many references to Government that I might settle myself if I had general authority to do so. The number of references in my office is something enormous; I had them counted about two months ago, and they then amounted to 881 during the year, and I suppose by the end of the year they amounted to a thousand. They were unofficial references of various kinds. Many of them were very important. Many of them were points that I could easily have settled myself.

17115. Do you think one half of them might be unimportant?—Perhaps a third.

17116. (*Mr. Dutt.*) When you appoint Civil Assistant Surgeons are their names gazetted in the Gazette by the Secretariat?—On first admission to the Service they are gazetted; not after that.

17117. So that practically it amounts to nomination by the Secretariat?—It is nomination by the Secretariat, but the appointments are actually made by me; when the appointment is made I send up the notification to the Secretariat to be published in the Gazette.

17118. Have you also the power of transferring them and promoting them?—Yes; but as regards promotion to the senior grade I have to refer to Government; they always accept my nomination. Other promotions are regulated by periodical examinations.

17119. Do you select them for first appointment after an examination, or do you select them from qualified men from the Medical College?—I ask the Principal of the Medical College to give me a list of applicants or candidates for Government service; he gives me a report regarding their college career, their records, their qualifications and so on; then with this list before me I select those whom I consider the best men.

17120. Are these Assistant Surgeons in charge of sub-jails in sub-divisions under the orders of the Sub-Divisional Officers?—They are.

17121. Are the relations between them and the Sub-Divisional Officers satisfactory?—No, not always. I think they ought to be relieved of their position as regards sub-jails in sub-divisions; that is a proposal that is now about to be submitted to Government. They are made to do work in sub-divisions which I think they ought not to do; they have to do the work of clerks, and they resent that very much, naturally. I have been in communication with the Inspector-General of Jails on that point, and he agrees with me that clerks should be appointed to the clerical work of a sub-jail instead of the Assistant Surgeon.

17122. Are Civil Surgeons generally in charge of district jails?—They are. Medical Officers are in charge of all central jails in this province now, with the exception of one at Alipur.

17123. In that capacity are they in any way subordinate to the District Magistrate?—Not as regards central jails. The Magistrate is pratically the official visitor in the case of district jails; I do not think he exercises authority, except that he visits the jail regularly every week, and he concerns himself chiefly with under-trial prisoners, to see how long they have been detained, and points of that kind.

17124. The relations so far are satisfactory?—I think so.

17125. (*Mr. Hichens.*) Are the hospitals in a district under your direct control?—A great many of them are now under the control of the District Boards. I exercise a certain amount of supervision over them through the Civil Surgeons, but the district hospitals outside the district headquarters are practically under the District Boards; they can appoint their own Medical Officers if they choose, and they manage them in every respect in accordance with the rules of the Medical Department.

17126. (*Mr. Meyer.*) You said that the local bodies have the power to employ outside medical men; do they generally exercise that power?—What we call local native doctors; they very often employ those; they get them a good deal cheaper than our men.

17127. Do you exercise any pressure on them to take your men?—Not at all.

17128. Have you anything to say to the budgets of the District Boards in the matter of provision of medical relief?—No, they do not come to me.

17129. They are referred to the Civil Surgeon?—A Civil Surgeon is always a member of the local municipality and the District Board.

17130. Do your Civil Surgeons take much part in municipal administration as Vice-Chairmen or Chairmen?—We do not encourage them becoming Chairmen of municipalities, for various reasons; it interferes with the work, and makes them unpopular. For instance, we had a man not long ago as Vice-Chairman of a municipality in Bihar, and I had frequent anonymous communications about him, solely founded on his being rather strict about the work of the municipality, cleansing drains and so on; it is not a position to be encouraged at all. Besides, a Civil Surgeon has far too much work to do to be Chairman of a municipality.

17131. Have you ever made suggestions to the Local Government to reduce the large number of unofficial and other references by giving you greater powers?—I am only telling you what the system is; it has been the system in my office for some years. As a matter of fact, I have not tried since I have taken charge.

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17132. Have you ever asked permission to fill up the recognised *cadre* of Assistant Surgeons and Hospital Assistants without reference to the Government?—I have not; I have taken the system as I found it and gone on with it. It is very likely that there are points as to which if I had represented them and asked for full authority, I probably should have got it.

17133. You rather resent the fact that when you make suggestions as to medical matters to the Government the Financial Secretary deals with them instead of their going straight to the Lieutenant-Governor?—It is not that that I object to so much; it is the system in the office before it gets to the Financial Secretary; it is noted on by several people before it arrives at the Financial Secretary, by clerks and people of that class.

17134. Does not an analogous system exist in your office?—That is a different matter. Before a proposal is sent from me it has been thoroughly threshed out in my office before it goes to the Secretariat.

17135. Is not the Secretariat a larger office and better acquainted with precedents and general lines of policy than your office could be?—There is a good deal of truth in that, but the remedy I think is to strengthen my office, and to let me deal with the matters.

17136. Still, as matters now stand, is there not some justification for it?—No doubt it promotes efficiency; we probably escape making mistakes by having this system.

17137. Are not Hospital Assistants on a uniform rate of pay throughout India?—I think they are; they begin on Rs. 25 a month and go on through various grades until they arrive at Rs. 70.

17138. The grades and rates of pay being fixed by the Government of India?—Yes.

17139. Have you had occasion to consider that the general rates of pay were not sufficient?—Yes. As a matter of fact, we sent up proposals to the Government of India two and a half years ago, and they are still considering them in connection with some scheme for the improvement of the Service generally.

17140. You can supplement the rates of pay by local allowances?—Very small allowances. We are very much hampered there by the Local Government not having sufficient financial power in that respect. Under the Civil Service Regulations we cannot give any local or staff allowance to our officers without reference to the Government of India, although the charges are debitable to the provincial Government.

17141. Is there a special reserve of officers of the Indian Medical Service?—Yes.

17142. Is it distributed by the Government of India as it chooses?—We get a certain fixed percentage of the reserve—20 per cent.—to make up for leave vacancies, sickness and emergencies.

17143. Are you liable to be disturbed by a sudden change of plan on the part of the Director-General of the Indian Medical Service?—I imagine that if there was any emergency in any other province he would withdraw some of our men. In ordinary times I fancy we have a reasonable certainty of a given number of officers.

17144. Are there similar reserves, on the basis of a fixed percentage, of Military Assistant Surgeons and Hospital Assistants and so on?—Yes.

17145. You make a suggestion that the Sanitary Commissioner and the Inspector-General of Prisons should on occasion inspect medical institutions for you?—Yes; I have suggested that with reference to a question as to whether any increase in administrative officers is necessary. This province is so large that neither I nor the Inspector-General or anybody can inspect it in one year. These two officers are always inspecting; and I think it would promote efficiency if they were to inspect the hospitals at those places as well as the jails and municipalities which they do go and inspect.

17146. Would that not cause any friction with the Civil Surgeon?—I only suggest that they should inspect hospitals of Civil Surgeons who are their juniors, not those in charge of Civil Surgeons?—I do not think that that would be likely to excite resentment; after all, the Inspector-General of Jails and Sanitary Commissioner are Medical Officers.

17147. Would you be prepared to go a step further and make the Sanitary Commissioner a Deputy Inspector-General?—He used to be under the Inspector-General. Since 1905 he has been independent. He was previously nominally under the Inspector-General, but he was practically independent; that is, he retained all his powers of initiative. He was appointed to do this inspecting work, and given the rank of Deputy Inspector-General, so as to have more authority with Civil Surgeons.

17148. Would you be in favour of reverting to that system?—I think it is better than the one now in force.

17149. (*Sir Steyning Edgerley.*) You say you have a fixed share of the reserve of the Indian Medical Service. Do you get recruits when they first come out to the country?—No. Every Indian Medical Service officer is posted to military duty when he comes to the country, and he has to serve for two years in military employ before he can be appointed to civil duty.

17150. When do they generally come to the Civil Department in Bengal?—It varies very much; three or four or five years; some very much later.

17151. How is your proportion of the reserve arrived at?—We have a fixed reserve of four.

17152. Directly your *cadre* falls below strength, do you get another man to replace one who has gone?—Just so.

17153. Are any of these young officers under five years' service posted to the military hospitals in Calcutta?—They are attached to regiments. They are nearly all with native regiments.

17154. Is that a useful training?—In several respects it is. I think it is an excellent thing that young officers coming out to the country should be taught discipline, and get into the way of knowing the natives; they come across an excellent class of native officers, and get familiar with their manners and customs.

17155. Would it not do them good to attach them to civil hospitals for a time?—We have in Calcutta here five junior resident surgeonships at the large hospitals, and we try to post every junior officer as much as we possibly can to one of these posts, so as to give him a training.

17156. Is that after he has come into civil employ, or before?—When a man is posted to Bengal civil employ. If we have a vacancy as resident surgeon at any of our large hospitals, we like to post a young man coming to us, so as to give him experience before he is posted to a district.

17157. Is your reserve ever more than is needed to fill vacancies?—Very rarely. We have now several men on plague duty; in Bihar we have three or four officers now on plague duty, but we hardly ever have them on general duty.

17158. Has the Director-General always made these appointments of professors at the Medical College?—The system is that when a professorship falls vacant we have the first nomination in the province. If we have what we consider a suitable man for the post, his name is sent up to the Government of India for their approval, and if they do not think they have got a better man in some other province, they approve our selection; and, even if they do not approve, we need not necessarily accept their man.

17159. They offer you another man whom you can take if you choose?—Yes, but if we think our own man is better, we can still push his claims.

17160. Have those appointments always been subject to the approval of the Government of India?—No, since 20 years ago.

17161. Was it in any way due to the difficulty of getting good men for those appointments, owing to the amalgamation of the Service?—I think the principal reason was to give us a better field of selection. Obviously, we have now the whole of the Bengal Presidency to choose from; formerly we only had the Bengal province.

17162. The Madras and Bombay Colleges have not the same advantage?—No.

17163. Is the Civil Surgeon the Head of the sanitary work in the districts?—Yes; he is the backbone of the whole sanitary system.

17164. Does that interfere much with his medical duty?—No doubt it must.

17165. Is that to the disadvantage of his medical work?—There is no doubt we are very much undermanned. Every Civil Surgeon in the province, owing to the large distances, has far more work than he can satisfactorily do. Ten or eleven years ago this province sent up a scheme to the Government of India to appoint Assistant Civil Surgeons in districts, to relieve the Civil Surgeon of some of his work, to perform Health Officer's duties, inspection of vaccination, and various matters of that kind. It was not intended that they should be members of the Indian Medical Service; they were intended to be of the class of Assistant Surgeons.

17166. Has that been sanctioned?—It was approved; but the reply the Government got at the time was that there were no funds available. It has not yet been carried out.

17167. Are the Assistant Surgeons perfectly competent to be left in charge of the big hospitals while the Civil Surgeon is on tour?—Many of the Assistant Surgeons are excellent officers and very well qualified. As a class, they are generally very able men.

17168. You do not consider the practice of the Civil Surgeon leaving headquarters is to the prejudice of the hospitals at headquarters?—Not for the short periods that the Civil Surgeon is absent.

17169. Do you have many cases of the payment of fees to Medical Officers by Indian Rajas and so on? Have you had much difficulty about that?—Not so far; it is an interference that is very much resented by all the officers.

17170. Until recently, who was the final authority in those matters?—The Director-General is the final authority, but I think he has to take the opinion of the Government of India in some cases.

17171. When these officers attend Indian gentlemen of position, the question has to go up to the Director-General?—Yes; the question first comes up to me, and I have to get the opinion of the Local Government; then it goes to the Director-General.

17172. How long has that been in force?—Only a few months. Before that the rule was only applicable to Native States; it was made applicable a few months ago to all gentlemen of high rank and high position all over India.

17173. Who dealt with the question of fees before the recent order?—So far as I recollect, the practice then was that the Political Agent of the State sent the matter up to Government. I do not think the Local Government had much say in the matter.

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17174. (*Sir Frederic Lely.*) Suppose a doctor in charge of a large hospital wants an article of a special make, can he get it direct from the maker or his agent, or is he obliged to get it from the Stores Department of the India Office?—The rule is to get things from the India Office at home, and we do not find it at all a good rule.

17175. I have heard of a case where a man wanted to get a special make of stove; for a whole year he tried to get it from London through the Stores Department, and he was finally told it was not to be got, while all the time he might have got it from a shop across the way; do you think that is possible?—I think it is very possible; there was a similar case the other day. We get a very large number of instruments for our various large hospitals here and we are obliged under the rules to ask the India Office to send them out to us; we ask for certain articles by certain makers, as we know that these are good and that they suit us best, but very often we do not get them at all; they send us inferior articles by different makers. Some instruments were shown to me the other day at the General Hospital which had arrived from the India Office; several of them were unfit for use.

17176. Apart from the purely business point of view, does it not stimulate professional zeal for a man to be able to get promptly some article which he knows to be of modern make and special use?—Certainly.

17177. If he has to wait a year for it, he may, when it eventually arrives, have left the place, and his successor may get the benefit of it?—Exactly.

17178. You say medical subordinates in the *mufassal* are appointed entirely by the District Board?—The local native doctors are. They very often ask me to give them a Government medical subordinate. I then select a man from my list and send him.

17179. If the District Board become dissatisfied with him, can they send him back to you?—They cannot send him back without my permission.

17180. If they have a complaint against him do you enquire into it, and, if satisfied that there is something in the complaint, do you take your man back?—Yes.

17181. If you are not satisfied do you insist on his remaining, in defiance of the District Board?—No, I should not think that that is ever likely to happen.

(*The witness withdrew.*)

Adjourned.

TWENTY-FIFTH DAY.

CALCUTTA, *Friday*, 3*rd January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. F. F. LYALL was called and examined.

17182. (*Chairman*). You are Collector of Bhagalpur?—Yes.

17183. What is the size of the Bhagalpur district?—It is 4,226 square miles. I have been there twenty months.

There is a marked tendency at present to give extended powers to the lowest officers in the chain of Government. There is undoubtedly excessive reporting, and there are many points in which the functions of the Board and of the Commissioner overlap, but the items on which extended powers might be given to Collectors are few and unimportant. I do not think any delegation to Sub-Divisional Officers in this respect is advisable.

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I would give District Officers a considerable sum, say, Rs. 5,000 per annum, to spend on any requirements of the district, subject to post-audit and not to pre-audit. Commissioners are similarly given sums to allot to various districts in their divisions. The distribution of these entails an enormous amount of correspondence, as the Commissioner has to sanction and scrutinize each item on returns submitted by District

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Officers. It would be far preferable to allot to District Officers direct, and to give Commissioners a reserve fund, or a fund to spend on needs that they have personal knowledge of. A great deal of very unnecessary correspondence would be obviated if District Officers were all given a small sum, even if it were only Rs. 300 a year, to enable them to appoint temporary clerks to meet any sudden increase of work. The system of submitting triplicate proposition statements in support of changes of staff is also nothing short of absurd. To ask for an increase of Re. 1 in the pay of an orderly peon I had to get filled in a statement with 14 columns and 37 lines in triplicate.

I am strongly opposed to the suggestion that appeals should not be admitted unless accompanied by a certificate from the authority appealed against that reasonable grounds of appeal exist, but I would curtail the rights of appeal in the case of men of the status of peons and clerks on less than Rs. 100.

A provincial Government can only be impersonal. The personal element can only be introduced through the District Officer, that is the lowest grade officer of the Covenanted Service in charge of an administrative unit. Bengal is a lost province so far as any increase in personal administration goes until the most drastic reforms are introduced. The permanent settlement, the present interpretation of what that really was, the system of succession to property, allowing infinite subdivision of proprietary interests, the unlimited number of intermediaries between the cultivator and the rent-receiver allowed, the deliberate way in which Government has renounced all systematic control for the common good and given over everything to the arbitrament of Civil Courts, the majority of which are, in the districts I have had experience of, presided over by officers of an alien race who have no opportunities of touring and inadequate knowledge of the language and the customs of the people they deal with, who have no opportunity of seeing the effects of their judgments and who have a preternaturally acute apprehension for legal quibbles and an inadequately educated sense of fair play, make it almost impossible for any improvement in this direction to be effected.

The chief cause of the want of personal intercourse between Executive Officers and the people is the unwieldy size of the district, and the extent to which appeals and explanations are multiplied. Too little is done in the way of spending money in time-saving methods. The Executive Officer *alone* has an opportunity of contact with the people, and no other class of officer has. I attribute many of the present evils to the fact that more and more power has been taken away from the Executive Officer and given to the Judicial Officer, whose entire work prevents him from gaining contact with the people. The inevitable result is an increase of litigation, and therefore a multiplication of officers to try cases, and an even larger proportional increase in the legal practitioners to appear before these Courts.

Executive Officers, as a whole, do possess a sufficient knowledge of the vernacular.

Very large reductions in the size of districts are necessary. Districts ought to be reduced to a size small enough to admit of the District Officer being able to take all criminal petitions himself, try a considerable proportion of civil suits, have no sub-divisions, or at most one between himself and the people; and generally be in a position to have intimate first-hand knowledge of all that goes on in the district.

Transfers of officers are very deplorably frequent. It is easy to criticise from a distance; but until one is aware of all the difficulties involved, it is impossible to say if they are unnecessarily so. The existing *cadre* is too small for the needs of the province. The frequency of transfers is one of the greatest evils of the day, though continuity of service in a given district is of less importance now than it used to be owing to the District Officer not being trusted as he used to be.

On the whole, both municipalities and District Boards have sufficient powers. The power I am most in favour of extending to District Boards is that of levying tolls in bridges to defray the cost of their construction. Local Boards in the Sadar subdivision I look on as an evil. Local unions should be given powers to levy taxes for local improvements up to a yearly maximum on the same lines as is laid down in the Chaukidari Manual. The choice of these improvements should be subject to the control in appeal of the District Officer.

I am entirely opposed to a system of Advisory or Administrative Councils for Divisional or District Officers. I am a strong believer in the consulting of local opinion; but this ought to be done unofficially and without binding oneself to a constituted Council, which will only hamper work. We are ultimately responsible for the government of the country, and the responsibility should be accepted to the utmost. Some of the greatest reforms introduced have been in the teeth of public opinion of the time, and to constitute these Councils will only hamper reforms. All District Officers are fully aware that it is ordinarily absurd to try and carry through measures in the teeth of public opinion, and therefore their one aim and object is to keep in touch with public opinion. But an Advisory Council, at the present day, is almost incapable of voicing public opinion, for nine-tenths of the public are dumb, and those who are articulate almost exclusively voice ideas and opinions that are prejudicial to the dumb portion.

Village communities are almost extinct in Bengal. If they existed there is no scope in Bengal for giving them extended powers in regard to revenue. In administering the village police, the existing panchayats have all the police powers that it is advisable to give them. In regard to sanitation nothing can be done without money, and therefore without taxation. Taxation is not possible without a village union, and the number of these must for many years be very limited. As to education there is no branch of the administration which calls for Government taking more power back into their hands. All cases that can be settled in a village should be so settled. I think this is a result which can best be achieved by parties being themselves called on to nominate arbitrators. Formally constituted local Magistrates or Benches cause many delays. It is not possible to have a formally appointed tribunal for every village. Even the existing panchayats must contain men who are at enmity with some of the inhabitants of their unions, and, all things considered, the best way of realising the object aimed at seems to me to let parties in each instance choose their own arbitrators. If people are appointed for this work the right of appeal against their orders must be conceded. If parties are left to choose their own arbitrators their decision is final.

The most crying evil in the present system of administration is the way in which Government has set itself, consciously or unconsciously, to foster litigation in every way possible. In the Criminal Courts it is due to an endeavour to grant so many rights of appeal and motion that no injustice shall be done to the individual on trial. All sight is lost of the fact that in doing so an aggrieved, and certainly a poor aggrieved, person loses chance of redress. It is now almost impossible to get a rich man convicted of any offence, and I can quote several instances within my own knowledge of this. In the Civil Courts it is to give everyone so much liberty to institute plaints that no one should be prevented from bringing a suit if he wishes to. But the Civil Courts are an engine of oppression of which few people have any real idea, and I am personally aware that false cases are brought with almost absolute impunity, year after year, by rich people who desire to revenge themselves on the poor or for pure purposes of blackmail. The system under which legal practitioners are entitled to appear in every case makes it harder and harder for poor men to go to Court at all, and if the parties are very unequal in wealth it is cheaper for the poorer to sell his property at once and clear out than to try and insist on his rights.

The only thing to do is to go back to the District Officer as the unit of administration. Decrease the size of his charge, enlarge his powers, give him powers as he has in Non-Regulation districts like Palamau to supervise civil as well as criminal justice, give him extended powers to veto the institution of suits and cases and rely on his judgment when he exercises these powers, and we should see a very different state of affairs. At present it is a vakil-ridden country. The constant lesson these vakils teach the people is to circumvent constituted authority. In most criminal cases it is the Magistrate who is put on his trial for procedure and not the accused for his offence.

17184. Have you got proper offices for yourself, as distinct from your staff?—Not situated in the same building as my staff. I have a Court room, but I have not a suitable private room.

17185. Is it the sort of room in which you can see your visitors with comfort?—Yes; I can give them a chair, but there is not much luxury in it.

17186. There is at present some tendency to give extended powers to the lowest officers in the chain of Government. Might that tendency be widened?—I think it might, but they are working as hard as they can on those lines.

17187. Might any further delegation be reasonably left to the Local Government?—I think so; there is such a mass of detail.

17188. Have you ever sent suggestions to the Local Government with regard to the delegation of powers and work?—Yes, and as a rule they have been very favourably received. I have nothing in that particular direction to complain of.

17189. Why does the sum which is allotted to Commissioners for expenditure in such ways as they may think proper entail an enormous amount of unnecessary correspondence?—The entire sum given is very small, and a Commissioner who has four or five districts under his charge has to write to each Collector for returns as to what he wants. Of course, each one wants more than the Commissioner can give, so that the practice is to deal with them in order of merit, but after all the amount to be disposed of is so small that it is hardly worth while troubling about.

17190. Do you prepare a detailed statement each year?—No; we have to find out what is wanted in a hurry as we go to each place. and until we see what is wanted we cannot put anything down.

17191. Who actually sends the money—does the Commissioner remit to you and do you forward it, or does the Commissioner remit it direct?—It is in the treasury; there is a balance, and we are allowed to use so much of the money.

17192. Then it is distributed in your name and not that of the Commissioner?—Yes.

17193. With regard to the sum of Rs. 5,000 which you say you would like to have put at your disposal, would you distribute that direct or at the suggestion of your Assistants?—I would do it direct, as far as I could.

17194. To what extent, or in what direction would you curtail the right of appeals which at present exists?—Peons and clerks on salaries of less than Rs. 100 might safely be dealt with by the District Officer who appoints in all such cases.

17195. Would it not be advisable to have some interval between the original authority who pronounced the sentence and the appellate authority?—In theory it is a good thing, but in the case of a peon in receipt of Rs. 6 or 7 a month, who is habitually lazy, when there is a good case made out of which you can be the only judge, I think you might be trusted, if you are a District Officer, to deal with such cases. Of course the higher up in the scale you get, it becomes more difficult to say whether it would be sound to make the order of a District Officer final. For instance, I had a clerk at one time who was drawing Rs. 30 a month, who was absolutely useless; he did not know English and to pay him was wasting money absolutely.

17196. How came you to employ him if he did not know English?—He was a relic of the old times.

17197. Is it necessary that all clerks should know English?—Absolutely.

17198. Are all cases heard in English, and is all business done in English?—Yes.

17199. Is that a satisfactory state of things?—It is very difficult to say whether it is satisfactory or not, but we have got the people so highly educated now that it is obviously the best way for a Collector to do his work.

17200. Does the Collector adopt that way of doing his work because he does not know the vernacular?—Yes, probably. That is a very strong reason, and Deputy Magistrates, too, who are mostly Bengalis, do not know Hindi.

17201. So that English has practically come to be a common medium of communication?—Yes.

17202. Is the lack of knowledge of the vernacular one of the causes of the want of sympathy between the District Officer and the people?—I have never found it to be so in my case, and I have always been able to converse with everybody; a District Officer seldom gets a chance of hearing what his brother officers do in that way, but I should think it was not a cause; at all events it is not so far as I am concerned.

17203. Are there other reasons in Bengal to account for this want of intercourse?—Yes. We have really nothing to do with any settlements of revenue. The permanent settlement has taken a great deal of revenue work out of the hands of officers.

17204. Is the amount of office work so great that officers have not time to tour?—I would not say that they cannot tour, but the difficulty is that they do not get into touch with the people on the points on which they do in other provinces. For instance, in the United Provinces they have constant settlements, and the Settlement Officers are touring round and coming into contact with the people every day.

17205. Are officers so taken up with business while they are touring that they have no chance of intercourse?—No, I think not; it is because we have not the kind of work which brings one into contact with the people.

17206. Is your district too large for one officer?—Yes, very much too large. My remedy would be to have smaller districts, and a large increase of the *cadre*, both in the Imperial and the Provincial Services.

17207. It has been stated that there is a great want in this province of Joint-Magistrates—do you hold that opinion?—Yes, I have no Joint-Magistrate, and have never had one in my district.

17208. Could the Joint-Magistrate relieve you to a great extent of your work?—No, I should like to have smaller districts and more District Officers. I consider that that would be a better remedy than the appointment of Joint-Magistrates in the existing large districts.

17209. You are Chairman of the District Board in your official capacity? Do you think if a non-official Chairman was put in your place you would retain an effective control over the proceedings of the Board?—No.

17210. Would not the submisson to you of the budget of the District Board enable you still to keep some effective control over their proceedings?—I do not think so. If I was relieved of my duties as Chairman of the District Board, I should not have nearly so intimate a knowledge with regard to its proceedings, nor should I have so much control over education.

17211. Would you have a control which would be adequate?—No, my control over the district would not be adequate in that case. The district charges are so large, and the matters for decision are now so numerous, that the District Officer is the only person who is able to give any competent opinion as to the needs of the district as a whole, and if you had a non-official Chairman he would not have the time, or the power, to go touring about as a District Officer does. The District Officer, therefore, is the only person who can retain proper control of a district.

17212. If you could divide your work, what proportion of time in a week would it be necessary to devote to the duties of Chairman of the District Board? Would it take a man, say, three hours every day to do adequately the work attaching to the office of Chairman?—No, I do not think so, because we have most competent and helpful Vice-Chairmen who do a great deal of the office work.

17213. Supposing you had a non-official Chairman with an official Vice-Chairman, how long would it take to get through the duties?—With a really efficient Vice-Chairman, I think it ought not to take more than an hour-and-a-half a day, but then the Chairman would get no local knowledge unless he toured in his district in addition to doing the work which occupied him one hour and-a-half.

17214. How often would he have to go on tour?—He would only tour in the cold weather once a year, but the oftener he toured, the better it would be.

17215. Might the duties of District Boards be usefully enlarged?—I do not think so.

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17216. Nor of municipalities?—No; they have a great deal of power now.

17217. What do you think with regard to village communities?—There are parts of Bengal where they have village communities, but I do not think they would be very successful in Bihar. I do not think we have sufficiently advanced, or sufficiently educated members of the villages.

17218. If any proposal was made to give increased powers to village communities, would considerable differentiation have to be made between various parts of the provinces?—Yes, and also between various parts of the same district.

17219. (*Sir Frederic Lely.*) You mention two districts in which you have served, one of which is infinitely better governed than the other; what is the difference between the administration in these districts which accounts for that?—Palamau, to which I referred, is a Non-Regulation district, and the District Officer there has a large amount of say in civil matters. There are no sub-divisions, and whatever work is done in the district is done directly by the Collector. It is a very large district in area although there is only a small population numbering about 600,000 people.

17220. What is the nature of the assistance you get?—There are Deputy Magistrates at headquarters to whom cases are distributed.

17221. Is that system a good one?—I think it an excellent one, but, of course, there are the disadvantages of the long distances.

17222. Is that not a very distinct disadvantage?—No, the system has its advantages as well as its disadvantages.

17223. Did you not find that it is more difficult to gain local knowledge and communication with the people?—I have never had such a local knowledge of a district as I had of Palamau.

17224. Would it not be a good thing to distribute Assistants throughout a district rather than to keep them all at headquarters?—No, I do not think it would be any good.

17225. Would it be a good to give to each Assistant the responsibility for a certain territorial portion of the district, in which he would deal with both criminal and revenue work?—No, I do not see how any distribution of revenue work would be any good in our districts in Bengal; the revenue work which has to be done is the payment of the Government revenue and the payment of cesses, which is comparatively unimportant.

17226. In regard to all other work, would it not be better to distribute it according to territorial areas amongst your Assistants and make each responsible for his own portion of the district?—If you mean that you would have offices or Courts in different centres of the district, I am not very much in favour of that, because it would entail subordinate officers also being touring officers. You have the instance of the sub-divisions of Bengal as they are now. They are a buffer between the people and the Collector—what you want, if you wish to strengthen the administration, is to get the Collector more in touch with the people. The Collector is not in touch now, because there are these buffers between him and them; they are doing all the work, and the Collector is simply the supervising officer.

17227. Is the Sub-Divisional Officer usually or necessarily a Non-Covenanted Officer? As a matter of fact, are not most of them Deputy Collectors?—Yes.

17228. What is your opinion of them as a class?—As a body they are most excellent officers.

17229. As a class would you say that they are not men fit to be trusted with independent responsibility, under your orders of course, in charge of sub-divisions?—I think to a certain extent they are, with regard to magisterial work. There is a supervision of the District Officer over them.

17230. As regards the personal contact of the Collector with his district, would you prefer, what I may call, the headquarter system?—Yes.

17231. As Collector, have you any hour or any particular time when people can interview you as a matter of course?—I have never refused an interview with anybody in my life; but I have no fixed hour for seeing people; they can come and see me at any time.

17232. Does not that interrupt your work very much?—They know my office hours which are from 11 o'clock onwards, and I receive anyone at my own house at any time they like to come.

17233. When you visit villages do the people come to see you?—No, and that is my complaint; and there I find the difference between the Bhagalpur district and Palamau, where they used to come to see me in hundreds.

17234. In a Non-Regulation district, they come voluntarily, but in a Regulation district they do not?—Yes. I take it that it is because the District Officer does so little work himself amongst the people. He is the whole day long doing office work as apart from going about and dealing with matters on the spot.

17235. May not the reason be that in Regulation districts the effect of our legal system and the partial deprivation of a Collector of some of his powers has diminished the importance of his office in the eyes of the people?—I think it has enormously. I think that is the reason.

17236. Do you send for the people to come and see you if they do not come themselves?—No, I do not.

17237. Do you come in contact with them during your stay in the villages?—Yes. If there is nothing else to do I walk about and may happen to meet them; but, as a matter of fact, there is nothing for which they should come to me as Collector. I have very little power in my hands now, and therefore they do not come to me. They know very little of me, and it is an extraordinary thing; but in Palamau, before I had been there for four months, every man in the district knew me as "Lall Sahib." Now I am only known as the Magistrate.

17238. Do you attribute that to the greater powers you had in Palamau?—Yes.

17239. In most parts of India they have what is called the *jamabandi*, that is, the annual revenue settlement of the year, which ought to be an opportunity, at any rate, for the people to meet together and to interview the Collector; have you anything at all corresponding to that in Bengal?—Nothing.

17240. You have no annual occasion upon which it is customary for you to meet the people?—No.

17241. What remedy would you propose—would you propose that the Collector should try civil suits?—I should like to see him do so very much indeed. I did it in Palamau.

17242. But were not the conditions very different there?—I think they were. The complexity is due to the size of the districts, and, moreover, there is another very salient point, and that is that a large proportion of the cases brought into the Civil Courts now are absolutely false and no notice of that is taken at all. Cases are brought purely for the purposes of blackmail and oppression. I feel sure that if District Officers were given a say in civil administration, false cases would decrease, and thus a large saving of work would be effected.

17243. With reference to Advisory Councils, if they were instituted, would they have any good effect upon the intercourse of the Collector with the people?—I do not think so. I think that they would be absolutely ineffective. As it is now, I consult everybody whom I would nominate on an Advisory Council, and a Council would not help me at all.

17244. Would the formation of Advisory Councils rather tend to formalize matters, and so lessen the importance of the Collectors in their intercourse with the people?—I think it might possibly have that effect.

17245. Are your relations with the police satisfactory?—No; I think that is due to the size of the district and nothing else.

17246. As far as the system goes, have you secured sufficient power over the conduct of the police?—I think so; I do not see any difference between a Non-Regulation district and a Regulation district in that respect.

17247. As to excise, what powers have you in a Regulation district?—I have a special Excise Deputy Collector who reports to the Commissioner of Excise through me. Everything that is done is done in my name, and I see everything.

17248. Have you the power to give him orders?—Yes; of course the Commissioner of Excise can overrule them.

17249. Then you have an effective voice in the management of excise?—I am always consulted. I have sufficient influence with my subordinate; natually the Commissioner would not accept my views if he did not agree with them.

17250. Then as to education, what do you consider to be your responsibilities? Are you expected to visit primary schools?—I do visit them. Government has laid great stress upon it.

17251. What means are there of enforcing your views with reference to primary schools?—I have a great deal to do with the payment of the teachers as Chairman of the District Board, but it takes a very long time for a District Officer to come to any definite views on the matter of education, and it is one of the things which you learn last of all.

17252. How is the appointment of officers made?—That is done chiefly through the Education Department; it is rather, by-the-way, a vicious chain, because you have the Director of Public Instruction, then the inspector of schools, then the assistant inspector, and then the deputy inspector, who is the man who inspects District Board schools, helped by sub-inspectors also appointed by the Education Department. These last two are the officers who inspect primary education, which, however, is paid for by the District Board.

17253. The deputy-inspector inspects the *gurus* but he does not appoint them?—No, if a school is an aided school the people are allowed to appoint any man they like, and most of them are aided schools.

17254. Has the inspector and deputy inspector any other connection with them except so far as the grant-in-aid is concerned?—None, except in connection with the grant-in-aid, which is either paid, or withheld, by me on his advice.

17255. As Chairman of the District Board, do you have a good deal to do with their management?—Only to that extent.

17256. Sub-divisional Officers practically have nothing to do with schools?—Yes, they have; they are also on the Local Boards, which are under the District Boards, and they tour and inspect schools.

17257. Have you a normal school in your district?—We have just started one.

17258. Do you consider you have any responsibility with reference to that school?—We have just given it over to the Education Department to run.

17259. Then you do not consider you have anything to do with it practically?—Not beyond inspecting and shewing some amount of sympathy; I should be consulted about it.

17260. (*Mr. Dutt.*) Suggestions have been made that many of the powers and duties of the Board of Revenue might be delegated to Commissioners and that the members of the Board might be made advisory colleagues to the Head of the Government—would that recommend itself to you?—It seems to me that for all revenue work you must have one strong central office, and that ought probably to be the Board of Revenue. I do not see that is necessary for the Commissioner to criticise and go over every return that a District Officer makes in addition to the Board. If you have a strong office at the Board that work might be dealt with by it. The Commissioner might then be more an advising and inspecting officer, instead of criticising returns, which takes up an enormous amount of time.

17261. Then the suggestion is not a good one in your opinion?—No.

17262. You say you think there ought to be a strong central authority for revenue matters. If the Commissioner had larger powers would he not be a strong authority? Would that scheme work as well as the one which you recommend?—Personally I am rather an admirer of a good deal of work which is done by the Board. Commissioners might be a strong authority, but their control would not be central.

17263. Is it not necessary to invest the Divisional Commissioner with larger powers?—No, he has been given larger powers in matters of detail as to Court of Wards work, and that is an excellent thing; but if you mean that you would have a Commissioner in each division, as a sort of member of the Board of Revenue for that Division, I do not think that would be desirable.

17264. As regards peons and clerks on less than a certain pay, should there be only one appeal, or, under certain conditions, should they be allowed two appeals?—Personally I do not think peons ought to have any right of appeal at all from the Collector. In the matter of clerks you come to debatable ground as to how many appeals they should be allowed. I am quite willing to concede a certain amount of right of appeal to them, because I think there may be hardships.

17265. What length of service have you?—I have 14 years' service; of this 4½ years have been spent in Non-Regulation districts. I left Palamau in April, 1906, and came to Bhagalpur.

17266. What are the comparative populations of Palamau and Bhagalpur?—Palamau has a population of 600,000; Bhagalpur of over two millions.

17267. Do you suggest that sub-divisions in your district might be abolished?—Not unless you increase the staff largely.

17268. Do you suggest that Civil Courts should be abolished?—No, not at all, but I should like the District Officer to have more connection with the civil work of the Lower Courts, with the powers of a Subordinate Judge. It is necessary to have powers of inspection and control, and the District Officer is the only person who can go into a district and ascertain the result of the Civil Courts work.

17269. Would that mean reducing the size of the districts to a very large extent?—Yes, sometimes half and sometimes a third.

17270. Would the system you suggest be beneficial to the people?—To the lower class of people, very much so.

17271. We have had it in evidence that a District Officer is in most cases overworked; is it possible to give all this outside work to a District Officer without the system breaking down altogether?—I can only give you a typical instance which I know of; I have actually worked upon these lines in Palamau. Even in Regulation districts, if you give a small enough charge, there ought to be no difficulty.

17272. When the District Officer is on tour do the villagers come round and give him information?—Not at all in the same way that they do in Palamau. They do not come in large numbers in a Regulation district.

17273. Who prepares the District Board budget?—The District Engineer for the civil works, and it is submitted to me for approval. The educational part is done by the deputy inspector of schools, and the medical part by the Civil Surgeon.

17274. Is there a Finance Committee?—Yes. They examine and check the budget before it is submitted to me.

17275. Does that Committee comprise non official members?—Yes.

17276. Have you any other sub-committee of the Board?—Yes, there is an Education Committee. They look into all the returns with regard to the inspections of schools, the payment of *gurus*, finance, and that sort of thing.

17277. With regard to your relations with the Police, as a District Magistrate do you receive reports on cases when they are under investigation by the police?—No, I do not in Bhagalpur.

17278. Would you receive reports, for instance, with reference to cases of dacoity?—Yes, they would be reported to me.

17279. And on receiving such reports do you issue instructions with regard to the investigation of those cases?—I can do so, but as a rule it is too late then, because the enquiry is very often finished, and one would get into great difficulty now if one took any active part in the investigation of a case and gave the police direct orders.

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17280. Have you any power to direct that a case should be sent up in a certain form if the police have not sent it up in that particular form?—Yes, that power is also vested in the Deputy Magistrate who hears police reports; I have appellate powers over him.

17281. With regard to the promotion of police officers, have you any control or voice in the matter?—I am always consulted.

17282. Is your formal sanction necessary before they can be promoted?—No.

17283. On the whole are you satisfied with the degree of control which you have over the police work in your district?—I am satisfied with its kind, but not with its closeness; I should like smaller districts so that one could see more of the work each officer is doing. As it is I have too many officers, and it is difficult to control them all.

17284. (*Mr Hichens.*) What class of work occupies most of your time?—I have a very large amount of correspondence to get through; I have various departments of revenue work to attend to—for instance, we have certificate work which takes up a certain amount of time, and you are never in touch with the people doing it.

17285. Might one call all that more or less routine work?—Yes, a great deal of it is, but still it has to be done under one's control. It is collection of revenue, and a lot of injustice is possible if the thing is not closely watched.

17286. Do you delegate any of your work to subordinates?—My subordinates are each in charge of their departments.

17287. And do you feel you cannot leave the responsibility with them?—They have always to come to me with their returns, and drafts to the Commissioner and the Board of Revenue have to come to me.

17288. Have you made any detailed recommendations with regard to the delegation of any of these powers to subordinate officers?—Not in that line: I look at it as more or less a thing that should not be allowed, because, as Collector, you are responsible.

17289. With regard to the principle of delegation would you lay down the general rule that it was desirable to give each officer a maximum of responsibity with a minimum of supervision, or would you say the converse was true, and that what is wanted is a maximum of supervision and a minimum of responsibility?—I think supervision is the main thing in India. I freely give responsibility to those subordinates whom I find worthy of it.

17290. If you have subordinate Deputy Collectors, is it not worth while to give them definite functions and to leave them to carry them out; if they do them badly you can get rid of them?—How are you going to get rid of them?

17291. Cannot you get rid of them if they are totally inefficient?—No, I think it is impossible; only lately I recommended that a totally inefficient man, a Sub-Deputy Collector, with only a year and-a-half's service, should be got rid of, but it was not accepted.

17292. What probationary period had he to serve?—Six months.

17293. Would it not be practicable to have a longer probationary period than six months?—In the case I allude to it had been extended. I have had the period extended on two occasions, but that does not take you any further.

17294. Is it not the case that you can get rid of a man absolutely during such probationary period, if he does not suit?—Nominally, it is so. Practically, it is very seldom done.

17295. Might it not be laid down that, whatever views people may hold with regard to appeals, a probationary period meant a probationary period?—It would be a most excellent thing.

17296. And if a man was found to be inefficient might he not be dismissed?—A Deputy Collector is appointed by Government, and I have no power, absolutely none; I can only report.

17297. Would you recommend that you or the Commissioner should have the power?—It would never do in the Provincial Service.

17298. Should the probationary period be lengthened to, say, a year?—Yes, I think it would be a good thing. During the first six months of a man's work it is difficult to see how he is going to shape.

17299. Supposing you had a really efficient set of Deputy Collectors, could you give them more responsibility?—That is a very difficult question, because Government has to enforce its responsibility and it does so with the unit of the administration whoever he may be. I am in charge of a district; they turn to me, and the question is whether you are going down lower.

17300. But your view is rather what one might call a centralizing view?—Very much so, but you must centralize somewhere.

17301. What you want is a district which is small enough for one man to deal with absolutely without any appreciable delegation of powers to others within the area?—Of course, one's subordinates would exercise very large powers; the only thing is that one should have a knowledge of the district. I am administering a large charge now of which I have not sufficient knowledge, and that is my complaint.

17302. Would you agree that as civilization advances the work of administration becomes very much more complicated?—Yes.

17303. The number of laws, for instance, to-day, is very much larger than it was 50 years ago, and probably in fifty years time it will be very much larger still?—Yes.

17304. Does that not all shew that it is impossible to centralize everything in the hands of one man, but that it must be distributed amongst a number of individuals?—That is exactly what you do when you distribute it among District Officers; the question is, how low are you to go.

17305. Is it practicable for one man in a district to administer all the different laws and Regulations, and to be responsible for all the work of a Regulation district?—I think it is just now, but I cannot answer for 50 years hence. It seems to me that we make things needlessly complicated by our laws and the way the Courts are run.

17306. Would the number of returns that would come to you, *quâ* District Officer, in a small district, be about the same as in a big one?—Yes.

17307. So that you would not get any relief there?—We should have very much fewer figures to collate if districts were smaller.

17308. But they are collated by clerks?—Yes, but you have the inspection of the department, and it is a different thing inspecting an office with 10 or 15 clerks in it from inspecting one with four or five, and it is a different thing having to run a district of two or three thousand square miles, and a population of 4,000,000, than having to deal with 600,000.

17309. How long do you think a Collector ought to remain in the same district?—I think five years is a good time.

17310. You would not say that he should remain there as long as possible—10 or 15 years, or even more?—If you were to change the whole system that would be an excellent thing, but, as a matter of fact, I came to the conclusion at Palamau that I had too much knowledge for the district. Every case that came up I knew something about and the character of the men concerned, and I almost knew whether they were guilty or not guilty beforehand.

17311. If you agree that a Collector in his district ought to be fully acquainted with everything there, and know his district thoroughly, is it not a pity he should be removed as soon as he gets that knowledge?—Yes.

17312. Would it take him one, two, or three years to acquire it?—Yes, fully.

17313. Would you not, therefore, utilize that knowledge for more than two years?—I am quite willing to extend it to 10 years, but it would be very unworkable now-a-days.

17314. Admitting that one of the most important things is to secure greater continuity in the tenure of office by Collectors, how are you going to achieve that?—The great difficulty just now is the smallness of the staff, which I would increase, but I consider that

now-a-days the action taken by the High Court renders it almost nugatory keeping an officer until the time he has got full knowledge. I have a case just now where I am alleged to have been doing nothing more than persecute a man. I had nothing to do with it myself, but if he goes to the High Court and says "I want a transfer because the District Magistrate is prejudiced against me," he gets it. I am not prejudiced against him at all, and the reason he gets the transfer is that he has filed an affidavit in the High Court alleging that I had written several letters to the Sub-Divisional Officer, which is an absolute falsehood. That again goes to the High Court every time, and I can do nothing, and my knowledge is absolutely thrown away.

17315. Would you suggest that the Government should give more support to their District Officers?—Yes, very much more, and the system of anonymous attacks in the newspapers takes a great deal of time in investigation and answer. All such attacks should be ignored, and it should be made compulsory for a man to come forward and give his name.

17316. If you had very much smaller districts with no European reserve, would that not have the effect of increasing transfers very much?—Not with the number which obtains at present, because that is what we do now. There is no man in reserve with me; I am alone in my district.

17317. Would not people in reserve be one of the best ways of preventing continual changes? In other words, that there should be a Joint-Magistrate, who, if you went away, could take over your work?—Yes, that would do, to a certain extent. I have not considered the matter sufficiently to say whether I would recommend it.

17318. With regard to Local Boards, could their powers be advantageously increased at the expense possibly of District Boards?—No; for the reason that we give them a large number of things to deal with with respect to the roads and a certain amount of work with regard to ferries and education. For all the big road-making, you must have a really competent advisory engineer as the District Engineer. If you are able to afford money enough to give each Local Board such an officer, no doubt it would be a good thing, but until you can do so it is better to keep the power as it is in the hands of the District Board.

17319. Does that mean that you would keep the big roads under the jurisdiction of the District Board, but the smaller roads might be handed over to the Local Boards?—Yes.

17320. What would you say with regard to education?—Education also goes through the Local Board, and is supposed to be a training to the Local Board in self-government.

17321. Is the area of a district so large that very few of the members of the Board are acquainted with the whole of it?—That is so.

17322. Therefore one would have thought, *a priori*, that the real life would be in the Local Boards and not in the District Boards?—Yes, but at the expense of the community. They have only a certain amount of money to spend in the whole district, and that money must be distributed as much as possible. You might get life in one corner if you had an intelligent representative in that part of the district, but you will not get it generally throughout the whole district.

17323. Are the members of Local Boards keen on their work?—Yes, some of the Sub-Divisional Officers are.

17324. Would it be possible to start small village organisations, with some small powers to settle civil and criminal cases?—I think they could be started in some of the larger villages. The powers to be given them is a matter which has never been worked out. I should recommend small powers of taxation to remedy sanitary evils, but I would not give them magisterial powers.

17325. We have been told in Madras that there are small unions somewhat of that nature and that they were extremely unpopular, for the reason that they imposed taxation, and that the only way of grafting them on to the life of the people was to let them be started, at any rate, free from taxation. What would you say to that as applied to Bengal?—It is difficult to argue against accepted facts, but I should say not, because what they are dealing with is a small evil peculiar to the spot, and I do not see why other money should be used except money coming from the spot.

17326. Is it not the case that to-day the villagers contribute a great deal to the District Boards and get very little relief?—I think very possibly that is so.

17327. Then why should not a District Board give them something?—Because the matters are generally so unimportant, and they do not affect the village as a whole.

17328. (*Mr. Meyer.*) Do you say that a district of 4,000 square miles is quite unmanageable for one single Collector?—I do not want to lay down one standard only of judging, because I had Palamau, which was quite manageable, and that was 4,500 square miles.

17329. Do you want a large increase in your *cadre*?—Yes. We have now 33 Collectors. Speaking generally, I should like between 60 and 90.

17330. At the same time you want to keep the work of the Collectors more under the Board of Revenue, the Commissioners passing on their requirements and not interfering too much?—I am quite willing to have all ordinary matters go through the Commissioner to be criticised by him, but in the matter of returns, which have to be dealt with in the Board's office ultimately, it seems unnecessary to go through the Commissioner.

17331. Can the central authority, whether it be the Board of Revenue or the Government, possibly deal directly in any way with from 60 to 90 Collectors?—I think it might. You would have to increase the staff of Commissioners also.

17332. Are you aware that there are districts in Madras of 8,000 square miles?—I have heard that there are.

17333. Do you know that the system there is that a whole district is divided into sub-divisions, each Sub-Divisional Officer exercising practically all the powers of a Collector, the Collector remaining the controlling and supervising officer and touring through the district?—Then it is exactly the system which I advocate.

17334. Except that you want the Sub-Divisional Officers to draw Collectors' pay?—Yes.

17335. Would you require the man in direct touch with the people to be a Collector or would a Sub-Collector, or an Assistant Collector, be as good, and a cheaper alternative, so long as he had a Collector above him responsible for the district as a whole?—If you have a man from the Indian Civil Service I would not quarrel over the matter of pay.

17336. In Madras some of the sub-divisions are under Indian Civilians, others under Deputy Collectors?—I do not think that a good system.

17337. Then roughly you want 75 Collectors in Bengal, and about 15 Commissioners, or at least a good many more than there are at present?—Yes.

17338. Would not the cost of that be prohibitive?—That would be for the Imperial Government to determine; I have simply been asked what I think would bring the people more into touch.

17339. Is this an ideal counsel of perfection, or is it what you think can be actually done?—I think it could be done; I do not know what the cost would come to.

17340. With these smaller districts I suppose you do not want any Covenanted Assistants to Collectors?—No, except for training; let them be posted to headquarters, but as a matter of necessity in administration they are not essential.

17341. Under your system of 75 Collectors, how long is a man to be training before he becomes a Collector?—I should say from five to seven years. In the meantime, he can be an Assistant Magistrate at headquarters.

17342. Would you have any outlying sub-divisions?—I would like as few as possible—possibly one sub-division for each district.

17343. Would you still keep up your Deputy Collectors for excise and certificate work, and that

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sort of thing?—You would require help, but I do not think you would require so much as at present. I think you might distribute your present staff more. You have four or five in a district now; if you had two headquarters, you could put two in one and two in another.

17344. You would scarcely increase the Civilian staff so greatly, and yet keep the Deputy Collectors' staff much as it is now?—It would have to be worked out to see what would be necessary.

17345. Must any increase in the superior admistrative staff (and you propose a vast increase) necessarily be in the ranks of the Indian Civil Service?—Yes. We have had no increase of late at all, and there have been large increases in other branches.

17346. You have spoken of special grants to be made to Commissioners and Collectors for the requirements of their districts; how would you propose that that money should be spent?—I should spend it on dispensaries, on improvements in schools, on small culverts and bridges, and so on.

17347. Are these not all matters for which there is already budget provision in the regular course, under the District Board or the provincial budget?—The District Board budgets are very tight ones.

17348. Then do you want special grants-in-aid on recognised matters of administrative expenditure?—Yes, but the District Officer at present has very little in his own hands.

17349. With regard to the special grants which already exist in the hands of Commissioners, you say they are rather small and entail a large amount of correspondence? Would you go further and give the Commissioner a real budget of his own, which would break up a large part of the Provincial Public Works budget, for expenditure at his discretion on roads, buildings, and so forth?—Of course there would be a difficulty there in weighing the wants of the various divisions, and apportioning the amount to each Commissioner, but it might be a very good thing.

17350. Assuming that difficulty to be overcome, would you be in favour of it?—Yes.

17351.—Then possibly you might take a step further and give a Collector a certain amount in the same way, the Commissioner keeping his part of the budget in his own hands and distributing part of it to the Collectors with instructions to sanction minor works?—Yes, there are a certain number of minor works which a Collector might usefully do with regard to out-houses in sub-divisions and things of that kind, which one has now to write about.

17352. A suggestion has been made that when an appeal is lodged the petition should be sent up by the officer who is appealed against, with his original record and such supplementary remarks as he might wish to make, and that he should not be called upon for any special report—would that save work?—I think it is a very good suggestion; I have sometimes had to write three reports in regard to some appeals.

17353. You speak of the desirability of allowing District Officers to remain for 10 years or more in their districts, but are there not possible disadvantages in a man remaining too long in one district?—What I find is that officers have fancies of their own; one man will work up one department, and one another; but so far as intimate knowledge of a district goes you lose a great deal if you transfer men too frequently.

17354. Most officers have their own particular enthusiasms, and if one man remained 10 or 12 years in one place might you not have education, say, developed enormously and other branches neglected?—Yes.

17355. Every person has his own little weaknesses which get found out in time by the clerks and subordinates. The longer a man stays in a district, is there not the more likelihood of his weak points being found out?—Yes, of course, that is the converse side of the question.

17356. Again, a man may very often pick up useful information by going to another district?—He almost invariably does.

17357. Weighing the *pros* and *cons*, should you say that an officer ought to remain 10 years in a district?—It is a choice of evils; I should say that five years is the minimum a man ought to stay. It is difficult to lay down a maximum. I am not very much in favour of lengthening the five years.

17358. Although the greater part of the province is permanently settled, have you not a certain amount of settlement work to do?—That was one of my great advantages in Palamau where I had a large Government estate of 450 square miles. There are a number of such Government estates in Bhagalpur, but some of them are small. They are only two or three acres in extent and barely worth going to see.

17359. Do the large zamindars in this province live, as a rule, on their own land or are they absentees?—It varies a great deal according to districts. Near Calcutta they are almost entirely absentees. But in Palamau there is scarcely a single absentee, while in Bhagalpur, I should think, it is about half and half.

17360. When a man is an absentee what happens to his tenants? For instance, we have been told a great deal as regards the want of access of the raiyat to European officers of Government; but have the raiyats better opportunities of access to their zamindars?—No; very far from it. What very often happens with an absentee landlord is that they never improve their estates at all, even resident landlords do not.

17361. Have you found any difficulty with regard to seeing the zamindars in your district?—I regard that as a point on which the zamindar ought to come and see the Collector; I do not think it is for the Collector to drag him out and say "Come and see me."

17362. Do the zamindars come and see you frequently?—That is again a matter of districts. In Palamau every man came to see me without exception, but in Bhagalpur they do not.

17363. I have been told by an officer who is now a senior in Bengal that whenever he asked a zamindar to come and see him in his district he generally made excuses—is that your experience?—No.

17364. You spoke of the undue prevalence of Civil Court rent suits in this province. Would rent suits best be disposed of by Revenue Courts?—Yes.

17365. What exactly is certificate work?—The certificate work is concerned with the realisation of public demands. The Collector certifies that such and such amounts are outstanding from such and such persons, and then, process issues. First of all a notice is issued, then comes the warrant of attachment, then the warrant of arrest, and upon that the man usually pays.

17366. On account of what demands are distraints issued?—Road and Public Works Cesses, certain forms of Government revenue, Court of Wards' rents, and under a recent amendment of the Bengal Tenancy Act zamindars can apply for the application of this procedure to their properties. The work is largely concentrated in the hands of the Collector, assisted by a Deputy Collector.

17367. In Madras these sorts of things are done by tahsildars on Rs. 150 to Rs. 250—corresponding largely to your Sub-Deputy Collectors. Is there any objection to a similar delegation being made in Bengal?—A part of it certainly, but they want supervision, because there is such a lot of roguery going on. In the absence of supervision, proceedings in the case of joint demands are frequently taken against one person habitually. A large proprietor is never proceeded against because he may bribe the officer.

17368. Have not zamindars large powers practically, in settling disputes between their tenants? Would it be desirable to legalize that procedure by making the zamindars Honorary Munsifs and Sub-Magistrates?—We have a large number of them on Criminal Benches and sitting singly.

17369. Why should not a zamindar be an Honorary Munsif and thus relieve officers of ordinary cases?—I do not think that would pay at all. The only reason for which he would undertake the work would be for the sake of the influence over his tenants; therefore you would have to have a munsif for each zamindari, and there are a very large number of zamindaris in our district.

17370. You need not give powers to every zamindar, and if you make a certain number of zamindars Honorary Munsifs, you would not be adding to the

cost?—It would add to the injustice which the people have to go through. The Stipendiary Magistrate does the work four times as quickly and usually twice as well as the Honorary Magistrates.

17371. Do you hold that the ordinary Government Civil Court does no injustice?—No, far from it, but I think the zamindar would do a great deal more injustice.

17372. Have the Local Boards anything to do with education?—Yes; they have all the payments to make for their sub-divisions, and they submit reports to the District Board of the appointments made. As a matter of fact, there is almost entire delegation of primary educational work to them.

17373. Would you be prepared to allow them to select schools for grants-in-aid?—I think they have a right of veto now. Where you have a constantly changing Sub-Divisional Officer, I doubt if the Local Boards would have sufficient knowledge. I think, therefore, it is better to keep them as governing bodies and allow the main work to be done by the paid officers of the Education Department.

17374. If you want a special officer, should he not be an officer of the District Board?—The deputy inspector until lately used to be an officer of the District Board. It is only in the last few years that he has been taken over by the Education Department. It has its advantages and its disadvantages.

17375. As regards education, does a municipality stand much in the same position, in that it has to make grants practically at the direction of the educational authorities without taking any direct initiation?—Yes. A certain percentage of the income is given over to the deputy inspector of schools, and he advises as to the schools which the municipality is to pay and we pay. Of course, a Municipal Commissioner may inspect also, and if he has any complaint to make with regard to any school, the grant-in-aid is stopped.

17376. Can Government say that every municipality in the province must pay a certain percentage of its income for education?—Yes; for primary education.

17377. You could not pay less, but if you liked you could pay more?—Yes.

17378. Do municipalities have anything to do with secondary education?—No.

17379. Are the municipalities told that they have to spend so much on sanitation, so much on roads, or anything of that sort?—No; the Sanitary Commissioner is constantly inspecting the works of the municipality and pointing out how much they spend, saying either "this is too much" or "this is too little."

17380. What happens in that case?—If you agreed with the view, you would have to spend more; if not, you fight out the point.

17381. Does the Sanitary Commissioner's report go to Government or to you?—It goes to the Chairman of the municipality.

17382. If you thought you were spending quite as much as you could afford, and said so, what happens then?—Unless the state of affairs was scandalous or very bad, nothing would happen. If the Sanitary Commissioner thinks the thing worth fighting about, he goes to Government, and Government can control your budget and insist on your spending more. But it is very seldom done.

17383. Would such a matter be referred to the Commissioner's arbitration or would it go to Government?—It would go to the Commissioner first.

17384. If the Commissioner agreed with the Sanitary Commissioner, would you have to put the extra money into your budget?—You are not absolutely compelled to do so, but the advice of the Commissioner would be accepted, if thought right.

17385. There would be a considerable amount of pressure put upon you?—Yes.

17386. Suppose the Commissioner agreed with you and not with the Sanitary Commissioner, but the Sanitary Commissioner was still dissatisfied, could he go up to Government?—I think he could, but I do not think he would do so.

17387. Is the work of your District Board hampered by want of funds?—No; we have been given very generous grants in the last two or three years to help us in our Public Works.

17388. Is not the position this, that you have half-an-anna in the rupee in the shape of Road Cess which is entirely your own; the similar rate levied for Public Works Cess does not come to you; but you have special grants distributed by the provincial Government. Do you think that income sufficient?—It is as much as we can spend and supervise now with the agencies at our disposal.

17389. Does the Local Government distribute the grant to you in a fixed proportion for different districts, or does it give a grant in its own discretion, sometimes for one district and sometimes for another?—It has power to do that. My experience is that I have always got what I have asked for.

17390. Supposing the provincial Government found they were able to do without the Public Works Cess, then you would be certain of one anna in the rupee, whereas now you get half one anna *plus* a certain amount in the way of charity. Would you prefer the certainty of having one anna?—Very much; we have a large number of unmetalled roads which we should like to have metalled, and there are a large number of bridges we should like to make. We are progressing slowly, and we should like to progress a good deal more.

17391. Is not a Deputy Collectorship, speaking generally, about the highest point outside the Indian Civil Service which a native of this country can reach in the Executive Line?—Yes.

17392. Would it excite very much discontent, if an officer of this description were liable to dismissal at the discretion of the Collector?—I think so. I think that should rest with the Local Government.

17393. However stringent you might be as to rejecting persons during the probationary period, there would always be the risk of their going to pieces afterwards?—Always.

17394. Would you be prepared to get rid of a good honest man, doing his work in the best way he could, but still doing it quite inefficiently; but with no slur on his character—supposing that he is unequal to the task?—I would like to see it done in a fair way. I would give him some sort of a pension. I think they ought to be judged by their own fellows.

17395. Speaking of Lieutenant-Governors generally, however excellent and able a man may be, he might have his prejudices?—Yes.

17396. Would it be unsafe to give such power to an individual person however highly placed he may be?—Yes.

17397. How would you avoid the danger of a single Lieutenant-Governor possibly passing a bad judgment?—You might do it by having a small committee of officers who have had the men working with them constantly. I think you could trust to that method.

17398. Would this committee say in the first place whether the man was incompetent or not; and without the assent both of the committee and of the Lieutenant-Governor the man would not be removed?—Yes, I think a very great deal of harm is done by officers of certain stamps both in the Covenanted Service and in the Provincial Civil Service.

17399. (*Sir Steyning Edgerley.*) What should the probationary period of an officer actually be?—I think the present period too short. Possibly a year might give you longer and sufficient time to judge him in.

17400. Is not the work different for a Revenue Officer at each season of the year?—Not very much now. We had four kists in the year and the work comes round regularly once in three months.

17401. When a man has had a first appeal by the first Appellate Court do you think it would be dangerous to require a certificate affirming that there is some principle involved in the case before allowing further appeal?—I think an appeal ought to be allowed from the decision of a wrong-headed officer.

17402. The question of some principle being involved is quite a different thing from a man's opinion on that principle?—But supposing a man gives a wrong opinion

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in saying there was no question of principle involved, and the facts were clear, and he was wrong?

17403. I am prémising that it should be the first Appellate Court which would give the certificate and not the original officer?—I thought you were alluding to an original officer giving the certificate.

17404. If the first appeal has been upheld, should the officer give a certificate, *e.g.*, to the effect "My view is so and so, but there is or is not a question of principle involved"?—I think there is nothing against that.

17405. Would that reduce the work with regard to appeals?—It would not for the District Officer; but if my suggestion were accepted that the District Officer should not be called upon to report on each successive appeal as it goes up higher, it would not touch the District Officer.

17406. Such a certificate would tend to stop interference on revision?—Yes, by the Board of Revenue or Government.

(The witness withdrew.)

Mr. H. J. McINTOSH was called and examined.

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17407. *(Chairman.)* You are now the Commissioner of the Chota Nagpur Division?—Yes. I was at one time Under-Secretary in the Finance Department and Deputy Secretary in the Home Department and then again in the Finance Department.

Larger financial powers should be given to the Local Government; borrowing powers should rest with the Supreme Government.

Once the Government of India has laid down the general lines of policy to be followed in any matter, it should be left as far as possible to the Local Government to carry out, in its own way, the general policy indicated, having due regard to local conditions. The influence of the departments of the Government of India is more in the direction of excessive rigidity or uniformity than is the case with the provincial Secretariat. The remedy lies in the restriction of the tenure of office in the Government of India Secretariat. The greater number of officers from all provinces who pass through the Secretariat of the Government of India, the greater is the advantage to the Government of India itself and to the Local Governments from whose services the officers are drawn. I do not think it can be said with justice that the Government of India are too much dominated by considerations of revenue, but in many matters there is a tendency to consider proposals too much from a purely departmental standpoint, especially in matters of small importance which might well be left to the Local Government to dispose of according to its own ideas.

I would like to see more of the Directors and Inspectors-General. At present they are too much advisers of the Government of India and too little advisers of the Local Government. There is a tendency for Directors or Inspectors-General to advise the Government of India too much from their own particular point of view, and with too little knowledge of, and consideration for, the needs and requirements and local conditions of the province which the proposal effects or from which it may emanate.

The provincial Governments can fairly claim to have played a very important part in the initiation of the important administrative reforms which have been effected in recent years. In India, as elsewhere, reform must come from within; and it is the provincial Government that knows where reform is required. But the provincial Government is handicapped by reason of the fact that the administrative reforms it wants cannot as a rule be effected until they are taken up by the Government of India and the requisite funds provided. Within certain limits the provincial Governments should be allowed to develop their administration on their own lines, adopting at their discretion suggestions of reform brought to their notice from other provinces. It does not necessarily follow that what is good in one province is good in another.

It is possible and desirable to allow Commissioners and Collectors to control to a greater extent than at present expenditure in their divisions and districts. I should like to see the Commissioner of the division started off with a budget for the whole division and vested with powers approximating to those of a Local Government to control and direct expenditure in his division within that budget.

I am not much inclined to quarrel in general with the right of appeal to the Local Government which at present exists. I doubt if such right is abused to a very great extent, and the Local Government can never dissociate itself from the final responsibility in all matters connected with the administration. It would not be of much use to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. If the Local Government exercised freely its power to dismiss or reject appeals summarily we would get all that is required without calling for a certificate of the kind contemplated. In personal appeals the guiding principle should be a maximum of two appeals and no more. That means, of course, two appeals as of right. The Local Government's power of revision should in all matters remain unfettered.

On the whole, the influence of the Commissioner in matters appertaining to departments other than the Land Revenue Department is not sufficiently strong. The present tendency is for the administration to be conducted by departments controlled by officers (Heads of Departments) at headquarters.

Executive Officers serving in the districts have not sufficient opportunities for personal contact with the people. They are tied down to their offices by reports, correspondence, registers, case-work and returns. There is every day a certain amount of office business that must be got through, and then but little time is left for other matters. Any failure to get through the day's work only reacts on the District Officer, and adds to the pressure by the constant and urgent calls which are at once made on him. Even when he does go into camp, the District Officer cannot free himself from office work and mix as much with the people as he should. The office work follows him to camp. The old leisurely method of camping has disappeared, and touring now-a-days means only too often hurried rushes to important centres where the already overburdened District Officer is still further burdened by inspections and other office duties which it is found more convenient to do on the spot rather than at headquarters. Naturally Executive Officers do not always possess sufficient knowledge of the vernacular. The remedy is to reduce the routine office work and to arrange that what cannot be done away with should be made over to a competent and efficient officer other than the District Officer. This means an increase of staff, and what is specially required is the resuscitation of the old class of officers known as the Joint-Magistrate. Nothing has tended more to the loss of efficiency in this province than the disappearance of the trusted and experienced Joint Magistrate.

An increase in the staff of the Indian Civil Service and of the Service of Deputy Magistrates is required. The Public Works Department is also greatly undermanned. Some districts are too large and in other districts, especially in Chota Nagpur, more sub-divisions are required.

Proved capacity should be the sole qualification for official advancement. Those members of the Services whose unfitness for further promotion has been adequately established might be compelled to leave on such terms of pension as would reconcile them to retirement at an earlier period than that prescribed by the ordinary rules.

Transfers are undoubtedly too frequent and to the greatest possible detriment to the administration. The evil is nearly as great in the Service of Deputy Magistrates as in the Civil Service. One cause is the numerical weakness of the existing staff which of course is capable of being remedied. Government should exercise greater authority than it has been in the habit of doing in deciding (ordinarily) on the time when an officer proceeds on and returns from leave. It would be a great assistance to the Local Government and tend greatly to reduce the number of transfers within a province if the Government of

India were able to give longer notice when they require the services of an officer serving under a Local Government. An officer selected for service under the Government of India is generally one who has attained to a position of some mark in his province, and considerable dislocation occurs when he is suddenly transferred from the province. But the best and most effectual remedy lies in the direction of further localization of authority and of the members of the various Services. With the administration of the province further localized under the Heads of the four sub-provinces of Bengal, Behar, Chota Nagpur and Orissa, and with an adequate staff working directly under the orders of these Heads, the number of transfers would be materially reduced.

As regards District Boards, Local Boards and village unions, the Local Government has recently submitted proposals for the reconstitution of these bodies and for the better representation on them of the various classes of the community. A Bill to amend the Local Self-Government Act is also before the Lieutenant-Governor's Council. If these proposals are accepted, in time we will gradually be able to make greater use of District and Local Boards and village unions and delegate further powers to them. There are signs that we will go on developing along these lines, but the great thing at present is the question of re-constitution. Everything will depend on this. In regard to municipalities, I am not disposed to make any recommendation at present.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The establishment of formal Councils like this would not facilitate the despatch of public business. I am, however, deeply impressed with the need of Commissioners and District Officers keeping in close touch both personal and official with public opinion and with persons of position within their jurisdiction. We already have District Boards, Local Boards, Municipal Committees, and in some districts union committees, and I would not super-impose on these another formal consultative or administrative body. Close personal relationship between the higher officials and the leading residents is what is required. This cannot satisfactorily be obtained unless the officials have longer tenure of their appointments than has recently been the case, and unless they are given more leisure by being relieved of the mass of routine work with which they are now weighed down.

It would not be expedient, at all events at present, to invest District Boards with powers of supervision and control over municipalities within their respective districts. Such supervision and control would not be effective, nor would it relieve the District Officer of his obligations or the duties and responsibilities at present falling on him.

Efforts are being made to make greater use of village panchayats in the administration of the chaukidari police system. Proposals for giving extensive powers to union committees in regard to sanitation have recently been submitted by the Local Government to the Government of India. These proposals are ambitious and decidedly advanced. If they are approved every effort will be made to make them successful and effective, but it will be a long slow business. In a matter like this we must move very slowly, and I do not recommend any far-reaching scheme of general devolution.

I sketch in outline for the consideration of the Commission a scheme for decentralization in the province of Bengal. The province as at present constituted consists of four sub-provinces which are distinct in character, in language, and in almost all interests. These are—Bengal proper, Bihar, Chota Nagpur and Orissa. It would be quite feasible to have a system whereby, under the Lieutenant-Governor of Bengal, there would be a Head or Sub-Head of each of these sub-provinces who would exercise within the sub-province many or most of the powers of the Lieutenant-Governor. Each sub-province would have in all departments a full staff of its own working directly under the Head of the sub-province. The staff would, to a large extent, be localized, though it would probably be necessary to make provision for transfers from one sub-province to another. Each sub-province would have its own separate budget to be operated on and controlled by the Head of the sub-province, and the whole administration there would be centralized in one authority. The Lieutenant Governor would continue to be as at present the supreme Head of the whole province, though it might be advisable to bring these Heads of sub-provinces into closer relationship with him by constituting them members of an Advisory or Consultative or Administrative Council. In any case the Heads of the sub-provinces would have seats on the Legislative Council, and an effective voice in the framing of budget proposals. The Heads of Departments of Government would continue as at present to work directly under the orders of the Lieutenant-Governor. They would be advising and inspecting officers controlled by the Lieutenant-Governor himself, and they would advise and assist the Heads of the sub-provinces and inspect on their behalf. Under such a scheme the Lieutenant-Governor, assisted or not as it may be by an Advisory Council, would be responsible for laying down the policy to be followed and for controlling and directing the administration of the whole province. It would, however, be left to the Heads of the sub-provinces to carry out the instructions given by the Lieutenant-Governor or the policy indicated by him. In this work they would be assisted though not controlled by the Heads of Departments. The Heads of Departments would not be allowed to dictate to the Heads of the sub-provinces the action to be taken by them. They would, under the Lieutenant-Governor's orders, be at the disposal of the Heads of the sub-provinces to assist them in carrying out the policy and directions of the Lieutenant-Governor, the Lieutenant-Governor himself having consulted them before he framed his policy or issued his directions. By some such scheme we will be able to correct the marked tendency of recent years towards "departmentalism." Doubtless there are many matters of a more or less technical nature in which the supervision of a Departmental Head with special experience is required. We cannot do without these special departments. But the result has been to dissociate the work of these special departments from the control of the local officers, and to establish separate staffs in each district who do not always recognise a common Head or the relationship they bear to one another. There results a want of cohesion which is much to be regretted, and there is too great a tendency to look to Calcutta for orders or favours and to disregard or ignore the authority or even the wishes of the District Officer or the Commissioner. Then again the Head of the Department in Calcutta inclines to be swayed too much by the views of his departmental subordinate in the District, and he too forgets or overlooks the District Officer or the Commissioner. And so "departmentalism" grows, and all the work centres in Calcutta. The highest degree of efficiency will be obtained when the departments serve and assist the local administrative officer instead of controlling him or proceeding on independent lines of their own.

17408. When you were transferred from the Home to the Finance Department of the Government of India, did you find the work quite different and the questions involved quite different?—I would not say so, because I dealt very frequently with exactly the same questions—questions that were first dealt with in the Home Department and then went on to the Finance Department. There was a certain class of work entirely new in the Finance Department, but in a great many things the work was common to both.

17409. Did you find yourself placed at any disadvantage in being transferred from one branch in the Secretariat to another?—No; I think it was a great advantage that I was able in the Finance Department to look at things possibly from a different point of view than I might otherwise have done, having had experience of the Home Department beforehand.

17410. Do you think there was any loss caused to the Home Department by an officer going out at the end of eight months just as he had begun to get in touch with the work?—I think not. I knew when I entered the Home Department that I was to get the appointment in the Finance Department, and it was a temporary arrangement being sent to the Home Department.

17411. Then you do say, so far as the State is concerned, that there is no loss of efficiency by an officer being almost immediately transferred from one department to another?—I would not quite say that;

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but circumstances arise when it is necessary to make a temporary arrangement. As a rule, I should think it was undesirable to transfer an officer.

17412. Do you think that officers are retained too long in the Imperial Secretariat?—My view is that the more officers pass through the Imperial Secretariat, the better for the Local Governments, because they will have a number of experienced officers who will have seen things which are dealt with in the Imperial Secretariat, and on the whole it is good for the Government of India to have a fairly large number of men passing through it and getting new ideas. It prevents them getting into a groove.

17413. During your three different appointments in the Imperial Secretariat, did you have opportunities of seeing whether officers were kept there for a long time?—Yes. I do not think there were any kept for an excessively long time, while I was there. There is a three years' tenure now, but it is a comparatively new rule.

17414. Has the alteration of the rule been to the benefit not only of the Imperial but of the provincial Governments?—I should think so, so far as it has been applied. I believe more officers pass through the Imperial Secretariat nowadays than was the case eight or ten or twelve years ago.

17415. Is the rule which has been laid down observed or not?—No.

17416. Did you yourself come in under the three years' rule?—Yes.

17417. Does it apply to Under-Secretaries?—Deputy Secretaries and Under-Secretaries are appointed under the three years' rule, but I do not think there used to be any rule with regard to Secretaries.

17418. Would you like to give Inspectors-General higher powers than they enjoy at present?—It would be a very good thing if they were in closer touch with the Local Government.

17419. You have been Financial Secretary to the Government of Bengal. Speaking as an officer of the provincial Government, would you like to see more of the Inspectors-General?—Yes.

17420. From your experience in the Imperial Secretariat do you think Inspectors-General interfere in any way with the administrative machinery of the provincial Governments?—I think not. It would be advantageous, if the Local Governments had more opportunities of discussing their proposals directly with the Inspectors-General before they address the Government of India.

17421. As a matter of fact, do the Local Governments see the criticisms on proposal made, before the orders are issued?—I think as a rule they do not.

17422. Would it be advantageous if they did so, or at all events if they saw the pith of them?—Yes, that would be sound.

17423. Does the existence of Inspectors-General tend to make the provincial officers look to them for promotion, distinction or reward of some sort or other rather than to their own Local Government?—I think not.

17424. It has been suggested that Commissioners might have greater control over their expenditure; would you give a Commissioner a separate budget?—It would be a good thing to do.

17425. Do you want to see him in every respect the financial Head of the division?—I am not quite sure about every respect, but I should like him to have power to spend money on his own authority. He has the authority now only as to a very trifling amount.

17426. Have you not ten thousand rupees to spend in your division?—I do not know what the amount is, but the division is 26,000 square miles in area, and therefore that amount is very small. As a matter of fact, when I took over charge of the division, I was told that it had been all spent.

17427. It has been stated that Commissioners are given this sum of money every year to spend as they liked. Do they spend it through the Collectors?—Through the Collectors mostly. When they go round on tour, the Collector brings to their notice some little improvement that he would like, perhaps in a hospital or some other institution, and the Commissioner gives him authority to make it.

17428. Then practically the Collectors have been spending all this sum, and the amount that is to be at the disposal of each Collector depends on the discretion of the Commissioner?—Yes. I think that is putting it fairly.

17429. Might it not save a good deal of time and trouble if the money was split up between the Collectors instead of its going direct to the Commissioner?—I think some of the Commissioners do that now, and I certainly approve of making each Collector an allotment.

17430. And *pro tanto* it diminishes the allotment of the Commissioner?—I am not quite sure about *pro tanto*; I am not sure I would not give the Commissioner a larger allotment.

17431. What, as a matter of fact, does he distribute now in his own unaided, discretion?—I have distributed none myself, so I cannot answer that question. This is my first appointment as a Commissioner.

17432. As regards the right of appeal, you do not wish to see anything altered in that particular?—No. I suggest that there might be a maximum of two appeals as regards Government servants.

17433. Would you draw no distinction between grades of Government servants? To what officers would you restrict the two appeals?—Certainly to all ministerial officers and menial officers. I presume a member of the Civil Service would always have an appeal up to the Secretary of State. But with regard to the Provincial and Subordinate Services two appeals would be sufficient.

17434. You say there is a constant growth of departmentalism due to the influence of the Heads of Departments; how does that interfere with the power of the Commissioner?—It makes so much work; there is so much correspondence always going on with these departments by the Commissioners and Collectors and by their subordinates.

17435. Has the Head of the Department the ear of the Government to the disadvantage of the Commissioner?—I think a great deal of the matter comes up, at the instance of these departments, which might possibly be disposed of by the Commissioner or by the Collectors themselves.

17436. Did the evils of this system strike you when you were a Secretary to Government?—I have always thought there was more work in the departments than was necessary.

17437. Did you ever make any representation to the Local Government on this head?—No formal representation. In my own humble capacity I have always endeavoured to shorten the work as much as possible.

17438. You have held quite recently an important post in the Secretariat where you corresponded with the Heads of Departments whom you now condemn, or whose actual influence you condemn?—I regard the Heads of Departments as absolutely necessary; I do not condemn the system.

17439. Then is the way you put it that their influence is detrimental to the good working of the Commissioner system?—No, not exactly that.

17440. Then what do you mean?—I mean that more might be left to be done locally by the Commissioner without the intervention of the Heads of Departments.

17441. You say that things are regarded too much from a departmental standpoint; then I ask you whether that is detrimental to the influence of the Commissioner, and you tell us it is not; I want to know your views exactly?—I consider that by reason of there being these departments, there is a tendency for too much work to go up to them or to go up from them to the Government, which might well be disposed of locally by the Commissioner, or by the Collector and the Commissioner.

17442. You say that the influence of these Heads of Departments is too great, and I want to know if you think it affects the powers of the Commissioner?—I think it involves a great deal of unnecessary correspondence.

17443. Is one of your remedies for reducing the routine work the appointment of Joint-Magistrates?—Yes.

17444. The last witness said that he thought it was not much good to do that, but that the real remedy was to reduce the size of the districts; which of those two remedies do you think is the right one?—I would not pronounce positively for either; no doubt both could be applied. No doubt some districts are too large, but I think it is a good thing to have a second man—a right-hand man as it were—to the Collector, no matter how small the district.

17445. Then you would prefer the addition of an officer to the already existing officers rather than the subdivision of districts?—I think so, speaking generally.

17446. Would you like to see an increase in staff, not only in the Covenanted Service but in the Provincial Service also?—I think so; there has been some increase to the Provincial Service lately, but I cannot say whether it is sufficient or not.

17447. Are you in favour of Advisory Councils for either the Divisional or District Officer?—I think not. I think there are already enough Boards in existence.

17448. Do District Officers consult enough and go to see the leading men of the district frequently enough?—Most officers desire as much as possible to come into contact with public opinion in their districts, and, so far as opportunities allow, I think they are very glad to do so.

17449. What is the obstacle to obtaining information now from prominent people in a district?—The officers are very much over-worked, and they have not the opportunity of seeing them as much as is desirable.

17450. Is there any disinclination on the part of the officer or the people to such interviews?—I think when an officer has been in a district for some time, and is well known, the people are always very pleased to come to him. I have never found, myself, that people were not glad to come to me both as a District Officer and a Commissioner.

17451. You think that the only real gulf that there is between them is the amount of office work?—I think so, speaking generally.

17452. It is not lack of knowledge of the language?—It might be so in any given case, but, speaking generally, I think not. There is a tendency on the part of officers not to acquire a knowledge of the vernacular as they used to do in old days.

17453. Is that because of the constant transfers from district to district?—If an officer is being constantly transferred he probably does not pick up a knowledge of one language very thoroughly.

17454. You say you would like to see the province of Bengal decentralised into four sub-provinces and the Commissioner of each sub-province given very extensive powers? Supposing that system were accepted, would you keep your Covenanted Civilians in each of those sub-provinces perpetually?—I do not think it would be possible to keep them in the sub-provinces perpetually, but I should localise them as much as possible; at times it would be necessary to have transfers. For instance, Bengal would not have such a good climate as compared with Chota Nagpur or Bihar, and perhaps it would be advisable, if a man had been some time in Bengal, to transfer him to one of the other provinces.

17455. If you moved a man from Bengal to Orissa at the end of ten years, what opportunity would he have of knowing the language of Orissa; would he pick up the language easily after 10 years' service elsewhere?—No, not as easily as he would at the beginning of his service.

17456. Would that not be a difficulty—that you would practically have to localise your officer permanently?—I do not think so, because at present we are not localised, and are liable to be transferred all over the province.

17457. Is not transference of officers from district to district with widely divergent languages and characters of the people a serious obstacle to the good government of the country?—It is desirable to minimise transfers as much as possible, in the interests of good government.

17458. Has there been any reduction of transfers in this province lately?—Speaking generally, I should think not, but that is a question which could only be answered absolutely by statistics.

17459. Are your relations as a Commissioner with the Board of Revenue satisfactory or are you obliged to make too many references to the Board?—I think the Board call for a great many reports.

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17460. Can you state the subjects of any of those reports which have been asked for during your 2½ months' tenure of office?—I have noticed a number of letters asking for an opinion as to the modification of registers and rules and so forth, some of which possibly might have been decided by the Board without sending to every division and every district; the Board, however, is responsible for regulating that class of work.

17461. Could that class of work be regulated by the Commissioner without detriment to the service?—Rigid uniformity is not required throughout the province, and a good deal of it should be left to the Commissioner. I am not sure that it is necessary to have every register exactly the same throughout the whole province.

17462. With regard to the Court of Wards, could your work be lightened; have you not to refer any expenditure on an estate over the sum of Rs. 500 to the Board of Revenue?—There is a money figure, but I cannot say what it is at the present moment.

17463. With regard to the Loans Act, are you satisfied with your powers under that Act?—I think so if we get an allotment.

17464. When loans are made do they reach the tenderer?—Great pains are taken to see that they do. I think they do.

17465. As a Commissioner, are you too much of a post office, and too little of an actual Executive Officer?—My experience as a Commissioner is very brief, but on the whole he is perhaps too much of a post office, and there is much more passing through his hands than is really necessary.

17466. Have you seen the suggestions made by the Government of Bengal for the delegation of authority?—I have, but I have not studied them carefully.

17467. Would they result in altering your position from that of a post office to that which it really ought to be?—I think so. I would not use the term "post office" myself, but they would give the Commissioner a wider hold and sensibly reduce unnecessary work.

17468. Have not your District Officers to report to you annually on a number of subjects? Would it considerably lighten your work if all those reports were condensed into one administrative report?—I think it would be a good idea, and lighten the work.

17469. Do you yourself have to submit one annual report to the Government of Bengal?—I report on all subjects, revenue reports, Court of Wards reports, etc.

17470. To what length do those reports run?—Some of them are pretty long.

17471. Would it be advantageous, both to the Commissioner and to the authorities with whom he corresponds, if all those reports were boiled down into one annual administrative report by the Commissioner?—I should like to have one big report coming from the districts and then sent up by the Commissioner for the division.

17472. Would that be sufficient?—Speaking generally; there might be some particular subject on which a special report might be required, but ordinarily one report would cover what is required.

17473. And that would relieve not only the writer but the reader of those reports?—I think so.

17474. (*Sir Steyning Edgerley.*) What led you to make the suggestion that you would like to see the advice of Inspectors-General before the Government of India disposed of a subject on which they had been advised?—I think it would probably lead to a reduction of correspondence. The Local Government sends up a proposal on which a great deal of correspondence ensues, and in some cases a conference between a department of the Government of India and the Local Government would enable a settlement to be arrived at, more suitable and more satisfactory.

17475. Is the reference back from the Government of India perhaps suggested by the advice of the Inspectors-General on matters which might have been avoided?—I should think so sometimes.

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17476. Have you seen any of these suggested re-organization schemes coming through lately?—Yes.

17477. In those matters did you consider the Government of India were going far too much into detail?—I have had no re-organization scheme of my own, but it has seemed to me that perhaps a number of small points were taken up unnecessarily.

17478. Do you attribute that to the influence of the Inspector-General?—It is scarcely for me to say. Possibly those things would have been cleared up more quickly if, for instance, the Inspector-General had discussed them with the Local Government at a personal interview.

17479. Supposing the first Appellate Authority, when he heard an appeal, considered that the facts were quite clear and that there was no question of principle involved, or that the facts were clear, but that there was a question of principle involved, do you think a certificate of that sort by the first Apellate Authority ought to regulate the admissibility of further appeals?—I do not object to that. My feeling is that you cannot dissociate the Local Government—they must be the final authority.

17480. Would they not be less likely to take cases up if they found the first Appellate Authority had issued a certificate of that sort?—Possibly.

17481. Would you put any limit upon the Provincial Service in the way of appeal?—I should think not on the whole. I would let them go to the Government of India.

17482. What would you say with regard to the Subordinate Executive Service?—I should think an appeal to the Lieutenant-Governor would be sufficient. It probably would be dealt with by the Head of a Department or, say, the Board of Revenue, and then there would be one appeal to the Local Government.

17483. Have you any experience of touring under the conditions of permanent travelling allowance?—As a Commissioner I have a permanent travelling allowance now.

17484. Have the officers subordinate to you a daily allowance?—They get their mileage or halting allowance.

17485. Does a permanent allowance allow more easily of long-distance prolonged travelling than a daily allowance?—I do not think that to an officer of the rank of a District Officer it makes any difference at all; I believe in this province people are generally satisfied with the travelling allowance rules.

17486. Do the daily allowance rules give much more trouble and labour than the permanent allowance rules?—I think not. A Collector sends up his travelling allowance bill, the Commissioner has to countersign it; he is not interested in the details of the bill, but in the diary which accompanies it. I read the diary, the bill is checked, and I merely sign it.

17487. Is there much more trouble in the Collector's office in preparing or checking a daily bill as compared with checking a monthly bill?—There would be no trouble if there was a monthly allowance; the money would be simply drawn and paid.

17488. Therefore the labour is very much less?—Of course. The fixed monthly system saves all the bills, and it would save work in the Accountant-General's Office, where they are checked again.

17489. Then if we are told that it would not save work, would you say that that is inaccurate?—I should think it was inaccurate.

17490. Are the experiments which have been made as to the system of chaukidari panchayats likely to turn out well?—Yes; I have no personal knowledge, but I gather that they are doing well.

17491. Is it the right place on which to concentrate attention as regards local self-government at present?—I do not know that. I am speaking of the chaukidari panchayats. We have submitted proposals to the Government of India to improve the village union committee system, but that is different from the chaukidari panchayats system.

17492. The village union committee system is connected with the District Boards?—Yes.

17493. And that is where you would begin?—I think so, with regard to a village or a number of villages.

17494. Would you rather begin there than with Advisory Councils in the way of educating the people?—Yes, I should prefer to do so.

17495. Under your scheme of large Commissionerships, could you administer the whole province with four Commissioners?—That is a thing that would have to be worked out in full detail.

17496. Do you only refer to the question of language with regard to divisions, and might you have two Commissioners in one linguistic division?—Yes.

17497. In Chota Nagpur have you a homogeneous population under you?—Yes, I think so.

17498. Is there none of the same population outside your borders?—We mix with Orissa a bit, but generally speaking I should say no.

17499. Do you march with the Central Provinces?—Yes; some Native States have been transferred from Bengal to the Central Provinces.

17500. If you had this system of large Commissionerships with great powers, would there still be room for the Board of Revenue?—That is a point which would have to be worked out: possibly there might not; possibly the Board might be done away with, but then we should have to make some arrangement for the Customs and the Imperial Departments, which would require a great deal of thinking out; but possibly the Board might disappear.

17501. (*Mr. Meyer.*) You held the position of Deputy Secretary in the Finance Department for three years?—Yes.

17502. Roughly, what were your duties in that position?—I had charge of the Expenditure and Excise Branches. When a proposal for new expenditure came up to the department immediately concerned, after that department had expressed its opinion upon it, it came to the Financial Department for concurrence or for an expression of the opinion of the Financial Department; I gave that opinion and submitted it, in most cases, to the Member of Council.

17503. Was your work, apart from excise, principally concerned with financial criticism of administrative schemes coming from other departments?—Yes.

17504. That being so, would it not be rather an advantage to have as Deputy Secretary a man who had considerable administrative experience himself?—Certainly.

17505. Therefore there is no special disadvantage in his having served, say, in the Home Department, or in his own Local Government, or having otherwise got some experience outside mere finance?—Yes, I quite agree.

17506. You say it is desirable that there should be more frequent change in the *personnel* of the Government of India Secretariat—do you mean that you think the three-year rule too long?—No, I do not think it is too long.

17507. An officer appointed, say, to an Under-Secretaryship or Deputy Secretaryship to the Government of India, and whose training has been in a particular province, is at first not altogether familiar with his work? His full usefulness to the Government of India is not attained, until he has been at least some months in his Secretarial appointment?—I think so.

17508. Therefore whatever advantage it may be to the provinces to have a rapid flow of officers passing through the Secretariat, might it not be a disadvantage to the Government of India?—I was thinking of a three years' tenure; I did not mean a few months.

17509. You say it would be of advantage to have officers pushed through the Secretariat as rapidly as possible?—That was not my meaning; I should think three years should be the time.

17510. Is there any time rule in the Bengal Secretariat as to the period of Secretariat appointments?—I think not.

17511. Would it be advisable to have a time rule there?—It is probably hardly necessary, because an officer is promoted from the Secretariat to a Commissionership. There is a time rule, I believe, for Under-Secretaries. It is either two or three years.

17512. If a man were appointed as Secretary at a quite junior stage of his career, he might still put in a great many years as Secretary before his turn came for a Commissionership?—Yes.

17513. Do you see any disadvantage in that, and would you apply a rule with regard to Secretaries in Bengal?—I think so, say, three or four years.

17514. You are satisfied, generally speaking, with the existing financial relations between the provincial Governments and the Government of India, but you think the Local Governments might have considerably more powers in detail?—That is my opinion.

17515. As Financial Secretary to the Local Government you deal with your own budget?—Yes.

17516. You have to send it up to the Government of India?—Yes.

17517. Did the Government of India alter it very much?—No, not very much.

17518. When they did alter it, for what reason was it altered?—So far as I can recollect they cut it down simply because they thought we would not be able to spend as much as we were asking for; it was simply in the interest of accurate estimating.

17519. Did you get a formal assurance in such cases that if there anticipations were belied and it was found that you could spend the money and had it available, you would be permitted to do so?—Yes.

17520. As far as your experience goes were such alterations as the Government of India made justified by actual facts?—I can hardly answer that question, because I only sent in one budget and left in September.

17521. Had you studied any of your predecessors' budgets?—Yes, and I think, on the whole, the Government of India were correct, and that the Local Government would not have been able to spend up to the amount represented.

17522. It has been represented to us in Madras, that though the Government of India might be quite correct in making a lump cut in the budget, it gave a great deal of trouble to the provincial Government in distributing the reduction to be made over the various sub-heads; have you found that to be so?—No, I have not experienced any trouble, and it could be done relatively easily.

17523. It has been suggested from various sources that the Government of India might be able to relax their control over provincial expenditure more, if all the divided heads were made entirely provincial; do you see any advantage in that?—I cannot see any reason for it; I do not see what advantage would be gained.

17524. One advantage claimed for it was this: at present if you take a divided head the Government of India is concerned with half the expenditure; therefore, in the interests of accurate estimating, with regard to the imperial surplus, you must if, necessary, cut the provincial figures: the advocates of the other plan urge that as the whole of the expenditure is provincial, the Government of India need not concern themselves about the accuracy of the figures, and need not therefore interfere with them?—I believe the Government of India try to concern themselves with the accuracy of all Government figures.

17525. May I take it that in your opinion the imperial and provincial budgets should be exhibited together so that the provincial figures shall form an integral part of the imperial budget?—I think so.

17526. In matters of education and forests, or anything else, you must show the expenditure under each head, otherwise the public would not get an idea of the financial expenditure under the various heads of administration?—Yes.

17527. It has been suggested that the provincial Government might take the whole of its land revenue, say, and hand over the other heads of divided revenue to the Imperial Government—do you see any advantage in that?—I can see no advantage in it at all.

17528. Might there not be some disadvantage in it?—I should think so; I think the Local Government has a great interest in having revenues divided.

17529. Would you take the revenue from excise as an example?—I do not think that is a good example to take, because it is so important a subject from the administrative (apart from the revenue) point of view that the Local Government could never afford to neglect it. Take, for example, customs, which is imperial—I do not think the Local Government takes much interest in customs.

17530. Outside the heads of revenue which are wholly provincial, such as registration, is a system of partnership really best for both sides?—I think so, decidedly.

17531. Would it be an improvement, or would it be necessary in the interests of administrative efficiency, to give Local Governments a share in the customs?—No, because customs is peculiarly a department which can well be administered by the Imperial Government direct. Foreign countries are so largely concerned, that it is very desirable to have a uniform system of treatment, and the customs should be treated at Bombay in the same way as they are treated at Calcutta and other places.

17532. Are you in entire agreement with the Local Government as regards the grant to them generally of larger powers as to salaries, appointments, pensions, travelling and local allowance rules, and so forth?—I have not studied the proposals very closely, but, on the whole, I agree.

17533. Do you think, speaking generally, that the control proposed by the Civil Service Regulations in such matters as travelling allowance is too rigid, and that the Local Governments should have larger powers?—I think so, certainly. For instance, with regard to travelling allowance, that is a small matter which a Local Government ought to be able to administer for itself.

17534. Would you admit the desirability of some general rules or instructions being issued by the Government of India?—Yes, leaving matters of detail to the Local Government.

17535. At present the Accountant-General is entirely independent of the Local Government, and it is his duty to challenge any case in which the Local Government has, as he thinks, exceeded its financial powers?—Yes.

17536. In that case, if the Local Government cannot satisfy him, does the matter go to the Government of India?—Yes.

17537. The same position applies, as between the Government of India itself and the Secretary of State?—Yes.

17538. It has been suggested that in cases of dispute as to the application of some rule under the Civil Service Regulations or some other Financial Code, the Local Government might have power to over-rule the Accountant-General; would that be safe?—Not in a matter of interpretation.

17539. If a Local Government said "We think under this rule we have power to do this," and the Accountant-General said "I do not think you have—you must go to the Government of India," do you think that ought to be preserved?—Yes, but I should, of course, look to the Accountant-General not to strain anything too much.

17540. Do you further regard it as a necessity that the financial powers given to Local Governments and to the Government of India should not be overstepped?—I think so.

17541. Are the present regulations quite satisfactory as between the Local Government and the Audit Department?—They are satisfactory, but the Accountant-General sends up too much. I should like to see him invested with larger discretionary power than he has at present. It is of no value to the Bengal Government to have a memorandum to the effect that Rs. 3½ was wrongly expended four years ago, and asking for an explanation.

17542. You are now speaking, not as between the Local Government and the Government of India, but as between the Local Government and its own authorities?—No, the Accountant-General sends it up.

17543. But if it is a matter affecting the financial powers of the Local Government, is there any question as to the Local Government overstraining its powers?—No, what I say is that the Accountant-General need not send it up.

17544. In regard to the financial relations between the Local Government and the Government of India in cases where the Accountant-General occasionally

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obliges you to send up a matter for the sanction of the Government of India, are you satisfied that the position now is as it should be?—Yes, except that frequently a needlessly petty reference is insisted upon.

17545. Speaking generally, the Accountant-General exercises his discretion fairly reasonably?—Yes, speaking generally, and subject to the delegation of the powers which the Local Government has now asked for.

17546. Do you mean that if the Local Government gets the larger powers asked for, half, or more than half, the references it now has to make to the Government of India will become unnecessary?—Yes.

17547. Do you say that the Accountant-General is, in your opinion, needlessly particular in bringing to the notice of the Local Government technical irregularities on the part of its own subordinate authorities?—I do not like the word "needlessly"; I understand he has to do it, and I should like to see him invested with power either of taking no notice, or of simply himself passing orders.

17548. Has not the Local Government itself power to relieve municipal expenditure by stating that nothing shall be challenged within a year or any limit you like to take?—As a matter of fact, the question of local audit is now under consideration, and no doubt that is a point which will be considered.

17549. In so far as it is unsatisfactory, and in so far as there are needless references from the Accountant-General to the Local Government with regard to the action of local officers, would not the remedy largely lie in the hands of the Local Government itself, by giving those local officers increased powers?—That is not what I meant; I was referring to petty irregularities brought to notice by the Accountant-General.

17550. But you mentioned a case which had to go up to you as Financial Secretary?—Yes, but that was an expenditure not contemplated by the Act.

17551. Why could you not have given power to your Collectors to sanction such expenditure?—It cannot be sanctioned at all, because it is some petty expenditure which the Act has not contemplated, and therefore it requires the sanction of Government; but the sanction of Government cannot be obtained because it is illegal.

17552. Have not Accountants-General been empowered to write off at their own discretion small sums up to Rs. 10?—I believe they have, and I should like to see it increased to a larger amount.

17553. It has been suggested by various witnesses that the Head of an administrative Department, such as the Director of Public Instruction, should have the power of re-appropriation between sub-heads under the head of the provincial expenditure which he administers; do you see any objection to that, assuming, of course, that the Accountant-General certifies that the re-appropriation can be made?—No, I should not object to that, within limits.

17554. Would you allow re-appropriation as between major heads?—That is rather a difficult question to answer.

17555. The position at any rate would be materially different as compared with re-appropriation between sub-heads of the same budget?—Yes, materially different.

17556. From your experience in the Government of India Secretariat should you say that the allegation that the Government of India interfere unduly in matters of detail when dealing with provincial schemes of expenditure, is well founded?—I think detail is touched upon a good deal.

17557. I am speaking rather of a scheme which has to come forward under a financial rule because it involves the creation of an appointment of Rs. 300, for example. That scheme contains a number of other administrative details which, if they stood by themselves, the provincial Government might sanction, but which now have to go up to the Government of India for sanction. Do you think the Government of India interferes unduly in those matters?—I think there was a tendency to go into the whole of a scheme including matters which did not require the sanction of the Government of India.

17558. Would you say the Finance Department were special sinners in that respect, or that the other departments were also guilty?—That I can hardly answer; but there is always a greater tendency on the part of the Finance Department, from motives of economy, to go into closer details.

17559. Until quite lately settlements with the provinces were only temporary,—quinquennial—and the basis of the quinquennial settlement was the normal expenditure of the provinces as then existing?—Yes.

17560. Consequently, if a province got a scheme sanctioned during the quinquennial settlement, it might for the time being defray the cost out of surplus revenues, and when the next quinquennial settlement came, they might say "This is part of our normal scale of expenditure and therefore you must give us a better settlement"?—So they ought to.

17561. Therefore for that reason might it not be necessary for the Finance Department to look into those details somewhat carefully from the Government of India side of the case?—I think the less detailed interference the better.

17562. Did you in the Expenditure Branch think any Local Governments were unduly extravagant in matters of expenditure?—Occasionally schemes came up which were possibly rather extravagant, but I am not convinced now that it was worth while our interfering.

17563. Was there, possibly, any tendency to relax financial rules and Civil Service Regulations, or otherwise, for the benefit of members of the Indian Civil Service or other officials?—Not for the benefit of any particular class of people. But there is a tendency in Local Governments to get for its officers what the officers ought, in their opinion, to get, and I think that is a very proper spirit to exhibit.

17564. Is there any tendency to consider the interests of the officer as against the interests of the taxpayer?—No, I would not put it in that way.

17565. You had a good deal to do with opium work as Deputy Secretary? Was there not a good deal of trouble caused by a provision in the Opium Act, which requires that all Opium Rules should receive the previous sanction of the Governor-General in Council?—Yes.

17566. Do you agree with the opinion expressed by one or two Local Governments that in sections 8 and 13 of the Opium Act the words "subject to the control of the Governor-General in Council" should be substituted for "subject to the previous sanction of the Governor-General in Council," so as to avoid reference to the Government of India on all matters of detail with regard to the Opium Regulations?—Yes, I am not prepared to say that a change should be made, but it seems to be a good suggestion, and I am inclined to agree with it.

17567. It has been alleged that the existence of a permanent settlement in Bengal give the Revenue Officer very little detailed revenue work to do, but one witness combated that assertion, and said, on the contrary, that he had a great deal to do? What is your idea?—Our revenue work now involves a great deal of settlement and land-record work.

17568. Have you settlements in respect to estates under Government management?—Yes.

17569. The last witness stated that there is a certain amount of work with regard to certificates; is a certificate practically the process by which arrears of revenue are collected?—Not arrears of land revenue; these are collected under the Sale Law. Arrears of cesses are realized by the certificate procedure.

17570. That is all rather routine work?—Yes.

17571. Does your chief revenue work simply lie in the direction of settlements, when there is a settlement of a Government estate, and in work connected with land-records?—Yes, and land registration.

17572. You have to deal with a certain amount of work in connection with the partition of estates. Does all that work go up to the Board?—Yes.

17573. Is that necessary?—Probably not.

17574. Some of your permanent estates are quite of small size. As to small estates, might not the Collector deal with the partition, subject, of course, to an appeal to the Commissioner if a party was dissatisfied?—The Collector does make the partition, and then it goes up

to be confirmed by the Board of Revenue; I am not sure that that confirmation is necessary, and that it might not be done perhaps by the Commissioner.

17575. Would you prefer a system by which the Collector should make the partition, getting it confirmed by the Commissioner?—I am not prepared to say that I should prefer that.

17576. Does not your district organization consist largely in the concentration of Deputy Collectors at headquarters?—Yes, combined with sub-divisions.

17577. Is the headquarter sub-division in direct charge of the Collector, with two or perhaps three outlying sub-divisions in an ordinary district?—Yes.

17578. The Sub-Divisional Officer, who may be a Civilian, is sent there principally for magisterial work?—Yes, I should say chiefly. He does a certain amount of revenue work, which varies in different districts. He also presides over the Local Board.

17579. On the other hand, the largest sub-division of the district is administered by the Collector, who has Deputy Collectors for excise, income-tax, and stamps, and other branches of administration?—Yes.

17580. As you are probably aware, the whole district in Madras is divided into sub-divisions, and there is a Sub-Divisional Officer for each one, the Collector controlling them as the inspecting authority; is there something to be said for that plan?—One of our proposals is to have an officer in charge of the headquarters sub-division.

17581. If you had that system, would it be necessary to have Deputy Collectors concentrated at headquarters; would it not be better to allow each Sub-Divisional Officer to act as a Collector for his sub-division and perform all the branches of administrative work which the Collector has to do?—Yes, but of course he would require more staff.

17582. With regard to income-tax in Bengal, I understand that all the work is centred in the hands of a single Income-tax Deputy Collector. In Madras, on the other hand, the local officer makes his income-tax assessments, subject to the control of the Collector. Would it not be better to have such matters attended to by such an officer who has knowledge of the local area, instead of concentrating it at headquarters?—I should not object to that being done.

17583. You speak of the Joint-Magistrate as having disappeared; have you not a certain number of Joint-Magistrates on the *cadre*?—We have not got them serving in the districts in the way we had in the old days. There was then a Joint-Magistrate who knew the district, but that class of officer has disappeared. In the cold weather now, we get a young officer officiating as Joint-Magistrate for two or three months; then off he goes in the hot weather, with the result that he never gets a thorough hold of the district.

17584. Is that not due to the fact that promotion to Collectorships is rather rapid?—The Local Government has expressed its views on the subject; it is rather a detailed question which I am not prepared to answer.

17585. Would you like to see the Commissioner occupying a position rather like that of a Sub-Governor?—In a kind of way, yes.

17586. Apart from language and geographic considerations, if a province was homogeneous, would you still give Commissioners large powers and make them a species of Sub-Governor?—I think I had better confine my remarks to the province I know best—Bengal; I am not sure whether it would be appropriate to other provinces or not.

17587. Apart from that, would you be prepared to give larger powers to Commissioners; would you divide the present budget and give each Commissioner a piece of it to deal with?—I think there is scope for action in that direction.

17588. In the matter of Public Works, for instance, would you give the Commissioner powers of administrative sanction?—That would be a useful thing, if he also got allotment of funds.

17589. Would you give him the power of appointing Sub-Deputy Collectors?—I think he might be given such powers.

17590. Would you give him the power of posting members of the Civil and Provincial Services in his own division?—I certainly would give him power as to the Provincial Service, and also as to the Indian Civil Service; if there was fair continuity of service he might be entrusted with those powers.

17591. Would you like him to have power to post a Collector, or would you confine him to posting to grades below the Collector?—I should be inclined to leave Government to post Collectors.

17592. Might the Commissioner have powers, subject to rules laid down by the Local Government, of vesting officers with magisterial powers?—I think so.

17593. And such other special powers as, in the opinion of the Local Government, may be required under the Criminal Procedure Code, of committing to the Sessions, ordering securities for good behaviour, and things of that sort?—Yes, all those are matters which a Commissioner ought to be competent to deal with.

17594. It has been suggested that instead of a number of administration reports on different subjects, such as municipalities, excise, and so on, there should be one comprehensive administration report for a province in which there should be paragraphs dealing with each subject; would that enable the Local Government and the Government of India to get sufficient knowledge of what was passing in regard to particular matters connected with administration?—I should be inclined to think not.

17595. Is not one reason for these administration reports that, apart from the necessity of furnishing information to the higher authorities, it enables an officer's successor to see what has been going on?—Yes.

17596. (*Mr. Hichens.*) What, briefly, were the general principles of the provincial financial settlement?—The main change was that a *quasi*-permanent settlement was effected instead of a five years' settlement as before.

17597. What was the object of that?—One object was to give the Local Government a keener interest in administering the details of its departments economically and efficiently.

17598. Would the general idea of the relations between the Government of India and provincial Governments be that the Government of India has to deal with principles and Local Governments have to deal with detail?—Yes, I think so.

17599. You said that with regard to financial matters it was somewhat difficult to carry that idea out because the interpretation of the Financial Codes was a matter which could not be left to Local Government?—The application ought to be left; if a question of interpretation arises, then it must go to the Government of India for settlement.

17600. Are you prepared to say that the Civil Service Regulations, for example, lay down certain principles to which, admittedly, from time to time it is desirable to make exceptions, but that those exceptions should be made, not by the Government of India, but by the Local Government?—I would certainly ask for very free powers for the Local Government to make exceptions.

17601. From your knowledge of the Civil Account Code and the Civil Service Regulations, would you go so far as to say that the power of making exceptions, wherever any such power is granted, should be given to the Local Government and not to the Government of India, that is to say, wherever in the Codes the words occur, "subject to the exceptions to be approved by the Government of India," you would substitute the words, "subject to the exceptions to be made by the Local Government"?—I would not commit myself so absolutely, but as a general principle I should think so.

17602. In the matter of interpretation again, do you get a good deal of detail?—Yes, any important point of principle ought to go to the Supreme Government, but, personally, I would leave as much detail as possible to the Local Government.

17603. Are the estimates of the Bengal Government compiled in the Finance Department?—Yes, upon information sent up by the Accountant-General who collects it in the first instance, and sends his figures on to the Local Government. The Local Government frames its budget upon that.

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17604. Suppose in the course of the year there happens to be a falling off in the revenue, is the Finance Department responsible for bringing that to the notice of the Lieutenant-Governor?—The Financial Secretary certainly would bring it to the notice of the Lieutenant-Governor. He receives monthly statements from the Accountant-General showing how the revenues are coming in and the expenditure going on, and, if there was anything very abnormal, the Financial Secretary ought to bring it to the notice of the Lieutenant-Governor.

17605. It would be his business to point out to the Lieutenant-Governor, for example, that the revenue was falling so short that there must be curtailment in the expenditure?—Undoubtedly.

17606. Would it be his business to make recommendations as to where a curtailment should be made?—He would have information showing how the expenditure was progressing up to date in the different departments, and he might be in a position to suggest that as a given department, say, receiving an allotment of 20 lakhs, had only spent 5 lakhs in the first seven or eight months of the year, a saving might be effected there. He could point out where he thought a curtailment might be possible, but he could not order it.

17607. Would you, as Secretary in the Finance Department, make recommendations to the Lieutenant-Governor, or would he decide the matter after consulting the various departments?—Such a thing has not actually occurred in my time, but if it had I would have consulted the Heads of Departments and ascertained from them how far a curtailment could have been effected; then I should have put all their views together, and laid the case as completely as I could before the Lieutenant-Governor, and left it to him to decide where any curtailment should be made.

17608. Should Local Government have more power in matters of appointment, travelling allowances, pensions and such things?—Yes, certainly.

17609. But not on larger matters?—I am quite content with the existing principles which govern the relations between the Imperial Government and the Local Government, which I think are good and sound.

17610. Are you quite satisfied that the budget should be passed by the Government of India?—Yes, quite.

17611. Have you been a Commissioner long enough to form an opinion with regard to the character of the work which goes up to the Board of Revenue?—No, I think not. I would rather not express an opinion.

17612. When you were Secretary to the Finance Department you dealt also with municipal affairs? Do you think it advisable to give wider powers to municipalities?—I am not disposed to make any recommendation for giving wider powers to municipalities at present.

17613. Would you allow them more freedom in exercising the powers that municipalities already possess?—Yes.

17614. Would you allow them to exercise their powers without so much Government intervention?—No; I think municipalities require a good deal of control and supervision. I do not think their offices are very well run; there is no good supervision over them. You may have an energetic Chairman, who may be good at out-door work, but, speaking generally, the offices are not well supervised, and there is a want of control over their conduct which reflects to a considerable extent on the administration outside.

17615. You would not be prepared to go so far as to allow them to make up their own budgets without submission to the Government, and without the sanction of the Government?—I would not send them beyond the Commissioner of the division—in fact, at present, they do not go beyond the Commissioner.

17616. As Commissioner would you examine the budget very closely?—It is the District Magistrate who examines it closely; I do not think the Commissioner would do so.

17617. Supposing you disagreed with a budget, would you send it back, and would you make them practically agree to what you wanted?—Only in an extreme case; I do not think one would interfere in small matters unnecessarily.

17618. Then the existing power of control is not very widely used?—Personally I have never known any municipality object to its budget being examined and criticised; on the whole, they rather like its being examined for them.

17619. Do they like it for the reason that, in the event of anything going wrong, or if there is grumbling at the weight of taxation, they can shift the responsibility on to the Government?—No; that would be rather an unfair motive to attribute to them.

17620. Is it possible to delegate further powers from the District Boards to Local Boards?—That is a very complicated question; at present I think the Local Board is not serving a very useful purpose, and it is a question whether we should take away from the District Board and give to the Local Board, or whether we should do without Local Boards altogether and simply have District Boards and union committees. Some re-distribution is required, but it is not quite settled yet in what direction it should go.

17621. Broadly speaking, is it important that the method of election should be amended?—Yes.

17622. And when that is done, would you be prepared to give Local Boards further powers?—Yes, I think so—that is the intention of the Local Government, and I agree with it.

17623. District Boards have a pretty wide area to deal with, and no member probably knows much about the whole of it?—I think they are not intimately acquainted with the whole of it.

17624. Are they more likely to be interested in the area of their own Local Board?—Yes; we hope they will be, but at present they are not. There is more life in a District Board.

17625. Is that because Local Boards have no money of their own to deal with?—Yes; they have very little to do, and the thing is not well arranged at present.

17626. Would you recommend that they should have a definite portion of the cess to dispose of themselves; for example, would you give them power to deal with education?—I would not like to commit myself to that; I would like to give them as much freedom as possible, but it is a very difficult question to argue.

17627. You are not prepared to say, then, broadly, that you think they ought to have a definite income of some kind?—No, not unless they were prepared to raise more income by light local taxation.

17628. Supposing the Public Works Cess was handed over to District Boards, would you then be prepared to say they might have a portion of that?—Theoretically I would, but the difficulty then arises who is to spend that money, and what the agency will be. At present you have one District Engineer for a whole district, and if you are going to divide the Road Cess money, or the Public Works Cess money into four separate shares, are you going to have four separate District Engineers?

17629. That objection would not apply to education?—Perhaps not; they might be able to run their own primary education to a large extent, and I should like to see them as free as possible in respect to that.

17630. With regard to authorities subordinate to a Local Board I understand that there are two kinds of organizations; there is a chaukidari panchayat and there is also a union committee?—There are two such bodies in existence.

17631. Does the chaukidari panchayat merely deal with police matters?—Yes. A union committee is a different thing under the Local Self-Government Act.

17632. Have union committees not been quite successful?—They have not much life as yet, and the Local Government have sent proposals to the Government of India to expand their spheres of usefulness.

17633. If they ought to be expanded, would you do it on the lines of unions of villages or would you make each village a unit by itself?—On the whole a union of villages would be better. You might possibly get one village too small to be a municipality, and quite big enough to be a union of itself.

17634. Would the villagers in one village be interested in the affairs of another village?—On the whole, one would suppose not.

17635. *A priori* does it not seem likely that a body with more life would be created if it was confined to

single villages as far as possible?—It is rather dangerous to theorise, and you must deal with facts as you find them. On the whole, I am inclined to small groups of villages, although there are some villages which are big enough to be a union of themselves.

17636. Do you propose to give them powers of taxation?—Yes, powers of light local taxation, principally for sanitation.

17637. Would they have anything to do with education?—I hardly think so, although if there were a primary school in the union it is just possible they might have a certain amount to do with it.

17638. (*Mr. Dutt.*) When is the Bengal budget sent up to the Government of India?—There are three editions of the budget and the final submission is in the beginning of the month of March.

17639. When is the sanction generally received?—It is announced at the end of March, although we know un-officially, or possibly even officially, if any serious change is made.

17640. That budget is discussed in the Bengal Council?—Yes. In April or a fortnight afterwards.

17641. Could the Bengal Government, before sending the budget to the Government of India for sanction, take the opinion of the Bengal Council? Could the Bengal Government do anything in the way of modifying the budget after getting the sanction of the Government of India?—I cannot answer that question off hand.

17642. Would you prefer such a thing with view to ensuring an opportunity to make modifications of the budget previously to its submission to the Government of India?—I should think that would be a development. We had the budget discussed informally last year. I think what you suggest is possible, and if it turns out to be possible, I should like to see a development on those lines.

17643. With regard to nominated members sitting on District Boards, is it your opinion that as soon as they are nominated they lose the confidence of their countrymen?—No, that is not my opinion—not absolutely as you state it. I do not see why they should lose the confidence either of their countrymen or the villagers.

17644. How long were you a Collector?—For about four or five years.

17645. Did you find that some of the members of the District Board were doing useful work?—Yes, there were always some members who did good work, and some who were not so much interested.

17646. You would not agree in the opinion that their main object in being elected as members of District Boards was to advertise themselves?—No, speaking generally. No doubt there were cases of the kind, but I would not make that as a general statement.

17647. It has been suggested that small zemindars and raiyats should send representatives from their own class to local bodies. Do you think that in small sub-divisions this class would find suitable representatives from amongst their people?—It is to be hoped that they will.

17648. Supposing they did not, and that they wished to send a man from another class to represent their interests more effectually, would you prevent them doing so?—Yes, I think they had better send one of their own class.

17649. Suppose they wished to send a man, more able and intelligent, to represent their interests?—I should like to wait till the contingency really arises before expressing an opinion upon that matter.

17650. As regards your proposal that the whole of the province of Bengal might be divided into four great divisions, is not the province practically so divided now, except that there are six divisions instead of four?—I should not say that, because I develop my proposals.

17651. It is your idea that Sub-Governors or Heads of divisions should have Secretaries of their own?—My suggestions are only a very rough idea, but I should think not. At present the Commissioner has a personal assistant, and possibly he might have two personal assistants, but that is a matter which would require to be thought out. I do not contemplate a regular Secretariat.

17652. Would you have separate Heads of Departments in those sub-provinces?—No, I think they would not be required.

17653. For instance, there is a Director of Public Instruction for the whole of Bengal; would you allow that Director to control the educational operations in Bihar, or would you allow him only to be an adviser?—You have the inspector at present and the inspector would work under the Commissioner's orders; the policy would be laid down by the Lieutenant-Governor after consulting his departmental adviser, and the departmental adviser would tell the Commissioner what to do.

17654. So in the Medical Department and other departments would you have special officers as Heads in the sub-provinces?—Not in the Medical Department, you would not require any one at all there, because you would have your Civil Surgeon for each district.

17655. But who would control the Civil Surgeons?—There is the professional control of the Inspector-General.

17656. Who would pass orders as to transferring them from place to place?—My idea is that if you had a staff allocated to a sub-province, it would be the Commissioner himself. Civil Surgeons are not transferred every day, or at least they ought not to be. With five districts in a division there would be only five Civil Surgeons and a certain number of assistants; the Civil Surgeon would report that he wanted an assistant and the Commissioner would try to find him one from another district.

17657. You say Heads of Departments should not be allowed to dictate to the Heads of sub-provinces the action to be taken by them, but are there certain matters in which their instructions would have to be carried out by the Heads of sub-provinces?—Yes, they would advise. We should have to see how it worked out—it is difficult to say exactly.

17658. If you were to delegate many of the powers now possessed by the Board of Revenue to the Commissioners of divisions, might not the Board of Revenue be curtailed?—That is a question which would have to be examined.

17659. In the event of that being the case, would the members of the Board of Revenue be more valuable if they were general colleagues of the Lieutenant-Governor, in revenue as well as in other matters—in fact if they were members of a Council for Bengal?—That is not the scheme I put forward myself; my scheme scarcely fits in with what you suggest. Yours is not a scheme which I could recommend.

17660. With regard to your views as to the duties of Commissioners, might not the object be served if you created Advisory Boards for Commisioners and District Officers?—No, I do not think so. I do not quite understand what you mean by an "Advisory Board," or what its functions would be. I say we have certain Boards and Local Bodies at present, and I do not want to see another Local Body super-impose upon them.

17661. District Boards have certain definite duties to perform under the Act, and if there are other matters in which the Collector wants co-operation, can he go to the District Board under the Act?—The Act does not say that he cannot go to them; he can consult them at a District Board meeting after he has performed, or before he has performed, the business which is on the list. Very often Government sends down and asks the opinion of the District Board which records a formal opinion which is sent to the Government.

17662. When the Government or a Collector wishes for an opinion, is an informal discussion with the members of the Board enough?—I think informal discussion is quite enough, and it is very useful, and is generally sought by a District Officer or Commissioner.

17663. Are not the sub-inspectors of schools, who used to be servants of the District Boards, now Government servants?—Yes. The change was made about two years ago.

17664. Would you approve of the idea of primary education being managed by the Boards through their own servants as it used to be?—On the whole, I would like to see primary education managed by the local authorities as much as possible; that is my general opinion without committing myself to details.

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17665. With regard to village panchayats would you like to entrust them with the power of disposing of petty civil and criminal cases in the villages?—I would, but I would not say it would be feasible to entrust them with such powers.

17666. Would you like to try the experiment of letting the villagers settle their own disputes in small village matters if proper men could be found in the villages?—I do not see any hope of success. We have a very complicated and intricate judicial system, and if you add that to it, I presume you would allow appeals to a higher authority, and if the procedure is hopelessly bad from the beginning it would never do to have such a system if it could be all upset because of irregularities in procedure.

17667. Are there not Honorary Magistrates in villages sometimes?—Yes.

17668. Would you like to associate the Honorary Magistrate with two or three villagers so as to form a Bench to dispose of cases?—We have the Bench system already in fairly large villages—not in every village—but in most sub-divisions you have two or three Benches, and cases come up on appeal to the District Magistrate. Their procedure is frequently found to be not so correct as the law contemplates, although they might do justice with regard to the actual case.

17669. On the whole, do you think the work of criminal administration by these Benches satisfactory?—I should be glad if they had more of it; they do a certain amount of good work.

17670. Would you like to try the experiment in other places?—I am always in favour of having work done by such an agency, and the more done by them, the better.

17671. (*Sir Frederic Lely.*) You mentioned that it would tend greatly to reduce the number of transfers within a province if the Government of India were to give longer notice when they require the services of an officer; has that suggestion ever been made officially?—I am not aware that it has.

17672. Is every district in Bengal divided into sub-divisions?—Most districts are, but there are some which have no sub-divisions. In my division there are two—Palamau and Singhbhum—which have no sub-divisions.

17673. In whose charge are sub-divisions?—They are in charge of what we call a Sub-Divisional Officer, who may be a young Civilian or a member of the Provincial Service.

17674. Is his work limited to certain things, criminal, magisterial and Local Board work?—Yes, and in some sub-divisions there is some revenue work—for instance, if there was a famine or serious scarcity, he would be responsible for looking after that.

17675. But he is not in full administrative charge of a sub-division under the Collector?—Not absolutely. He is in charge in a limited way.

17676. Does he tour?—Yes.

17677. If it was wished to enlist the advice and help of the people more in the work of Government, how would you proceed?—My own suggestion is less routine and office work for the District Officers, so as to enable them to mix more freely with the people of the district. I have no organic change to suggest.

17678. Would you, for instance, begin with some of the best District Boards and make them entirely elective, as an experiment?—I never object to any experiment, and it might well be tried.

17679. Is not the present system, under which Government nominates a third, merely enough to take the majority-vote out of its hands, while at the same time it may involve a certain amount of odium for mis-government?—I do not think so.

17680. Do not the people say that Government nominates the wrong men?—I do not think so.

17681. With regard to District Boards, is primary education chiefly confined to what we call the *guru* schools? Would not the management of those schools be more appropriately left to the villages than to the District Boards?—But there are many villages where you would find no one very keen upon superintending the *guru* schools.

17682. But if willing villagers could be found would they not be more appropriate agents?—Theoretically; the more you localise, the better.

(*The witness withdrew.*)

Mr. A. AHMAD was called and examined.

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17683. (*Chairman.*) You are the Magistrate and Collector of Khulna?—Yes, I have 26 years' service.

Long experience has shown that the Heads of Departments must be members of the Indian Civil Service recruited from England. Any deviation from this established rule will break up the administration into so many branches without the efficiency of control which is now felt and acknowledged on all hands. It may be urged that a special Department requires expert opinion and expert knowledge in a particular sphere of action. That I accept and would allow details and special treatment to be dealt by qualified experts from Europe. At the same time the control of the department and its administration must remain with the Indian Civil Service. Another point in relation to the administration which calls for attention is the cry of the people, the educated classes, for a greater voice in the administration. This can also be effected by a judicious admixture of the people with the administration. At the present moment district areas are too large to be properly governed by one man, and the assistants allowed to him are often too few. The work demanded of him is of varied description requiring at times superhuman effort. He is hampered in his endeavour by rules and regulations which insist on his going to higher authorities for sanction or to zealous departments for advice or to subordinates who offer allegiance to him on sufferance.

To remedy these drawbacks I would expand the present administrative unit and make the *chaukidari* circle the unit of the administration. Members of *panchayats* and their Presidents would be elected by the people and subsequently appointed or selected by the District Officer. These in their turn should elect members of the District Council who should meet once a month at the headquarters of a district. The Collector of the district should be its President. All matters which are now discussed and settled by District Boards and municipalities should be dealt with by this Council. The number of members elected should be supplemented by local officers of different departments. This Council will prepare the budget, administer the local funds, and assist the District Officer and the Executive with advice, help and assistance. From this body of councillors a number of members, including officers of Government, should be selected to represent the provincial Advisory Council. The actual work in a district will be done by the Executive as now, but with more independent powers from the divisional and other higher authorities. Commissioners of divisions and the members of the Board of Revenue should become Executive Councillors to Government. Powers and duties should be delegated to the Commissioners of divisions and Heads of Departments, and orders passed by them as representing the Council should be final. The powers of Collectors should similarly be enlarged and they should be independent of the Commissioners' control but directly under the Lieutenant-Governor and his Executive Council, which is distinct and separate from the Advisory Council of the province, which would be an assembly of mixed officials and non-officials without any executive powers. The Commissioners should be added to the Advisory Council to assist in legislation affecting the administration of the province. The Secretaries should remain the same as now, and as the work with Government will become heavier they should be assisted by extra officers and staff now working in the Commissioner's office and in the Board of Revenue and other Departments.

I am against the multiplicity of appeals. When two Courts are of the same opinion no further appeals should be allowed. I would invest the local panchayat with summary powers to try petty criminal cases and

dispose of smaller classes of money suits. They should have powers to impose fines and decree damages and suits—the powers to be exercised summarily, the rural Benches and Courts to recover no stamp duty for such matters, but expenses entailed to be met and paid for by the District Officer from the district funds at his disposal. Appeals from these decisions should be to Sub-Divisional Courts and from them to the District Courts.

The village *panchayat* should have the power to impose *chaukidari* tax, drainage and sanitary taxes and water and school taxes, and they should administer the funds under the control and subject to the approval of the District Advisory Council. No cash will be kept or handled by them, but all sums so recovered will be sent to the treasury which will bank with them. The *panchayat* will also form Credit Societies, and that money will be entirely at their disposal with the necessary control. It may also be supplemented from time to time by the funds at the disposal of the District Council. The Local Boards, unions, and rural municipalities should be abolished or merged into the District Council and chaukidari union panchayat.

I would further remove the police investigation centres and convert them into petty Courts where complaints can be lodged and judicially disposed of. The men in charge of these petty Courts should be paid servants and have higher powers than the village Courts. They should be allowed to dispose of petty criminal cases and money and rent-suits which are now tried summarily. They should be under the control of the Sub-Divisional Officers and the District Officers. Appeals from their decisions would be to Sub-Divisional Courts in the first instance, and then to the District Courts. Muktears may be permitted to practice in these Courts. The Sub-Divisional Appellate Courts should be associated with a lawyer in disposing of such matters. The police being relieved of the duties of investigation will be kept in reserve in each centre for dispersing unlawful assemblies, pursuing bad characters, *dacoits*, robbers, etc., and doing escort duties. For such purposes they will be under the Magistrate at the headquarters of a sub-division or the district. For other departmental purposes and discipline they will be under the control of the Superintendent of Police under the general control of the District Officer. A police force of this description should not be removed from the circle where they are placed without the sanction of the Magistrate.

17684. I gather that you think that the power of appeal at present goes too far. How far do you think it ought to go?—My suggestion has been that if there are two Courts that are of one opinion there need not be any further appeal; but I also suggest that those Appeal Courts might have the power of revising their own orders in case of any error or mistake which might subsequently come to their notice.

17685. You would like to see the local *panchayat* invested with power to try petty criminal and civil cases; would a class of people be found in a village to sit on such a committee?—Yes. I have introduced the *chaukidari* system in my own district, and I have had experience of it, and I find the villagers themselves are trying cases without our knowledge and without any control; what I want is that they should be controlled and given a legal status.

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17686. Do your duties as Chairman of the District Board take up much of your time?—To a certain extent they do undoubtedly. I suppose they take me a full hour a day for the office work alone.

17687. Could you, as a rule, find a native gentleman, or at all events on unofficial gentleman, who would be likely to have the universal knowledge of the district possessed by the Collector?—I am afraid not.

17688. For that reason would you maintain the present system?—Yes.

17689. (*Mr. Dutt*) You make a proposal to abolish District Boards, Local Boards, municipalities and village unions, and to merge them all into two bodies, namely, the District Council and the village council?—Yes.

17690. You would give extensive powers to village councils, thoroughly organising them and enlarging their powers, and giving them the money that they get from the villages to spend in the villages; you would also give them petty civil and criminal powers?—Yes.

17691. (*Sir Steyning Edgerley.*) Your scheme really is to do away with all municipalities and District Boards, and to make them all into one District Council with only the village council below and with the Collector as Chairman? What would be the size of the Council?—I should fix it according to the size of the district; for instance, I have now 200 unions in my district; out of these I should select, say, half for the District Council.

17692. You mean that you would have a hundred members?—Yes. They would meet once a month and do the executive work of the district as the District Board is doing now, only with enlarged powers.

17693. Have you ever seen any body of that size working in India?—No, but I think it is possible; it could be worked. The number is large, but it could be left to Government to be determined according to the requirement of each District and the choice of the people.

17694. (*Chairman.*) Have you yourself a good knowledge of the vernacular?—Of my own mother tongue, Hindustani, certainly. I can also speak Bengali.

17695. Therefore an Indian, as well as a European, Commissioner or Collector might very easily have difficulties with regard to the vernacular?—I have never seen yet any District Officer, whether a European or a native of India, have any difficulty.

(*The witness withdrew.*)

Mr. F. W. Duke was called and examined.

17696. (*Chairman.*) What is your present position?—I am Officiating Commissioner of Orissa and Superintendent of the Tributary Mahals. During the last three years I have acted as Commissioner in three divisions and also as Additional Commissioner of Patna.

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The Orissa Division differs from others in the circumstance that the three districts of Cuttack, Puri and Balasore are for the most part temporarily settled, that the small jungle district of Angul is governed under a Regulation of its own, while Sambalpur added to the division in 1905, is still administered under the Central Provinces Laws and Regulations. The Commissioner of Orissa as Superintendent of the Tributary Mahals has also the political superintendence of 24 Feudatory States, of which 7 were added from the Central Provinces and Chota Nagpur in 1905, 10 of them being directly administered by Government on account of minority and other reasons. The States are in direct charge of a Political Agent, who stands to the Superintendent in much the same relation as Collectors to their Commissioners.

A more complete separation than at present exists might be effected between the imperial and provincial finances, although I am unable to suggest the exact measures. They ought, however, to be in the direction of interesting the Local Government in the improvement of those branches of the revenue which are improvable by its own action, and this can only be attained by leaving to it the whole or at any rate the greater part of the increase under the particular heads. I may instance a rule, which has now been corrected, but which for several years created great obstacles to the outlay of money on agricultural improvements by Local Governments. It was that three-fourths of the increased revenue should go to the Government of India. Unless, therefore, the increase of revenue from any improvement were at least four times as great as the Government rate of interest, a Local Government would lose by investing money in it. It is of course obvious that many excellent and much needed agricultural improvements would not return 14 per cent. Unless they did, Local Governments had to face a financial loss in supporting them. The Government of India might naturally enough consider itself entitled to three-fourths of the natural and spontaneous increase of land revenue, but increase of revenue obtained by direct money outlay would surely

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be on a very different footing, and the omission to consider it separately implies a rigidity and want of due consideration in the relation between the Governments. As an instance of the prejudicial effects of the want of independent financial power on the part of the Local Governments, I may instance the way in which works of many different classes, particularly agricultural works and those for which local authorities are subsidised by Government, and record and other grants administered by the Board of Revenue, are hampered by the Government of India budget system. All kinds of grants lapse, and work has to be suspended on the 31st March, that is to say, exactly at the middle of the season when most important works of construction are in progress. Not many years ago it was very rare to get a new allotment until August, that is, when more than half the working season of the year had expired. The Board of Revenue and the Local Government have in recent years exerted themselves to give provisional grants, and these are now received a good deal earlier. But financial caution results in the provisional grants sometimes being very inadequate, and work is still frequently strangled by this system.

I think that the Government of India has occasionally imposed policies on the Government of Bengal in a manner which argues ignorance of local conditions coupled with unconsciousness of that ignorance, and disinclination to allow fair weight to the knowledge and experience of local administrators. The correspondence between the Governments on the subject of suspensions and remissions of land revenue afforded strong examples of this temper in the Government of India. Bengal officers may, in respect of Government estates and of temporarily-settled tracts, have been unduly reluctant to adopt a system of suspension or remission proportionate to the loss of crops, and the authority of the Government of India may have been properly exerted in requiring them to apply a system which had been found beneficial in other provinces. The same can hardly be said of the manner in which the Local Administration was coerced in respect of permanently-settled tracts. The whole weight of opinion in Bengal was against the application of the system to such tracts, and the attitude of the Government of India might have been thought to indicate an indifference to that opinion, coupled with a considerable ignorance of permanent settlement conditions in Bengal.

I attribute those administrative reforms of recent years in which I take most interest to the initiative of the provincial Government, and their initiation was largely dependent on financial questions. Many matters of great importance, such as better accommodation for public offices, the housing of officers, improvements in local communications, improvements in salaries, increase of the *cadre* of different branches of the service, have long been considered by the provincial Government, and would have been introduced much earlier had funds been available, but for funds it is dependent on the powers or liberality of the Government of India, and it was only since that Government has been able to revise the provincial contracts in a manner favourable to the Local Government that these improvements have been undertaken.

In Bengal during the last three years an enormous amount of delegation has taken place, and the greater part of the powers which can be legally delegated by one authority to another have already been delegated. Officers are still occupied in accustoming themselves to the new arrangements, and have hardly had time to consider what further progress could be made upon the same lines. No doubt there are still matters on which further delegation might take place with advantage. Programmes of works of improvement have to be sent to the Board of Revenue, even when these are of small amounts, and little or nothing can be gained by obtaining a technical opinion upon them. Under the rules recently enacted the Commissioner has power to grant suspensions of revenue, but only if they occur within the year in which they are granted. Therefore if an instalment becomes due within the first few days of the new year, it is necessary to go to the Board of Revenue for sanction. The instance will occur in this division next March. It was probably merely an oversight in framing the rules. Purely formal abatements of land revenue, *e.g.*, those connected with land acquisition, might be dealt with by Commissioners or even by Collectors instead of by the Board.

The influence and the authority of Divisional Commissioners have been much increased of late years by the delegation of important financial powers. The proportion of the Public Works Cess which was made over by the Imperial Local Governments is now distributed to districts through Commissioners. Small grants have also been given to Commissioners to aid local institutions in the removal of obvious defects and to execute minor public works. Probably both of these might be increased with advantage. The Public Works grant was probably based on technical calculations, but was undoubtedly inadequate, and in Orissa has had to be increased every year. Almost more important, however, than increasing the funds at the disposal of the Commissioner would be to similarly place some small funds at the disposal of District Officers. A small fund, subject to no further audit than the production of voucher and a certificate that the expenditure was essential, would add very greatly to the influence and usefulness of the District Officer.

As regards the Court of Wards, all estates with incomes below one lakh have recently been placed under the control of the Commissioner, and no further delegation appears to me to be necessary at present. In Bengal, owing to the elaborate machinery of the Court of Wards, it has been customary to accept charge of only very wealthy estates, and comparatively few zamindaris with an income of less than, say, half a lakh are taken under the Court. In the Central Provinces, where the system is in many respects simpler, it has been customary to take very small properties, where the family was respectable and of some local importance. It would be very desirable to alter the Bengal system so as to admit of a similar course of action, and to take more interest in the estates of such men during their minority. But it could not be done under the elaborate system requiring everything to be sanctioned by the Commissioner. If estates of Rs. 10,000 a year and less were managed by the Collector, subject only to his making some general reports and returns, it would be possible for him to assume charge in many cases with benefit to the land-owning class.

Local officers might exercise control of expenditure with advantage—particularly as to Public Works, Major Works, *i.e.*, those above the sanctioning powers of the Commissioner, Rs. 2,500 in each case. We have very little to say as to the works which are to be undertaken in our divisions. Government must necessarily decide as between divisions, which works are to have precedence. Commissioners do supply formal statements of the order of importance of works to be undertaken. But the principle of divisional allotments might be carried much further than it is. Only works of really great size and cost need be reserved for the sanction of Government, and those of an ordinary character, such as must be supplied in each district, should be left to divisional sanction and allotment. If the power of the Commissioner were increased, I would grant an allotment with power of sanction of small works, say, up to Rs. 1,000, to District Officers.

The difficulties occasioned by appeals are more due to lax procedure by appellate authorities than to anything excessive in the right itself. It appears arbitrary, and is certainly unpopular, to curtail the right of appeal, but there is no reason why the officers to whom appeals lie should not exercise their power with reasonable discretion. I certainly do not approve of a certificate from the authority passing the order that reasonable grounds of appeal exist.

Commissioners have not much to complain of in the way of adequate weight not being given to their views, whenever they choose to insist upon their opinions. It is only occasionally that a Commissioner has occasion to express special views on questions, say, of education or public health, but in order that he may do so effectively it is necessary that he should be in constant touch with the departments concerned, and it is rather difficult for touch to be maintained when the instances in which action is really called for are infrequent. Generally, it may be said that the influence of the Commissioner in departments outside land revenue has been strengthened in recent years.

Executive Officers have sufficient opportunity for personal contact with the people in districts where they are not overworked. But in at least a third of the districts in this province, and, probably in more, they are chronically overworked. As a rule, the matters in which they would gain by personal contact with the

people are those which it is also most easy to delegate to a Deputy Magistrate. Too much of the time of most District Officers is still taken up by routine. It would be in the interests of the administration if more delegation to Deputy Magistrates and other assistants were recognized, and more individual responsibility for the departments in their charge enforced upon them.

Executive Officers do not now possess a sufficient knowledge of the vernacular. Even the police work, from which in former times they received their principal training, is now mostly performed in English. In this province at least three principal vernaculars may be counted, and it requires some talent for languages and much industry to be in any way familiar with the whole of them; but I question whether nowadays officers, as a rule, know, even one well.

A general increase in the administrative staff is required. District administration is greatly weakened by the number of appointments for which officers have to be specially selected, and also by the amount of special duty. A mere increase in the number of the staff will not entirely get rid of this difficuly, but it would do so to some extent. If districts usually had a Joint-Magistrate, whether he was removed or whether he replaced the District Officer, there would be much less disturbance of district work than there is at present. I do not think that any general reduction in the area of district charges is required. One or two districts are notoriously excessive ; but the general size of a district is not beyond what a competent officer can manage. It is the experience of almost every officer with whom I have discussed the question that the Sadar sub-division is the most neglected part of a district. The Collector is responsible for two or three other sub-divisions besides, and can only give it a divided attention, and for the rest it is nobody's business. There is probably a larger staff and relatively less pressure in the Sadar sub-division than in any other, but there is a want of direct responsibility. Sadar Sub-Divisional Officers should be appointed in all Bengal districts.

Transfers of officers are excessively frequent. A certain step in advance has been obtained by refusing to consider seniority as a ground for filling acting appointments of three months or less, but anything gained in this way has been more than lost by the increase of transfers occasioned by special appointments. The effects on the position of the District Officer and on the continuity of administration have been disastrous in many districts. As regards acting promotion, I should extend the three months' rule to all vacancies of one season. For all appointments of less than a year, ordinarily from spring to autumn, the officer whom it was most convenient to take should be chosen, and no claim by reason of seniority should be recognized. I should strongly recommend divisional *cadres*, *i.e.*, that officers should be appointed to a division to remain in it for a substantial part of their service, 7 to 10 years, and that acting promotions and in fact all kind of vacancies should be filled up as far as possible inside the division.

I am unwilling to recommend that larger powers should be granted at present to municipalities and District Boards, because while their present powers cover pretty completely the field of municipal administration, they commonly fail to take full advantage of them. I doubt whether there is any demand for increased powers. There is a great demand for place, but that is not the same thing. Increased powers necessarily connote increased taxation. This is very unpopular. Sub-Divisional or Local Boards have generally been pronounced a failure. This is very regrettable, because these Boards always had the whole of the local roads in their hands, the roads in which the people of the country are really most interested, but they hardly seem able to take practical interest in them. I am averse to giving them up altogether, because self-government must be built up from the smaller units to the greater. Possibly something might be done in respect of primary education ; even at some risk of efficiency I should be prepared to make over the primary schools to Local Boards. Village unions should be persisted with. We have made great efforts recently to revise the chaukidari system, to get good village panchayats drawn from a considerable area perhaps containing a population of 8,000, and the functions of these panchayats should be extended to other matters, such as, care of village interior roads and pathways, sanitation and the settlement of petty disputes.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. The materials for such Councils do not exist, but there are certain persons whose advice the District Officer ought always to take on matters affecting the people, even when he anticipates its purport and has no intention of following it.

I should not consider it expedient to invest District Boards with powers of supervision and control over small municipalities. There is hardly any community of interest. What is most expedient is to recognize a lower class of municipality with more elementary functions than at present exists, and to withdraw its area entirely from the control of the District Board and to make it self-supporting. In many parts of the country, but particularly in Bihar, there are large villages with populations of 2,000 to 4,000 for which the District Boards can practically do nothing beyond perhaps providing one road through them and a well alongside it. Such villages require a system of municipal government, but a much simpler system than at present exists under the Municipal Act.

I should like from the panchayati system, which at present is only employed for the payment of the chaukidars and to a small extent for their control, to evolve an organization for the management of sanitation, communications and the settlement of petty cases.

17697. What is the size of the Orissa Division?—Including Native States, it is nearly 42,000 square miles. The Presidency Division (where I have officiated as Commissioner) would be about 10,000 or 12,000 square miles ; the population of the Presidency Division is much greater than that of Orissa.

17698. How long would it take you to get to know any one of these divisions with reasonable thoroughness?—I do not think a Commissioner could get to know his division—if he did not already know the districts of it—within less than three or four years.

17699. Therefore to a great extent, through no fault of your own, you were acting as the chief authority in divisions which it was impossible for you to know thoroughly?—Except so far as I had previously been District Officer.

17700. Is that a good system?—No, I do not think it is a very good system, but divisions are generally to some extent homogeneous, and an officer who has a good knowledge of a typical district, who has been in one district of a division and has a thorough knowledge of it, is not at so great a disadvantage with regard to the other districts.

17701. Is the personal influence of the Commissioner a considerable factor in the government of the division?—I think it is.

17702. If a Divisional Officer cannot tour through his districts, how can he have any personal influence with the inhabitants of those parts of the division which he does not visit?—Of course he visits each district of his division every year ; but even before he has any opportunity of visiting the districts, he has become acquainted with the principal residents. All the great landowners and the principal men of the division come at fairly frequent intervals into the divisional headquarters, and they make a point of making the Commissioner's acquaintance ; he also makes a point of seeking the acquaintance of the leading men in the division.

17703. Did you find in each of these divisions which you held for a year, that you did know the principal people of the division at the end of a year?—I have never been a whole year in a division, except in my present one, where I have been about two years. I think, certainly, that I met all the principal men in the division within the second year.

17704. But in the case of your other divisions it was quite impossible for you to do that?—Yes, but in those places I was merely a stop-gap.

17705. But what about the point of view of the division which you had to administer, which is the important thing?—It was no doubt unsatisfactory.

17706. You point out a difficulty with regard to the budget, that just when the works of construction are in full progress, work has to be suspended until you

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can get a fresh allotment of funds. Does that difficulty occur now, or is it a difficulty of past days?—It has not been entirely removed. Government is at this moment attempting to remove it. I have no experience yet of a sufficient provincial allotment having been given to enable all works, which ought to be carried on, to continue. I had occasion in July last to give local instructions as to how far the difficulty might be met, by pointing out what classes of works should be carried on with a provisional allotment, as everything could not go on.

17707. You find that the present system does hamper you considerably?—Up to date we are still hampered. I do not say that it causes loss of money; it causes loss of annual profit, when the works are profitable works and their execution is deferred.

17708. To construct a new work have you to bring a great deal of labour to the spot?—I was not thinking of works in which you have much trouble in obtaining labour; I was thinking of local improvements.

17709. There has been already some delegation of powers to Commissioners in Bengal?—A very considerable delegation.

17710. Have you, as a Commissioner, power to delegate to your District Officers?—There are some matters in which by rule I have power to delegate; as a rule it is not optional to the Commissioner to delegate duties.

17711. In those cases in which you have power, do you exercise that power?—It is difficult for me to give instances; I have done so in some matters in respect to Road Cess.

17712. You have not at all events exercised your full powers of delegation?—I have never refused to exercise any power of delegation that I can think of.

17713. Have you ever on your own initiative exercised any power of delegation?—The Commissioner cannot delegate his own powers. He can sanction the delegation of various powers by Collectors to Deputy Collectors, and that is frequently done.

17714. With regard to the Courts of Wards, we had it in evidence yesterday that there was an attempt on the part of the Board of Revenue to take possession unduly frequently of estates, the proprietors or trustees of which would rather have remained outside the operations of the Court of Wards; have you noticed any such tendency in the divisions with which you have been connected?—My opinion is entirely the other way, that there is a reluctance on the part of the revenue authorities to burden themselves with estates; but it is quite possible that few estates are taken over without some one opposing it; as a rule, if there are any ladies of the previous generation, they are usually advised to oppose it, or they oppose it of their own motion.

17715. Is there an undue desire on the part of the Board of Revenue to take possession of estates?—There is certainly not an undue desire, and I am inclined to think that there is rather an undue reluctance sometimes to take up estates, because they are not considered sufficiently important.

17716. You are not in favour of curtailing the right of appeal?—No, it would be a very unpopular thing to do; I do not think it is necessary.

17717. You think that the appellate authorities are perhaps not very careful to go into the full facts of the cases which come to them on appeal?—My objection is that the complaint of the abuse of appeal is often caused by appeals being taken up unnecessarily, by reason that the initial duty of examining the appeal and deciding whether there is a *primâ facie* case is not discharged with sufficient care, so that appeals are brought up for a full hearing which might more properly have been thrown out on the face of them or after some preliminary examination, instead of compelling both parties to come up and be heard at full length and at great expense.

17718. You think that a little preliminary care in this matter might reduce the bulk of the work?—It might reduce the bulk of the work and it would be better for the parties.

17719. Is the size of the districts generally too large in Bengal?—I do not think so, generally.

17720. If there is an over-press of work would it be best relieved by the increased appointment of Joint-Magistrates?—Except to some of the Sadar subdivisions.

17721. If far larger powers—certainly all such powers as you and your Collectors and a Sub-Divisional Officer could properly exercise—were given, would there still be any necessity of increasing the staff?—If much extended powers were given the staff would have to be increased. The staff which I require to be increased is the staff at the bottom, the sub-divisional staff; officers for the Sadar sub-divisions of districts are very badly required, and that cannot be met by reduction of the staff elsewhere.

17722. If the number of cases which the Divisional Officer and the District Officer could dispose of themselves were increased, would that not greatly reduce the correspondence?—It would reduce ministerial work, both upwards and downwards.

17723. Would that not by itself afford the relief which you seek?—It would not relieve the superior staff to any great extent; there would be far more work for disposal by the most numerous portion of the superior staff, that is to say, the Magistrates and Assistant Magistrates, and their work and responsibility would be increased; the actual clerical work of the staff might be reduced.

17724. You might increase a man's responsibility without increasing his work?—Not unless you took away work from him to somewhere else.

17725. You do not suggest any increased power to municipalities or District Boards?—No. Their powers are large enough if they were fully utilised—particularly in the case of municipalities; not so much in the case of District Boards. The municipalities can rarely exercise their powers without increased taxation which they have to impose upon themselves; they are slow to adopt improvements which will lead to a re-assessment of the existing taxes or to the imposition of new taxes, such as a water or lighting rate; they would rather go on as they are than accept fresh burdens.

17726. The municipalities would not, as a matter of fact, use any extended powers which they might have?—That is to some extent the case, or at least there would be reluctance.

17727. With regard to villages, do you suggest that they would probably be incapable of utilizing further powers?—I do not suggest that at all. Although the existing union committees in Bengal have not succeeded very well, some of them have succeeded fairly—I still think that they might be developed. There is always the difficulty about taxation; it is impossible to provide them with any adequate funds without fresh taxation, and even if they were given the power I do not think they would wish to tax themselves; but the village union system might be nursed up and developed, and it is the only chance of establishing real local self-government.

17728. In any movement which was made in that direction, you would desire to begin at the bottom and not with the District Board?—That is my view, that we ought to build up.

17729. (*Mr. Meyer.*) With regard to the Tenancy Act, are not the Regulations in force for Orissa different from those in the rest of the province?—Yes, in many respects.

17730. Is there too great a tendency to apply one law to the whole province?—I do not profess to be specially an expert in the Tenancy Act, because my experience in Bihar was comparatively limited; but I think that the Tenancy Act principles have been applied rather too strenuously and somewhat unfairly to Orissa. I think the Tenancy Act was originally drafted and passed in view of certain conditions existing in Bihar.

17731. Do you refer to the Tenancy Act of 1885?—Yes; some of the principles regulating the relations of landlords and tenants may have been perfectly suitable in Bihar, but were somewhat too stringent for the easier conditions that prevailed in Orissa.

17732. Speaking generally, your present province is made up of three or four areas which in many respects differ from one another—in language and ethnographically and otherwise?—That is so.

17733. Might it not be better, in passing an Act, not to bring it into force throughout the province at once, but to allow the Lieutenant-Governor to extend it to different portions of the province as he thought fit?—I quite agree. But the Tenancy Act is not applied wholesale to Orissa; it is applied to it piecemeal.

17734. When you introduce any new system of administration, might it not be better, instead of trying to impose a uniform system over the whole province, to give the Lieutenant-Governor power to apply it district by district as he thinks fit?—Most certainly so in this province.

17735. You speak also of certain financial relations between the Imperial and the Local Governments. Are you acquainted with the character of the present financial settlement between the two Governments?—I have very little knowledge of it; but I understand the present settlement, and that it is to some extent permanent.

17736. You say that the Local Government under the old system would not offer to spend money unless it was going to return about 14 per cent. Should the Local Government in laying out money in the public interests always be expecting to get a percentage of profit on the money?—No, I do not say so absolutely, but I think that the Government, with due regard to thrift, should look to a return approximating to the rate at which it can borrow, unless there are very exceptional reasons for foregoing it. Of course, the Government can wait longer for its profits than private individuals.

17737. That would apply to money spent out of borrowings, but in this case the money is spent out of revenue. When you spend money out of revenue, do you propose to apply the same conditions of profit and loss as when you are borrowing from outside?—I do not see that they are essentially different.

17738. You would admit that you have to spend money on police and schools and matters of that sort?—That is part of the necessary business of administration; but if you have to spend money on matters that do bring in a profit, then I think the rate of profit has to be considered.

17739. As regards a variety of matters under the present settlement the whole expenditure is on the Local Government, as to police, education, and so forth; there are also certain heads that are divided, such as forests, excise, and income tax; it has been suggested that it might simplify matters if the Local Government, which administer these Services for the province, took over the whole expenditure upon them; what would be your opinion on such a plan?—It seems to me very difficult to give an opinion without going into the particular case. I think it would hardly be reasonable that the Local Government should take the whole of an expenditure which might be expanding, and only half of the revenue; that is to say, it is a pure question of the proportion of expenditure to receipts; if the expansion of half the revenue is not somewhat greater, certain to continue to be greater, than the expansion of the whole expenditure, it is a bad bargain for the Local Government.

17740. Then you would prefer the plan by which the Local and Imperial Governments share the expenditure as also the receipts?—So far as I know anything of the subject, yes.

17741. You are in favour generally of some larger separation of imperial and provincial finance?—On the whole, but I may say that I think the lines of the present settlement, if permanence can be guaranteed, are very reasonable lines.

17742. You have not thought out any method of improving things?—No. The subjects in which the Local Government ought to be most interested, like excise, forests, and so on, are already sufficiently in its hands.

17743. As regards lapses, you are not quite satisfied with the present situation; what is your idea of remedying it?—I should like to see lapsed budget heads carried on; if any system could be invented by which an unexpended grant could be carried on, so that the work might be continued, it would be extremely valuable.

17744. Is it not possible for the Local Government to do that at this moment?—Suppose they anticipate two or three lakhs of lapses under education, can they not provide for spending it in the next year?—I am not aware of it.

17745. You quote as an instance of undesirable centralisation on the part of the Government of India, their interference in the matter of remission in permanently settled estates?—Yes, I thought the orders of the Government of India did not sufficiently take into consideration local experience. I understand the Government of Bengal was required to prepare regular rules for remission in permanently settled estates.

17746. Are permanently settled estates entitled to any remission at all?—No.

17747. Was not one of the main conditions of the Permanent Settlement that the settlement was to be permanent?—I understand that that is so.

17748. And I understand that the Government of India said, "Nevertheless we are willing to allow remission as a matter of grace in certain cases provided the zamindar does not pocket the money himself but hands it to his tenants." What do you object to in that?—What I object to is not that, but that it should have been considered necessary to insist on rules of any sort being prepared. The circumstances of remissions being necessary in permanently settled estates were so entirely exceptional that the matter might have been left to be dealt with when occasion arose, without giving rise to any sort of opinion that such a thing could occur as a matter of course or routine.

17749. When a special concession is made as a matter of grace, is it not rather desirable to limit it, lest certain officers who may not understand the position exactly should allow their generosity to run away with them?—If that were likely to happen that would be so; but in my view, and I think the general view in Bengal, it was extremely unlikely that such cases would arise, and when one did arise it might very well have been dealt with as it stood.

17750. You are in favour of larger powers to the Commissioner and Collector in regard to suspensions and remissions of revenue?—I merely mentioned what seemed to be a defect in some of the new rules. I referred to temporarily settled estates.

17751. Are not those restrictions imposed by the Local Government itself?—The rules must have been drawn up by the Local Government and approved by the Government of India.

17752. Was there anything to prevent the Local Government giving a freer hand to subordinate authorities if it chose?—Nothing, so far as I know.

17753. As regards remissions, you cannot give any without reference to the Board of Revenue?—That is so.

17754. Is that not rather undue centralization?—It does not seem to me a matter of very great importance, because there is time to consider it; the suspensions have been granted and afforded immediate relief, and there is time to consider the matter. Of course it would be a decent measure of decentralization to allow remissions to be granted to a certain extent by the local authority.

17755. We have it that some of these estates are extremely small?—They are of all sizes.

17756. You might conceive the case of a remission of Rs. 5; is it necessary to carry that up to the Board of Revenue?—I think not, but I take it the Board of Revenue would sanction the submission for remission in one list; they might have a remission of Rs. 10.

17757. Might not the Commissioner, at any rate, have some discretion in such matters in temporarily settled estates?—Certainly.

17758. You consider that as regards the initiation of reforms the credit is generally due to the Local Government? Take for instance the four matters of excise, education, police, and agriculture; with regard to those have there not been considerable reforms of late years on the initiative of the Government of India?—Yes.

17759. You speak of "that portion of the Public Works Cess which was allotted by the Imperial Government to the Local Government." Surely the Public Works Cess is a local cess of which the Local Government has always had the entire control, at any rate for

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many years past?—I may be wrong, but I understood that the authority of the Government of India was necessary for making over the 25 per cent., which has been allocated for expenditure by district authorities.

17760. Would you be in favour of making the whole of the Public Works Cess over to the District Boards?—The Public Works Cess was imposed for Public Works, and I assume that means must be taken to provide for those Public Works which can only be managed by the Local Government.

17761. In other provinces the District Board generally gets a cess of one anna in the rupee on the rental of the land; here in Bengal it only gets half an anna, the provincial Government taking the other half. Would you be in favour of a system of giving the District Board the whole anna?—If the provincial charges for Public Works could be met out of other revenue.

17762. Would you give the Commissioner power to appoint Sub-Deputy Collectors?—It would be very desirable in some ways, but the patronage of the Local Government has also to be considered.

17763. You think the Commissioner might be likely to abuse his patronage?—I will not put it in that way, but I will put it that there is patronage which ought to be exercised by the Local Government, and there might be cases which would not easily come under the cognizance of Divisional Officers. I will mention a case I have in view. For instance, the sons of old officers in the Subordinate Service, the Provincial Service and other Subordinate Services; these men are shifted about from one division or district to another and lose local influence; they have perhaps nobody at home; although they have rendered very good service, they have no special claim on any one division, but they have a very strong claim on Government.

17764. You think Government should keep some appointments in its own hands at any rate?—Yes.

17765. Another witness told us that he was in favour of giving the Commissioner the power of posting Deputy Collectors and Civilians below the rank of Collector in his division; are you in favour of that?—Yes.

17766. And that the Commissioner should similarly have power to invest with magisterial powers and other special powers given under the Code?—Yes.

17767. And that he might have limited powers under the Land Acquisition Act? At present you cannot take up a small piece of land without going to the Local Government; might not the Commissioner have power there?—Certainly.

17768. And with regard to the creation of small permanent appointments, would you go so far as that?—That might permanently affect the budget. Perhaps it might be done under very restricted financial limits.

17769. As regards the district system, you are strongly in favour of a special officer for the headquarters sub-division? Would you go further and employ some of these Deputy Collectors who are now concentrated at district headquarters in territorial charges, instead of having Special Deputy Collectors for income-tax, stamps, and so forth?—That is to say making them Sub-divisional or Territorial Officers: I am afraid their functions are different; I should not be in favour of that with regard to certain departments, particularly with regard to excise; excise I think requires a specialist.

17770. As regards excise, is it not intended to replace the Excise Deputy Collector by a special Excise Officer?—The proposal has been made; I do not know how it stands at present; at all events, that is the withdrawal of one officer for that purpose.

17771. At any rate you admit that excise is so much a special department that it ought to have a special assistant of one sort, whether a Deputy Collector or not?—Just so; I should think, too, that land acquisition is on that footing.

17772. Might not the local officer take up local land?—It is a very technical matter in towns; in petty areas they do it sometimes.

17773. You are against unnecessary transfers. While it may be desirable that a man should spend a good time in his own district, is it not possible that he might spend too much time in his district?—No doubt; occasions arise when it is desirable for local reason to transfer an officer.

17774. Is it not possible that an officer may spend so long a time in a district as to get his personal likes and dislikes, and that clerks and others can find out his special weaknesses?—I have known such cases.

17775. Has not the chaukidari system been recently improved, the police having been dissociated with it?—As far as possible.

17776. Has that worked satisfactorily?—As far as one can tell; it is still experimental.

17777. In Orissa you have true villages?—You mean concentrated villages instead of villages scattered all over the country; that is so; the villages are fairly concentrated.

17778. Your chaukidari union is rather an artificial group?—It is.

17779. In Orissa might one work on a natural village?—I am inclined to think that in the great majority of cases in Orissa the villages would be too small, and would not provide sufficient qualified men for a panchayat, so that it is necessary to group several villages in order to get men of decent standing and weight; it depends on the actual size of the village; but the Orissa villages are generally too small.

17780. Are some of your small municipalities really villages?—There are some very small.

17781. You are against putting the municipalities under the District Board as a rule? Would that apply to these semi-rural municipalities?—I think it would; I do not think that the machinery of the District Board is calculated to take that kind of detailed local interest which is required in villages.

17782. We have had it put to us by several non-official witnesses that it would be desirable to dissociate the Collector from the Chairmanship of the District Board; would that be advisable?—My impression is that the Collector really in many cases, if not in all, does most of the executive work of the District Board. In some districts there are excellent Vice-Chairmen who take the great burden off the Chairman of doing all the routine and some of the important work. I am not prepared to lay down a rule.

17783. Are you generally prepared to say that it would be an advantage or otherwise to keep the Collector outside altogether and say, "You are not to attend the meetings; you are to have nothing to do with the District Boards except possibly as an instrument of outside control"?—I think there would be no advantage in definitely laying down that the Collector ought not to be associated with the District Board. It is quite possible that experiments might be made and Boards might be found in which a non-official Chairman might succeed in running the Board and doing it as well as, or better than, a Collector does it; but I do not think it can be said that that is the general rule.

17784. (*Sir Steyning Edgerley.*) As a matter of general policy, you would keep the Collector in touch with the District Board?—As a matter of general policy.

17785. As regards your budget, how early in the year do you know what money you will have to spend; do you know by the end of May?—It varies with different allotments. I think in most cases we do.

17786. We may take it that you know it about the 1st June?—Yes; we do not always get actual orders for allotment from the Board; we know that the Board has so much for disposal, but we have again to wait for the Board's allotments; some of them are later than May.

17787. Is it not a matter of practical administrative importance to have that information as early in the year as possible? If, therefore, the Local Government could get through its budget in February, it would be a matter of considerable importance in divisional administration?—Certainly, of very great importance.

17788. You are in favour of a general Delegation Act?—Yes, with the view that the Local Government should be able to make suitable modifications to suit local circumstances.

17789. You suggest that officers should have a discretionary grant given them from which they could

spend upon any particular pressing matters which they considered it desirable to undertake. Do you think it would be safe to put much money under their control in that way without post-audit?—Not large sums.

17790. The expenditure ought to be on objects for which money could be included in the budget?—Yes; it must be capable of audit.

17791. You suggest localising promotion and taking whoever may be nearest on the spot within certain areas. If that were the general policy would it be necessary to do anything to compensate seniors?—I have said, within the limits of one season—what we understand by "hot weather vacancies." That is practically a nine months' vacancy—March to December.

17792. That would occasionally deprive the next man in the district of his promotion and put him out of pocket for nine months?—For that year certainly. That might be neglected.

17793. Do you think anything of the suggestion that in such a case the acting allowance might be divided; the junior would get a windfall of half, and the senior would avoid a transfer, taking the other half?—I do not think it is to be recommended that a man should draw extra pay unless he does extra work.

17794. The arrangement is for the convenience of the State. It is the recognition of a seniority claim which, for the purposes of public convenience, it is undesirable to fully act on?—I would rather avoid the recognition of a claim of seniority in officiating appointments.

17795. You say that you would like something simpler sometimes than anything you have got under your present Municipal Act. Have you any Act which allows sanitary committees to be formed?—I think that is a proposal in the amendment of the District Boards Act. We had a lower class of municipality under the old Municipal Act before the Act of 1885.

17796. (*Sir Frederic Lely.*) Has that the connection of Orissa and Bengal been injurious to Orissa?—I do not think it has been injurious to Orissa; it may have been a rather neglected part of the province, but I cannot conceive any arrangement under which it would not have been more neglected. It is most closely united to Bengal, and more easily administered from Bengal than from Madras or the Central Provinces.

17797. Has it been anything more than neglected; has the administration of Orissa been unsuitable in consequence of its connection with Bengal?—I would not commit myself to any such general statement. I think that sufficient attention has not been paid to Orissa questions, because so few people are familiar with them. I have already said that I think perhaps some of the Bengal Tenancy Act provisions which were not entirely suitable to Orissa have been imposed upon it when it would have been more desirable that they should have been modified.

17798. What do you say about the law on partitions as being unsuitable to the conditions of Orissa?—I cannot say that I see the unsuitability. I have passed a large number of partitions, and on the whole they go through more easily and with less contention than in Bihar. When there is trouble it is usually due to the very inferior quality of the Orissa officers; the latter are inferior to Bengali officers, and more inclined to make muddles in their work, but I do not see any inherent unsuitability in the Partition Act.

17799. Generally speaking, Bengal is a zamindari province, and Orissa has altogether a different system of land tenure?—The great difference is in the temporary settlement in Orissa.

17800. Has there not been a tendency to force Orissa into the mould of Bengal?—That is too indefinite a question for me to reply to. Officers who have no experience of Orissa are at a great disadvantage when they first go there; it takes some time to learn the conditions

17801. Have most men who serve in Orissa passed their novitiate in Bengal?—Nearly all who are there at present have been backwards and forwards; those who have not are at a disadvantage.

17802. Is it a popular province amongst Government officers?—It is fairly popular; the Government regard the districts, as rather light, and they have not always sent the best officers; there are some exceptions.

17803. It has often been proposed that the Commissioner should be made into some sort of Sub-Governor. Would it not be against that, that the Commissioner's office has no traditions. I mean that when a Commissioner takes any action, however important it may be, it is regarded as the act of an individual and not as constituting a precedent?—The Commissioner's offices vary very much; in some, the precedents have been carefully kept, in some they have not. I had great difficulty in Orissa in finding precedents, due to the somewhat inferior office.

17804. But taking the Commissioner as an institution, he has not the weight of a Governor?—Of course he has not the weight of a Government.

17805. Even in those matters in which he gives orders he does not deal with such high matters?—In the matter of appeals, if his precedents are properly kept, I think they are followed. For instance, in Bihar, the precedents were well kept, and it was perfectly well known what the Commissioner's action would be with regard to particular questions which had already been dealt with. But, of course, it is liable not to be the case, because special attention has never been directed, as far as I know, to maintaining a body of precedents.

17806. If the Commissioner is endowed with powers more approaching to those of a Sub-Governor, he ought also to have a stronger personal staff?—Yes, he would probably require an additional personal assistant and probably it would be necessary to look for a man of greater weight as personal assistant than is always the case now.

17807. Possibly a man from the Civil Service?—Yes. I should not like to undertake very much greater powers without a strengthening of the personal staff.

17808. To take the place, more or less, of the permanent Secretariat of Government?—More or less.

17809. (*Mr. Dutt.*) You have told us that you think that a general Act of delegation would be useful. Is it your meaning that by a general Act the Government of Bengal, for instance, would, after the passing of such an Act, have the power to delegate by an executive order any of its statutory powers to Commissioners or Collectors?—Yes; that was partly my meaning.

17810. Supposing the power of sanctioning taxation is vested by a particular Act in the Bengal Government, if the Bengal Government transferred the power to Commissioners or Collectors by an Executive order, would that be a popular measure?—I do not think that anything that would make taxation more heavy could possibly be popular.

17811. But with regard to the transfer of that power by executive order—would the people appreciate that?—I can hardly answer the question. I think the people would object to taxation wherever it came from.

17812. Suppose it was intended to transfer the power from the hands of Government to the hands of the Commissioner or of the Collector, would it be a better plan of doing so by an amending Act after full debate in Council?—You mean amending the particular measure; it would be the more popular plan.

17813. Has the Commissioner now sufficient control over police matters and the general working of the police?—There have been some changes in reference to departmental appeals; they are recent, and I have not been able to form a final opinion upon them. I am inclined to think that they are not entirely satisfactory—that the Commissioner has been dissociated from appeals. In the same way, as the result of discussion that took place a little more than a year ago, the reporting of special crime, heinous crime, was altered. Reports of certain cases do not come to the Commissioner now; in other cases reports are only given if they are specially asked for. I was not much in favour of that change when it was made, but I am not able to say that I have seen any deleterious results from it.

17814. Generally speaking, ought the Commissioner to be in fairly close touch with police work, so as to be able to control that work?—Certainly.

17815. What is your opinion about the Commissioner's powers with regard to Public Works executed in his own division?—At present he is consulted as to the order of priority, but I do not know exactly what weight is given to his decisions. It takes so long to carry out works after they are recommended

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that one does not see; but the Commissioner's voice ought to have great weight as to the order in which works are taken up and, with certain classes of work, as to whether they are taken up at all. It should not be altogether left to departmental decision.

17816. With regard to delegation, would you delegate some powers from the District Officer to the Sub-Divisional Officer?—Yes, I should be inclined to delegate a good many powers that are now exercised solely by the District Officer to the Sub-Divisional Officer, and I should like that the delegation of certain powers might be more distinctly recognised than it is. I mean that a man can tell a Deputy Collector to do work, but the responsibility remains with him. I should like it to be possible for the responsibility in many cases to be transferred, so that the Deputy Collector should be the responsible man, and know that he is the responsible man.

17817. We have been told that compared with Madras, Bengal districts are top-heavy—that there is not a sufficient number of lower officers at the bottom; do you agree with that view?—I think we do not provide sufficient authorities sufficiently close to the people for the decision of petty matters. They have to take petty matters into Courts which are of too high a grade to deal with such matters.

17818. Following upon that, would you like to have, as there are in Madras, smaller circles within sub-divisions, with a Sub-Deputy Collector in charge of each circle to do the revenue work there, and also to dispose of some judicial work within his own circle?—Sub-Deputy Collectors are, as a rule, now very inexperienced, and if they are good men they are very rapidly promoted to Deputy Collectors. I do not quite regard the Sub-Deputy Collector as the class of man to exercise much independent authority away from a superior; that is the objection I have.

17819. But if you could provide a better class of officers, would that idea generally commend itself to you—to have smaller circles so as to bring these officers more in touch with the people?—I should be in favour of any change which brought the authorities more in touch with the people locally.

17820. Are Deputy Collectors generally efficient and able officers?—As large a proportion as can be expected.

17821. How are they now appointed?—To the extent of two-thirds or more by a system of selection between the Commissioner and the District Officers.

17822. Is that an improvement on the old system?—I think so. We have no difficulty in obtaining men of any educational standard that is desired; we are able to select men of better physique, and better family connections and traditions. One cannot judge yet how the men will turn out; one can only judge by the appearance of the men.

17823. Primary education is to some extent now managed by the Education Department?—The general principles and policy are laid down by the Education Department, the details are administered and the money allotted by the District Boards. Usually they may delegate their powers to Local Boards; I do not think they often do.

17824. Ought it to be left more to the Local Boards and District Boards to be managed by their own agency?—I cannot say that it impresses me in that way. The Local Boards and District Boards might have the administration of the grants, as indeed they have at present, but I do not think they are in a position to maintain for themselves a sufficiently well-qualified separate educational agency; it is only by having a Provincial Service that sufficiently good men can be attracted.

17825. Were not the sub-inspectors of schools servants of the District Board before?—Yes.

17826. Under the old arrangement could they get more co-operation from villagers themselves in the way of providing school-houses or supporting the *guru* or otherwise?—I am not aware that there was any difference in that respect.

17827. (*Mr. Hichens.*) I understand your view to be that in regard to technical subjects like Public Works and police, and so forth, the Commissioner should be fully consulted and have ample opportunity of expressing his opinion, but that he should not be given executive power?—In the case of a difference of opinion between the Commissioner and the departmental authority I think the Government should decide.

17828. You would not put the police or Public Works of a division directly under the Commissioner?—Not the establishments. I see no advantage in doing it.

17829. Is there a certain advantage in running technical departments of that sort from the centre for the whole of the province?—I do not think you have any chance of obtaining improvements and keeping the thing up to date unless you have experts at the head.

17830. Has the Commissioner a fund which he can spend at his own discretion?—He has two funds at present, one for minor Public Works, which might be increased both as regards the total amount of the allotment and the size of the works; the other is called a fund for removing defects in local institutions; it is mostly given away to hospitals and other institutions run by local committees. I do not wish to devote these two funds to other objects, but they might be somewhat increased, especially in regard to Public Works.

17831. What sort of increase would you suggest?—The present limit of work is Rs. 2,500; that might be doubled or trebled; that would cover most minor institutions; it would enable the Commissioner to sanction a small hospital for instance.

17832. Your view is that a man of the status of a Collector should remain ten years in the same district?—I said in the same division.

17833. Should he, if possible, remain ten years in the same district?—No. I think a man can do most of what he is capable of doing in a district in about four or five years; at the end of that time he will probably want furlough, and it is just as well that he should begin somewhere else after furlough; he is likely to become stale, and there is an advantage in having new blood in. My idea is that a man can do all he can do for a district in five years; there are, no doubt, exceptional cases; there is no doubt there have been men in India who have made districts; but ordinarily a man is inclined to become stale after four or five years in the same place, with the same work, and the same surroundings.

17834. You think that acting appointments should be filled by junior officers, for purposes of administrative convenience, to prevent transfers, for example? Supposing no extra pay were given to the officers who were passed over, taking the whole length of a man's service, would any injustice be likely to arise?—Probably not in the long run, and Government have the means of compensating a man indirectly; if he was passed over one year, for instance, they might subsequently break the rule of transfer and give him some particularly desirable place; in some way or other they could make it up to him. No injustice need necessarily be done. Permanent promotion, of course, would go on all the time.

17835. (*Chairman.*) I understand the Rs. 5,000 allotted to you is not given to you to spend on your own initiative, but it is to be spent on objects which you approve?—I select the works from lists submitted by all the districts.

17836. What is the manner in which you spend the Rs. 10,000 which are now allotted to you by the Government to be spent entirely at your discretion?—There are two such grants; there is the Public Works grant and there is the grant for the removal of defects in minor institutions. I always get rid of the latter on local inspection; I inspect as much as I can of my division in each year; when I go through the hospitals and dispensaries I ask what they want and they mention a particular work; I say "If I give you half will you provide half." That is spent entirely at my own discretion.

17837. Does the expenditure of that sum involve any correspondence at all with your subordinates?—The Collector would usually be present at the time of inspection. I keep the money in hand until I have been round these places and seen what their wants are; I go round the municipality probably with the Chairman and Vice-Chairman; they point out to me, or I see, that there is something wanting in their dispensary or something wrong with their water-supply; I simply say "I will give you so much if you write and mention the facts," and it is done; it causes no correspondence worth mentioning.

(*The witness withdrew.*)

Dr. ANDREW CAMPBELL was called and examined.

17838. (*Chairman.*) You are a Missionary?—Yes. I live in the Chota Nagpur Division. I have been in India 35 years. The knowledge I possess has mainly been gained in the Chota Nagpur Division, in which I have resided for a period of 35 years.

Executive officers of the present day have only very limited opportunities for becoming acquainted with the people. The three main reasons for this are the comparatively short time a man is permitted to remain in one place; ignorance of the languages of the people; and too much routine office work.

Take the case of the Manbhum district. During the last *ten* years there have been *ten* Deputy Commissioners, and the present incumbent has held *six* different appointments during the present year. When the size of the district is taken into consideration, and the very important and intricate matters connected with land tenures and the like requiring attention are called to mind, it is at once apparent that much must be left undone, and much done that would have been better undone. I can recall to memory the time when what was known as the Commission was in force in Non-Regulation districts. The officers of this Service could only be removed from one Non-Regulation district to another, and the result was that, owing to the restricted area in which their whole service was passed, they knew the people better than is possible for Executive Officers of to-day. From among the Sub-Divisional Officers who have been in Gobindpur during the last 30 years, the one man who is remembered to-day was the last of the Commission men. There is hardly a village in the sub-division which he did not visit more than once, it might be in quest of game, or to make a local investigation into some land dispute, or to mediate in a quarrel. The greatest commendation they can give to anyone is to say that he resembles Mackenzie Sahib. The Commissioner who has left his mark most indelibly on the division was the last of his Service to occupy that position. He ruled the division for more than a quarter of a century, and was intimately acquainted with the customs and languages of its many tribes and castes, and he is affectionately remembered to this day.

Men ought to be retained as far as possible in one language area. No notice is taken of the village dialects by Government, and no steps are taken to ensure that its officers acquire a working knowledge of them. Thus in Bihar seven recognised dialects are spoken, and an Executive Officer in Bihar who knows only the Hindi and Bengali languages is very poorly equipped for the work he has to do. Bihar is not the only province on the languages and dialects of which seven Grammars could be written. Until some effective method is adopted to remove this barrier so as to bring the Executive Officer into touch with the ordinary villager, no mutual understanding is possible. The advance in English education has of late years altered the conditions under which much of the work of the Executive Officer is performed. It is not now, as it once was, absolutely necessary for a Magistrate to know the vernacular of his district. He can get through his work with the help of his *amla* or the pleaders of his court translating the vernacular into English, and many men, for various reasons, are content to perform their judicial work in this most slip-shod manner. I have hitherto referred to those languages which have the status of court languages, and which are recognized by Government, and in which officers are expected to pass an examination. But there is another class of languages spoken by hundreds of thousands of the people which has not the remotest connection with these recognized languages, and with regard to them an officer can very rarely receive any help from his *amla* and never from the Bar. If the Chota Nagpur Division for instance, is taken, it will be found that at least a score of languages and dialects exist which are the mother-tongues of a very large proportion of the population, but Government does not insist on its officers acquiring a knowledge of them. Rewards are offered by Government to certain of its officers who pass an examination in one or other of these non-regulation languages, but it stops short of encouraging the acquisition of a related language or dialect, although they may differ so much as to be utterly unintelligible to the speakers. A scale of rewards might be adopted, retaining that of Rs. 1,000 for the first language, and reducing it for the second, and so on. Few officers would be tempted to take up the study of an optional language merely for the reward. They have too much to do otherwise, so that when a man is found who has a taste for and ability to acquire languages, he should receive all possible encouragement. All Executive Officers should be required to know the dialects of the people of the part of the country in which they are located. Officers should be kept within certain language areas, and Government should do all that is possible to encourage its officers to acquire these village dialects.

As regards office work, I have been impressed by the fact that one and all are overworked. It is during the period he serves as an Assistant Magistrate or as a Sub-Divisional Officer that the Executive Officer is either made or marred. The work required from the Sub-Divisional Officer is ever increasing, and he is bound by stricter rules than he used to be. He has very little spare time that he can utilise in studying and becoming acquainted with the people. A District Magistrate of my acquaintance has informed me that even when out in camp he has no less than four hours' hard brain-work a day, and when at headquarters this will be at least doubled.

Officers are transferred far too frequently, and this fact is so notorious that it hardly calls for proof. If the Executive Officer were like a Bank clerk, or even a Bank manager, it would not matter much how often he were transferred from one appointment to another, or from one province to another, but when his efficiency depends so much upon his local knowledge, frequent transfers injuriously affect the administration of the country.

Larger powers should be granted to Local Boards. The Local Board of which I have had experience is not allowed to exercise the initiative in any matter. The programme and estimates of the work to be undertaken are sent to it through the office of the District Board, and all that the Local Board has to do is to carry them out. A Local Board may be safely trusted with the same powers in its own sphere as a District Board, and there is no reason why it should not be permitted to take the initiative in all local matters. If this were granted to all Local Boards, a much greater interest would be taken in local affairs than there is at present. Men are averse to going from 10 to 20 miles merely to sanction a few contracts for a hundred rupees or so each. A Local Board should be entrusted with the framing of its annual programme of works in accordance with the sum to which the sub-division is entitled. This could be submitted for the professional opinion of the District Engineer, through the District Board. Dispensaries and hospitals within the limits of the sub-division should be under the control of the Local Board. Roads are the main items entrusted to Local Boards, and these are not of much interest to the ordinary Indian gentleman. But it is the reverse with regard to education, and if Local Boards were made responsible for it, there would be no lack of well-qualified men ready to serve on them. The education of the sub-division should be controlled by the Local Board. The lines upon which it should be conducted should be laid down by the District Board. The amount of money to which the sub-division might be entitled should be made over to it, and it should be untrammelled in its expenditure of it, so long as it did not deviate from the lines laid down by the District Board. Village sanitation might also, very advantageously, be committed to Local Boards, and more particularly the water-supply of the villages. They might work through village panchayats and the village school-master, and introduce modern ideas with regard to insanitary surroundings.

I am not in favour of Advisory Councils to assist Divisional or District Officers, the reason being that such Councils are not valued by Indian gentlemen. The ideas which control the administration of India to-day are much too advanced to appeal to the Indian country gentleman or zamindar. When any matter is considered ripe for official action, it is generally pushed through, and Indian gentlemen are aware of this, and also that their objections will have little weight when once the Government has made

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up its mind. The Government of India is radical, if it is anything in particular, and in almost every important question it has the landed and moneyed interests arrayed against it, and has to contend against the strong conservative traditions of the people. It is useless to call in the average Indian gentleman to advise an Executive Officer. He knows that his ideas on the administrative policy of the Government do not commend themselves to the powers that be, and he also knows that if he gave free expression to them, they would not have the slightest effect in moulding the Government policy. There is probably not one important measure which has its place on the Statute Book of the Government of India, or of that of any provincial Government, that has not been put there in opposition to the expressed opinions of the Indian members of the various Legislative Councils. The administration of divisions and districts proceeds on the lines laid down by the various Governments, and finds little favour with the class from which the members of an Advisory Council would be drawn. It is too much to expect that men with any self-respect would agree to become members of a Council, simply to say ditto to the presiding Executive Officer, or to have their opinions passed unheeded.

Administrative Councils would, in my opinion, be productive of much good. Under present conditions the members should be appointed by the Local Government, and the Councils should be made responsible for such matters as the Government is prepared to see managed on native lines. If the members of these Councils felt that they, in some measure, controlled their policy, they would, in my opinion, rise to the occasion, and membership would be regarded as an honour to be eagerly sought after. Much that an Administrative Council might do would be regarded by Englishmen as retrograde, but it is quite probable that much that Englishmen have done has failed to commend itself to the Indian mind, and it might be an improvement if suggestions and modifications put forward by Indians were given effect to.

It is both desirable and possible to give village communities greater power in the disposal of local affairs. The first thing to be done is to take steps to conserve the office of village headman. Not so many years ago every village had its headman, who was responsible for the collection of rent, *abwabs*, cesses, etc., and was charged with the general welfare of the village. The hereditary headman acts as judge, arbitrator and adviser in most matters that arise, and, as a rule, his good offices are appreciated. In complicated cases or where one party to the dispute is an inhabitant of another village, two or more village headmen may be associated in effecting a settlement of the dispute. Petty criminal and civil cases could be very advantageously committed to village panchayats for trial and settlement. Petty civil disputes cost the villagers an enormous sum of money annually. Twenty years ago civil suits were conducted by mukhtears who only knew the vernacular, and then charges were reasonable, but now, in some rural courts at least, only High Court vakils are allowed to plead. Their charges are much higher than those of the mukhtears, and, owing to adjournments, costs are run up to a high figure. Disputes regarding claims to land among the inhabitants of a village could be more satisfactorily settled by a village panchayat than by a Civil Court. Matrimonial cases, which are now finding their way into the Courts in much larger number than formerly, should all be within the jurisdiction of village panchayats. Petty criminal cases should also be within the power of village panchayats to try. In the average village there is comparatively little crime of a heinous nature. Police cases are not numerous. The most common criminal complaints refer to trespassing on another's land and cultivating it, ploughing up seedlings which another has sown, looting standing crops, assault and forcible rescue of cattle found trespassing. Such cases as these should be triable by a village panchayat, and a miscarriage of justice would be never likely to occur. Before the inroad of alien money-lenders, a debtor's account was always made up in the presence of the village headman and the assembled villagers generally. This ensured accuracy, and every man had an opportunity of knowing how his affairs stood. Now, however, the money-lender brings a suit in Court against his debtor, and runs up expenses to an extent that means ruin to many. The service of village panchayats might with great advantage be utilized in the majority of small debt suits, when the debtors are village cultivators. The panchayats might be requested to scrutinise the account and give their decision, which, unless cause were shown to the contrary, should become the judgment of the Court. I have had very close connection with village panchayats, and during the 20 years I have acted as an independent Honorary Magistrate, I have received very valuable assistance from them. I have formed a very high estimate of the honesty of purpose displayed by panchayats, and the soundness of their judgments. The panchayats should be responsible for the roads within the boundaries of its village. Where they exist they should be charged with their up-keep, and where roads are required they should make them. There is much dissatisfaction at present as regards the manner in which the Road Cess and Public Works Cess funds are administered. Thousands of villagers who contribute to these funds are not within many miles of a road, and receive practically no benefit from the tax they pay. The village panchayat should be made responsible for the primary education of the village youth. Every group of villages should have a school and the panchayat should make periodical reports to the educational authorities. The teacher should be appointed by the associated panchayats.

Another matter which should be in the hands of village panchayats is the watch and ward of the village. The assessing and collection of the chaukidari tax should be committed to village panchayats. At present the assessing of this tax is done in a most haphazard way. It is generally the work of one who has no local knowledge and information regarding the circumstances of those who pay the tax is picked up as best it may, with the result that the tax is most unequal in its incidence, and in many instances presses too heavily on the poorer house-holders. A village panchayat would be in possession of all the information necessary to levy the tax fairly and justly. The chaukidar or village watchman should become, as he formerly was, the servant of the village. Of late the tendency has been to make him too much a police-man, and, in so far as this has been effected, his usefulness to the people as their watchman has been interfered with. He is now rather the master of the village than its servant.

Before the introduction of the Bengal Chaukidari Act into that part of Chota Nagpur with which I am best acquainted, chaukidars were rewarded for their services in kind. As each different crop was harvested, the chaukidar called for his due, and it was to his own interest not to neglect his duty, as should he do so, the gift made to him would be less liberal than it would otherwise have been. Now, however, he receives his monthly pay at the thana, and is independent of the opinion of the villagers who pay him his salary. The Act provides for a regular monthly payment, at a much higher rate than formerly, being made to the village watchman. In sparsely populated tracts, this sum can only be raised by giving him a beat of sometimes two, three or four villages, or hamlets, often a mile or more distant from each other. It is quite impossible for him to do justice to all these villages, at least in the manner the villages require him to do. He can meet the demands of the police *daroga* by appearing periodically at the thana, and giving in his report of births, deaths, etc., but it is not possible for him to do what is expected from the village watchman. The requirements of the villagers, which are really the first call upon a village watchman, would be far more efficiently met, if the chaukidar was the village servant, and reports required by Government need not be neglected. The village panchayat should be responsible for all reports required by Government, and the chaukidar would be the medium of communication between the panchayat and the police.

17839. Is it possible that an officer might stay so long in a district that he would become used up and stale?—I hardly think so under the circumstances; promotion always comes in the way as a rule.

17840. But supposing an officer stayed five or six years, not in the division, but in the district, would he become stale?—I hardly think so; it would take him three or fours years before he came to fair knowledge of his district.

17841. In many districts is there a great variety of language?—Yes, a great variety. That is one reason for keeping an officer in a district for a long time.

17842. Is there any disinclination on the part of the District Officers to mingle with the people?—I do not think so.

17843. Is the converse accurate, that the people are unwilling to mix with the District Officer?—They are not unwilling, but the officer has a great deal to do and he has difficulty in conversing with the people; I have known cases in which they have had to do it through an interpreter; when that is the case it is always difficult.

17844. In the very district where the language difficulty is most acute, are the people most unwilling to take advantage of the presence of the Executive Officer, because they are not so accustomed to intercourse with a European and they have some fear of him?—Yes, I think so. They have no fear of him.

17845. No fear at all?—I do not think so as a rule; that depends very much on how the District Officer approaches them. If he could speak to them in their own language there would be no difficulty whatever.

17846. The Government of India is in the habit of giving pecuniary rewards to officers who pass tests in languages. Might it happen that an officer having passed his test in a language is transferred from a district in which that language is spoken and never returns to it?—Yes, it is quite possible; I know a case in which that happened. I examined an officer who passed in Santali; he left almost immediately for Eastern Bengal, and has never been in a Santali-speaking district since. I believe such cases are fairly numerous.

17847. Have you ever been a member of a Local Board?—I have been a member of the Local Board since its institution; before I was a member of the Road Cess Committee in the Manbhum district.

17848. Could you, as a member of the Board, take an active part in the administration of the district?—Not very well. It was very difficult for me to attend all the meetings regularly.

17849. Were the other members of the Board anxious to take part in the administration of the district?—I think so, but there is always this difficulty; if you have an official at the head, the non-official members do not take much part in the work.

17850. Does not the district cover a wide area? Would it be possible to find a non-official who could give up the time to come a great distance from his home in order to preside at the meetings of the Board?—I hardly think so in the districts with which I am acquainted. I do not see how you could do otherwise than keep the present arrangement. The members live far apart, and we know very little of the details of the work; we are called together and we meet, and the estimates are laid out before us and we pass them, and pass the budget, but we really know nothing of how it is made up.

17851. Would the creation of sub-committees help to interest members in their work and increase their responsibility generally?—There are sub-committees; we have one for Public Works and another for Education.

17852. Is the Chairman of the District Board always Chairman of the sub-committee?—I think so.

17853. Would it be possible, while keeping the Collector as Chairman of the District Board, to have non-official Chairmen of these Committees?—I think it would. There would be this advantage, that because the Collector is the chief officer of a district men, especially natives, do not readily express their opinion in his presence if it is adverse to what they think his is.

17854. Out of the communities which now exist in the villages, could you form something like a Council for the purpose of trying petty criminal and civil cases?—I have no doubt of it.

17855. And perhaps managing the village school?—They used to manage the village school some time ago, but that has been given up. I hear they are going to revive them again; each school has a committee who are responsible for the children attending the school, and responsible for the collection of the fees, but these committees have fallen into abeyance, and the deputy-inspector informed me that he was thinking of recalling them into existence. I think it would be wise to do so. These men consider it an honour; it introduces a new word into the language, "member"; they were always telling you that they were "members."

17856. As a matter of fact is there at present some sort of informal tribunal in all the villages?—In most of the villages. In the Santali villages you have the regular village organisation, beginning with the Chief and his assistant, and the priest and the messenger and then you have also a censor of the morals of the villagers; there is something of the same kind in all the other villages, but the tendency has been of late to give the *ijara* generally held by the headman, to an outsider. The zamindar gives it.

17857. If Government revived the panchayat system would that be any protection against this disintegration of which you speak?—Yes. I use the panchayats largely myself, and I find they do very good work. I am an Honorary Magistrate, and in cases which can be compromised, I advise the parties to lay the matter before a panchayat; the panchayat meets outside my office and they generally settle matters more satisfactorily than I could myself; I find these men generally are honest and fair in their decisions.

17858. Then there really is some sub-stratum upon which a satisfactory edifice of local self-government could be built, so long as the work confided to the panchayat is not of too large and important a character? It might be the management of village schools, some trifling sanitary powers, petty civil and criminal cases and things of that sort?—Yes. I would not go further than that; I would make some change probably with regard to the chaukidari administration; that is the tax which presses most hardly on the people.

17859. (*Mr. Dutt.*) Would you entrust the Local Boards with the execution of all small roads within their areas?—The Local Board ought to have the allotment and have the power to apportion it as it thought fit. It has the services of the District Board Engineer.

17860. Would the Local Board pass the estimate, and then direct the District Board Engineer to look after the construction of the road?—Yes; at present there are certain roads which are under the control of the District Board, and certain roads which are under the control of the Local Board. As regards the roads under the Local Board, the money which is spent on them should be allotted by the Local Board.

17861. Should the Administrative Councils be under the supervision of the Collector of the district?—I think so; he should be Chairman. Whatever was done would be done by the majority—vote of the members. They could do some useful work in that way. My feeling is that unless men have some real power they will not go to such meetings: they simply go now and say "yes" or "no."

17862. Would you recommend the creation of small village panchayats in all villages in the district?—I think so; it ought to be in circles of villages. There is only one influential man generally in a village, and with a group of villages you would get three or four or five of that class of man.

17863. Would you entrust civil and criminal powers to the headman or to these men collectively?—To these men collectively.

17864. In small cases would you have the decisions final or appealable?—I would not have them appealable.

17865. (*Sir Steyning Edgerley.*) As regards the officer whom you examined in Santali, how long had he been in a Santali-speaking district?—I cannot say, I think about two or three years.

17866. Might he not have been at the end of a long period of service which enabled him to know the language, and have taken the reward, because, as a result of long residence, he was perfectly able to take it?—No; I do not think the man expected to be moved so soon.

17867. (*Sir Frederic Lely.*) Are these dialects, which you speak of, mostly written?—Yes, most of them are.

17868. Would you have an examination in Bengali, with an examination extending to these dialects?—Men should be allowed to study and pass a colloquial

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examination in, and get a reward for, an allied language. That I believe is not allowed. For instance, if a man were to pass in Santali, he would not be allowed to pass in Mundari; if a man passes in Hindi, he is not allowed to pass in these village dialects.

17869. If the Local Board allotted the money which they have to expend, would it not be most likely that every member would struggle to get the appropriation for his own village?—I do not think so; my experience is that the ordinary Bengali gentleman does not care much for a road. He cares for water-supply.

17870. Does the "Bengali gentleman" get upon the Board?—Some of them do. They are not representative of the rural people, because they have little connection with the villages except collecting rents. District Boards are made up of that class, and the pleader class.

17871. Would not power given to the village community, mean power given to the zamindar?—No. He has not sufficient influence over the popular choice.

17872. You say that if an official is at the head of the District Board, the people will not take an independent part in the business; does it not very much depend on the official?—I hardly think so. The Government generally have made up their minds to certain things; for instance, with regard to these District Boards, the Government generally make up their mind to a certain line of action, and they expect the Collector to carry it out.

17873. You speak of the chaukidars, who were formerly recompensed in kind and now receive a monthly pay; would you advocate returning to payment in kind; would that not be difficult?—It would not be difficult. I fancy the villagers would like it. Money is so very scarce, the tax is collected at long intervals, and it is very hard for a man at times to pay up so many annas; they prefer payment in kind. If the village chaukidar was given a piece of land as remuneration that would be best of all.

(*The witness withdrew.*)

Adjourned.

TWENTY-SIXTH DAY.

CALCUTTA, *Saturday*, *January 4th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The MAHARAJA BAHADUR OF DARBHANGA was called and examined.

The Maharaja Bahadur of Darbhanga.

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17874. (*Chairman.*) What position do you hold?—I am a zamindar in Behar. I have been a member of the Bengal Council. I have been a member of the Statutory Civil Service, and at present I am a member of the Indian Legislative Council. I have not been either a member or chairman of a municipality or District Board.

Executive Officers have quite enough work on their hands already without being entrusted with larger powers or heavier responsibilities.

As regards appeals, I would leave matters as they are. It would be very hard to insist upon a certificate from the Officer whose order is appealed against.

Executive Officers are too hard worked in other directions for them to be able to afford the necessary time for personal contact with the people. Want of time and tact are the principal obstacles in the way of a better understanding. Freer intercourse is most desirable in the interest of the Rulers and the Ruled. District Officers should devote one hour a day at least of their time for personal interviews or similar means of meeting the people, and should not be sent to a district of the vernacular of which they are ignorant.

I would divide the Patna Division into two Commissionerships, but have no other suggestions to offer.

Transfers may be reduced if the Governments act in consultation with the Commissioners of divisions and District Officers.

Municipalities and District Boards may be allowed to elect their own Chairman whenever practicable.

I am strongly in favour of creating Councils in all divisions and districts and sub-divisions. They should be formed on the same principles, on a smaller scale, as the Advisory Councils of the Local Government. They may be consulted individually and collectively at the discretion of the Head of the local division. It should not be necessary to give opinions in writing. The members should be recruited from the aristocracy, the trading, manufacturing, industrial classes and the Bar, heads of religious sects, and other influential persons in the division or district. Their duties should be settled on the same lines as those of the Councils for the Local Government. The Administrative Councils may be recruited from the same sources with the addition of an official element. If it be intended to make these Councils popular, the official element should not form a majority. The jurisdictions of these Councils should extend over all matters which are at present within the scope of the District Boards and municipalities. The Local Government may from time to time, after the utility of these councils has been demonstrated, give power to them to dispose of other questions.

Powers may be given to village communities with regard to local questions relating to revenue, police, sanitation, and education, but very sparingly with reference to civil and criminal cases. The experiment can be tried in a few localities and gradually extended, if successful, to others.

17875. What position did you hold in the Statutory Civil Service?—I was Assistant and Joint-Magistrate for a short time. It was more than 20 years ago since I resigned.

17876. In those days did the officers of the Civil Service find their work very heavy?—I served under Sir A. MacDonnell, who was one of the best Collectors in the Service, and his work was very heavy, as he always made it very heavy.

17877. Did he find much time for touring?—Yes. He saw a great deal of the residents of the districts. He was quite an exceptional man.

17878. Is there any diffidence on the part of Indian gentlemen in approaching the Commissioner or the Collector?—I think there is. It is due to want of sympathy on both sides, and want of time on the part of the officers generally.

17879. Could any means be adopted by which better feelings could be restored between the officials and the people?—If it is understood that accessibility and courtesy will be considered before transferring or sending a man to a district or a division, it would have some effect. There is an impression generally on the

part of the people that the official holds aloof, and, with the best intentions, misapprehension is created which gives rise to feeling of diffidence.

17880. Would there be any means, such as instructing officers in the habits and etiquette of Indian social life, of removing that misapprehension?—I think so. There are officials who are very much liked in this province and in other provinces too. They know the language and they know the customs.

17881. Would it be possible in any way to formulate, for the help and assistance of young District Officers, the principal features of the etiquette and social life of Indian Society, so as to guide them when they first come out?—I should say general instructions are probably enough; there should be no special instructions required. When the Lieutenant-Governor goes on tour, if he is accessible himself, and tells people that they should be accessible to the Collector and the Collector to them, the whole thing would be much improved. There is a great deal of aloofness on both sides, due a great deal to misapprehension.

17882. We have been told that it was difficult for a District Officer to get into touch with the people in Bengal, because of the existence of the permanent settlement; do you think that is an obstacle?—I think not; I do not think it has anything to do with it one way or the other.

17883. With regard to the right of appeal, do you wish to see the present practice in any way altered?—I would not curtail it in any respect.

17884. Would you, for instance, allow an officer who can appoint a man on Rs. 20 or Rs. 30, or even up to Rs. 100, to be the final authority in pronouncing a verdict upon his conduct?—I think it would be hard on the subordinate officers.

17885. Is the difficulty of officers coming into touch with the people caused in any way by the size of the districts?—I do not think so.

17886. Would the appointment of a Joint-Magistrate be a good thing in order to help in the disposal of the work?—Yes, and the District Officer would be more liked and people would place more confidence in him if he had no judicial powers.

17887. Might there be an Advisory Council either for a Collector or a Commissioner?—I think an Advisory Council would be helpful to a Commissioner in some respects.

17888. Would you have an Advisory Council for a Collector formed from persons serving already on District Boards and municipalities?—You might extend the number for purposes of giving advice pure and simple, but otherwise, for administrative purposes, the District Boards are quite sufficient.

17889. Do Commissioners and Collectors at present seek the advice and counsel of native gentlemen?—Some do—it depends on the individual.

17890. Would you like to see a general instruction issued by the Government of Bengal that all officials should so seek advice?—I think so, and it would dispose of a lot of the present misunderstanding. I am sure that the present state of things is more due to misunderstanding on the part of the officers and the people than anything else.

17891. With regard to municipalities and District Boards, do you think that either one or the other could be entrusted with larger powers than they have?—Yes, with powers to control their own bodies with the sanction of the Local Government.

17892. Would you extend the experiment of local self-government to villages?—It might be done as an experiment, carefully.

17893. In an ordinary village could you find persons who would be quite capable of dealing with petty civil and criminal cases?—In some villages there are such persons: in all these things it is very difficult to generalise. The circumstances of one village are not the same as the circumstances of another, but certain villages might be selected, and if the experiment was found to be successful, it might be adopted or modified or otherwise, but it is very difficult to draw a hard and fast rule.

17894. (*Mr. Dutt.*) Would you utilise the existing District Boards as Advisory Councils? That is to say, should the Collector ask members of the District Board to give him advice on other matters than those connected with the District Board?—Yes. On the District Boards, there are many subjects which are not represented—for instance, religious instruction—and they might be useful as advisory bodies in that way, and also in the case of any trouble between Hindus and Muhammadans. If a Collector wanted any information in a non-official way there ought to be nothing to stop him, and that information might be given in conversation or in writing, and the more intercourse the better.

17895. (*Mr. Hichens.*) Do you want a District Advisory Council and a Divisional Council and also an Administrative Council?—Simply for extraordinary subjects.

17896. Would you advocate a Collector or Commissioner seeking advice from other sources; for instance, if there were Agricultural Societies would you allow him to seek advice from them?—Yes. I do not want to restrict his power of seeking advice: on the contrary, I want it extended as much as possible.

17897. If you had a body called an Advisory Council, would it not be rather a temptation for the Commissioner to think that he need not seek advice elsewhere?—He would use his discretion. I do not think there is any such danger, or if there was, he might get instructions.

17898. With regard to the Administrative Council that you suggest, what is it to do?—That would act for the division; in the districts the District Boards and municipalities would do the whole work of the Administrative Council.

17899. Then do you not want to have an Administrative Council for the Collector as well as an Advisory Council?—No, I think not.

17900. Do you mean by an Administrative Council, the District Board?—Yes, practically the people who form the District Board should form the Council—I mean the leading people in the district. You can call them District Board or Administrative Council or whatever you like; it would mean practically the same men, and there is no need for two bodies.

17901. Do you think from your experience that the time is ripe for giving any further powers in the matter of local self-government?—Yes, further powers might be given them beyond preparing their own budgets.

17902. Are you prepared to take the risk of a larger number of mistakes being made?—Yes, I think so. The risk has to be taken; a man has first to be a child before he is a man.

17903. Would you be prepared to entrust some of the more junior officers of the Government with wider powers than they have to-day in order to give them a fuller sense of responsibility?—I think their powers are wide enough. I am not prepared to entrust them with further powers.

17904. (*Mr. Meyer.*) You have a very large estate, is there a great deal of work in connection with it? Suppose some of your raiyats are dissatisfied with any orders, do appeals come right up to you?—Yes.

17905. Do you want a Commissioner to have an Advisory Council to be assembled from time to time in order to give him advice?—Yes.

17906. Are the members to over rule the Commissioner?—I do not think so. They should simply tender advice, and the Commissioner must have the responsibility.

17907. You do not mean that they should be given administrative powers—that one should look after income-tax and that another should look after Local Boards, and that kind of thing—but you mean merely a Council of Advisers which the Commissioner can over-rule if he is not in agreement with him?—Yes.

17908. Do you no longer want the Collector to be Chairman of the District Board?—In some places you probably could not get a good unofficial Chairman, but if you could, then I should like him to be Chairman. It would be a difficult thing to get a good non-official Chairman.

17909. Would it be a good thing to take the Collector away from immediate contact with the work connected with roads, education, sanitation, and various things which the District Board deals with?—I do not know the working of the District Board system.

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17910. Whatever happens, you think that a Collector should be immediately concerned in such matters?—Yes, in any case the Collector must be cognisant of what happens and be in touch with the whole thing.

17911. Are you in favour of having a separate officer in charge of the headquarters sub-division?—Yes.

17912. (*Sir Steyning Edgerley.*) With regard to your suggestion of an Administrative Council for the Commissioners, the jurisdiction of this Council would, I understand, extend over all matters which are at present within the scope of District Boards and municipalities. That is to say, you would give the people another stage in managing their own affairs, and they would share the outside control which is at present exercised by the Commissioner alone?—Yes.

17913. Supposing you could find a district in which it would be possible to have non-official Chairmen of municipalities and non-official Chairmen of District Boards, would you be prepared to put the outside control in the hands of an Administrative Council under the presidency of the Collector?—I do not think it would do any harm—the Collector must remain the chief.

17914. Would you say, within the limits of your experience, that there has been a satisfactory growth in local self-government?—I think the people would take more interest in matters now. Municipalities have made more progress than District Boards for the reason that there are more local men upon municipalities. Educated men congregate more in the towns.

17915. And the municipality is more interesting to them, and therefore they have gradually learnt to take more interest in it?—Yes, I think that is so; with regard to District Boards the members come from a distance, they have no responsibility, and therefore do not take much interest in the proceedings.

17916. But you say that it would be very difficult to find a non-official Chairman who would know a district as well as the Collector?—I do not mean to say that he would not know it, but it would be difficult to find a non-official Chairman who would be able to spare the time.

17917. Are there not gentlemen of means who live all their lives in a district?—Yes, but it would be a trouble to find anyone who would do it unpaid. Some of them might.

17918. How long does a Collector stay in a district?—Sometimes three years, sometimes less.

17919. Taking a man of intelligence who has lived say 40 years in a district, would he not know more of that district than any Collector?—I think not, because he is not able to go about it so much. There are roads to be made and supervision and so on, so that he would not care to find the time unless he had some personal interest in a particular road which was near his own house.

(*The witness withdrew.*)

Sir CHARLES G. H. ALLEN was called and examined.

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17920. (*Chairman.*) You are Chairman of the Calcutta Corporation?—Yes. I am a member of the Indian Civil Service. I was for seven years engaged in settlement, and for another year as Director of Land Records.

Executive Officers have too much work to do to come into sufficient personal contact with the people. The main cause of this failure is that the administration generally is under-manned. There is not a sufficient number of officers to supply Joint-Magistrates, Assistant Magistrates and Deputy Magistrates where they are needed, and the result is that the District Officer is generally overburdened with work. Recruiting has not kept pace with the increased requirements which are occasioned by the greater complexity of the work which has led to specialisation, and to the placing of a number of officers on special duty, and the necessity of manning the Settlement Department. While recruiting has failed to keep pace with requirements for additional men for this purpose, the volume of work in the districts has undoubtedly increased, with the result that men are overworked to breaking point. In many instances reforms, which are in themselves advisable, have been vetoed for the reason that they will impose additional labour upon already overworked District Officers. A District Officer of to-day spends far too much of his time in writing reports and other routine work, while at the same time a higher standard of inspection is insisted upon, with the result that his opportunities for coming into personal contact with the people of his district are reduced. No business firm would attempt to carry on the administration with the small amount of European supervision which is apparently considered sufficient by the Government, and this is evident from the consideration of the number of Europeans employed in any large Calcutta business. A comparison of the number of Civilians employed in the districts 20 or 25 years ago, with the present establishment, will show that there were more senior Joint-Magistrates and far more Civilian Sub-Divisional Officers than there are now, and the administration must consequently have deteriorated within this period. One of the prominent causes of this deterioration is that officers are now so rapidly promoted that they get insufficient experience and training during the early years of their service.

As regards districts, there are some which are too large, *e.g.*, Midnapore, but the sub-divisional arrangement requires remodelling. With the exception of a few metropolitan districts and the Sonthal Parganas, sub-divisions have never been scientifically mapped out throughout the province, and in almost all the districts the work requires revision. There are 100 sub-divisions in Bengal, the average population being 504,000 and the average area 1170 square miles. The number of sub-divisions should be nearly doubled, the unit aimed at being 600 square miles, and I look upon this as the most important direction in which decentralization can be usefully advanced. Unless a sub-division is of manageable size, so that a Sub-Divisional officer can thoroughly know it from end to end, the police and the tyrannical zamindar have much too much their own way. An officer should always be placed in charge of the Sadar sub-division, which, for want of a Sadar Sub-divisional Officer, is too often neglected.

Selection should play a larger part in the making of appointments than at present, and the principle should be introduced at a much earlier stage of an officer's career. At present officers are promoted by seniority up to the first grade of Collector, and it is only when Commissioners are appointed that the principle of selection is for the first time introduced. An officer who has received his promotion in regular course for 25 years or so by seniority, is naturally chagrined if he is for the first time passed over for promotion to a Commissionership. Promotion by selection, within certain limits of seniority, should be introduced from the outset of an officer's career, and officers should be selected even for sub-divisions, and certainly to hold charge of districts.

Frequent transfers are a notorious evil, and they may be avoided to some extent in the higher posts, if the pay of these is graded as in the case of the Inspector-General of Police. The increase of the staff will also reduce the number of transfers. It should be an understood thing that a District Officer must remain in a district for at least three years, and in appointing an officer newly to a district, preference should be given to a man who has recently returned from leave, and is therefore likely to remain in the district. Officers should also be discouraged from taking leave so as to necessitate a transfer within this period. Less attention should also be paid to the caprices of individual officers who may wish for a transfer. Moreover, when an appointment has been made to an important post, the officer selected for it should not be transferred until he had held it for three years, merely in order that he may take up a more lucrative post. In fact, less consideration should be paid to the claims of the individual, and more to the exigencies of the work.

So far as the Calcutta Corporation is concerned, the measure of control exercised by the Government is not excessive, and in my experience it has been very considerately exercised. Something might be done to make the Commissioners' duties more attractive by transferring to them certain functions which

are at present discharged by the Government. For example, they might safely be made responsible for primary and technical education throughout the city, a sufficient grant of improving items of revenue being made to the municipal funds by the Government, to enable them to meet the expenditure. Theatres also should be licensed by the Corporation. The important air-spaces and recreation grounds are controlled by Government, and so are the public library, museum, etc. A beginning might be made with primary and technical education, and the licensing of theatres and places of amusement, and the desirability of bringing the Corporation into closer touch with the civic life of the city should be borne in mind.

17921. What was the nature of your relations with the Director of Agriculture?—He was the agricultural expert to whom I used to refer any points of difficulty. In Bengal, we had not then separated the departments as they have since been separated—Agriculture from Land Records. At that time there was only one department and our work was in a very embryo stage; we wanted help and guidance, and he came down twice and toured about with me; I put a good many questions to him and obtained his advice as far as possible with regard to the experiments we were making.

17922. Did you find as one result of his coming to your province that he wanted to interfere with your administrative machinery?—No, not in the slightest degree; I do not think he went into any question with regard to our administrative machinery; he was only interested as an agricultural expert pure and simple.

17923. Did you correspond with him officially through your Government?—No, I corresponded with him direct, officially and demi-officially.

17924. Did he advise the Local Government as apart from you?—I do not think he did so.

17925. Did all his advice come through you, and did all your questions go direct to him?—Yes, that was the practice. If the Government wished to get any information from him, they would have gone through me, or instructed me to obtain his opinion.

17926. Do you look upon an Inspector-General as an exceedingly useful institution?—Yes. I can only speak of the one with whom I came into contact—the Director of Agriculture.

17927. Were the satisfactory relations between you due to the personality of that Inspector-General, or are the advantages inherent in the traditions of his office?—His office was entirely a new one and I do not think it had any traditions; Mr. Mollison had been Assistant Director of Agriculture in Bombay, and I rather think he was the first appointment by the Government of India to his office.

17928. You say that Executive Officers are very much over-worked? What is your remedy?—More men, I think.

17929. That is really the bed-rock of the present trouble—want of sufficient staff?—I think so; the want of a sufficient high supervising staff.

17930. Not the want of a subordinate staff?—To some extent, yes, but the want is far more urgent with regard to supervising men.

17931. Would the strain which is now imposed on officers be relieved to a greater extent by an increase in the staff than by the subdivision of districts?—It is difficult to say without knowing the circumstances of each district, but there are some districts no doubt which require subdivision, although what the districts generally require is more Joint-Magistrates and Assistant Magistrates who could relieve the Collectors of a great deal of work which now overburdens them.

17932. One witness stated that the real remedy was to break divisions up into small districts and put the entire work of a district on to one man; are you not in agreement with that view?—I do not think that a district of about 3,000 square miles is too much for an officer to supervise, providing he has a sufficient intermediary staff under him, but if the whole work is thrown on him, as it is now, without sufficient assistance, then he is thoroughly overworked.

17933. Is some of the trouble occasioned by the fact that there are incapable officers in charge of districts?—I have not had, as a matter of fact, any direct knowledge of the working of districts within the last four or five years, but I should say, before that time, that far too junior officers were put in charge of districts.

17934. Perhaps the want of either experience or capacity has caused the Government to issue general rules, which have operated adversely to the service?—It might be that there is a want of capacity on the part of some District Officers, but the real trouble was due to want of experience. When an officer of two or three years' service is put in charge of a district where the work is new to him, he is very likely to make a large number of mistakes, which he would not make if he did not take charge of a district until he had 8 or 9 years' service.

17935. Does the mode of selection point to incapacity in particular officers, or does it rather point to the necessity of very much higher capacity for particular officers?—No doubt there are inefficient individuals, but I should not have said that the percentage of them was very large.

17936. How low down in the scale should the period of selection begin?—Certainly for districts. I would appoint Collectors by selection, but because a man had been once passed over I would not pass him over indefinitely; I would give him a period of probation as Joint-Magistrate, and if he showed capacity I would promote him; I do not think a man ought to be finally passed over.

17937. Supposing an officer had been passed over two or three times who was clearly incompetent to take charge of a district, would you retain him in the service or retire him?—I should retire him.

17938. Are you appointed as Chairman of the Calcutta Corporation by Government?—Yes.

17939. Are the majority of the Commissioners appointed by Government?—No; we have 50 Commissioners, of whom 25 are elected, 15 are appointed by Government, and the remaining 10 are appointed by local bodies.

17940. Is the executive power vested in you as Chairman?—Yes, entirely.

17941. Would that account for some of the want of interest which the Commissioners exhibit?—That is very likely so.

17942. Speaking as a Chairman of the Corporation, would it be advantageous to the interests of the Corporation if some of your duties were delegated to the Commissioners as a body?—In Calcutta at present it is advisable that the executive authority should be concentrated in one man, because in that way the machine works better.

17943. Have the Commissioners as a body power to direct the policy of the Corporation?—I should say so entirely, in large matters. The budget is entirely in their own hands, and in that way they can control the policy.

17944. Is it your view that executive power should remain with you, but that questions of policy may be, and are, decided by the Corporation as a body?—Yes, but it is a little misleading to say that questions of policy only are decided by the Corporation. There are a very large number of questions which cannot be described as questions of policy which are settled by the Corporation; in fact, they make some appointments; they have a number of functions in connection with water-supply and other matters which, although not executive, still give them a very large say in the administration of the Corporation. They do not merely decide abstract questions of policy, but they play a very large part in the administration.

17945. Is much of your work done by committees?—Very largely so indeed.

17946. Are you Chairman of all the committees?—Not all of them; there are a few committees appointed by the Corporation of which I am not Chairman, but under the law, if I am a member of a committee, I must be the Chairman of it.

17947. On the other hand, are there certain duties which are at present performed by the Government which might be transferred to the Commissioners as a whole?—Yes, I think that might gradually be done.

17948. Would that not mean that at the present stage it would be practically a transfer not to the Commissioners but to yourself?—No; in a matter like

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education, for instance, I do not myself take any part at all. As far as we deal with the education grants of the Corporation they are entirely administered by the Commissioners in their own districts. The ward representatives make enquiries about the schools ; they make recommendations as to what grants should be made to various schools, and the Corporation always accepts them.

17949. (*Sir Steyning Edgerley.*) Have you ever thought about the question of having the Executive in one hand, but not in the hands of the Chairman, as in the Corporation of Bombay ?—I should say the essential difference between Calcutta and Bombay lies in the position of the general Committee. In Calcutta the European business element is extremely strong.

17950. Is your General Committee a standing Committee of the Corporation ?—No ; it is a partly independent municipal authority. The reason for the difference between Calcutta and Bombay is that the General Committee in Calcutta was appointed in order to induce the European business element to take a larger share than they had hitherto done in the affairs of the Corporation. We have three co-ordinate authorities, the Corporation, the General Committee, and the Chairman, each of them with its own independent functions ; but in certain matters the General Committee's decisions and the Chairman's decisions also require the sanction of the Corporation, although in a large number of matters they are entirely independent of one another. The system in Bombay of an elected President would probably not work well in Calcutta under the present constitution, because a common President of the corporation and of the General Committee is necessary in order to maintain co-ordination between the three different authorities ; otherwise they would come into conflict.

17951. (*Mr. Meyer.*) Is your General Committee entirely independent of the Corporation ? Do you mean that a man might be a member of the General Committee and not a member of the Corporation at all ?—He must be a member of the Corporation before he can be a member of the General Committee.

17952. And are there no matters in which the General Committee has to refer to the Corporation ?—All expenditure over Rs. 10,000 requires the sanction of the Corporation, but there are many matters in which the General Committee make recommendations to the Corporation, and there are other matters in which they are independent.

17953. Is not the Corporation really a higher authority ?—They are co-ordinate—I did not mean to say they are equal.

17954. Is the General Committee the agent of the Corporation in some matters, but independent in others ?—By the Corporation I mean the body of Commissioners ; the body of Commissioners, for instance, has nothing to say to a large number of decisions of the General Committee.

17955. If it is a question of Rs. 10,000 or under, is it dealt with by the General Committee, and if it is a question of Rs. 15,000, does it go to the Corporation, which may upset the decision of the General Committee ?—It very often does.

17956. Do you include the selection of officers in saying that the Chairman is supreme ?—The Chairman appoints all officers receiving Rs. 300 and under ; from Rs. 300 to Rs. 1,000 the General Committee appoint ; and above Rs. 1,000 the Corporation.

17957. Therefore in some matters the Corporation and the General Committee do intervene in purely executive matters ?—Yes ; I am afraid I was not very precise in the use of the word "executive."

17958. When you punish an officer has he a right of appeal to the General Committee ?—He has if he is paid over Rs. 100 ; if he is appointed by the General Committee he is dealt with by them.

17959. Therefore you can do nothing with an officer receiving Rs. 500 ?—No.

17960. Is that an altogether satisfactory system ?—It has its disadvantages, but I think it is necessary when an authority appoints, that that authority should also be entrusted with the punishment and reward and so on.

17961. Do you think it affords less scope for friction, and is altogether better for the circumstances of Calcutta, than the Bombay system ?—I am not acquainted with the Bombay system in detail, but the General Committee in Calcutta is a most useful body.

17962. Are you, generally speaking, satisfied with the present system ?—Yes.

17963. As to the budget, is that finally passed by the Corporation ?—Yes. It does not go to Government. We submit an administration report to the Government, which Government reviews. They advise us thereon, and in a way, their advice has to be accepted.

17964. Have they any power over you ?—They have direct controlling authority under the Act.

17965. They could require you, for instance, if on your administration report they thought you were not devoting enough money to a certain purpose, say sanitation, to spend more ?—Yes, they can. I have never known an instance of the controlling power being specifically exercised in that way ; we have had advice from Government, which we have accepted.

17966. Is there any appeal to Government by any aggrieved person against the acts of the Corporation or Chairman ?—There is no appeal : I presume the Government, in a revisional way, might exercise powers of control.

17967. Is education under your control ?—No, we make a grant of about Rs. 15,000 a year towards education, but we have no control over it.

17968. If you decide which schools are to receive grants and which are not, is that not a considerable amount of control ?—I think not, because there is no management over the schools. They are private schools which we aid. We can give or withhold aid.

17969. Does Rs. 15,000 represent anything like the expenditure on primary education in this City ?—I should think not. The bulk of the expenditure on primary education is met by private grants, fees and aid from Government.

17970. Government aids schools and you aid them —is there any line of demarcation between your functions ?—No, and I think that is objectionable.

17971. Are there any limits to your powers to sanction specific works ?—We can sanction up to one lakh. Large sums of above one lakh of rupees require Government sanction.

17972. Is that a sound restriction ?—Yes, I think it is a very sound one.

17973. As regards the Director-General of Agriculture, when you were in communication with him, did he call for reports ?—I do not think he did ; he might have asked how certain experiments were getting on.

17974. You speak of your Civilian Officers as being overworked in districts ; is that not largely because they do work which might be relegated to a subordinate, such as the trying of second and third class criminal cases ?—A District Officer nowadays tries very few cases.

17975. I am speaking of Sub-divisional Officers or Assistant or Joint Magistrates. I have the Madras system in my mind : that below the Provincial Service you have a Subordinate Service, including Magistrates with second and third class powers ; the Deputy Magistrates as a rule try the first class cases and appeals from the second and third class Magistrates—is that your system ?—I think the system is that the junior officers of the Provincial Service, that is the junior Deputy Magistrates, try those cases, and Honorary Magistrates also very largely.

17976. Are men who have reached the post of First Class Magistrates largely employed in trying second and third class cases ?—I should not have thought so. To a certain extent they would be, because they have summary powers and can try them much faster.

17977. Could not relief be largely afforded by an increase in the number of Sub-Deputy Collectors with magisterial functions ?—We have Sub-Deputy Collectors already. It might be some assistance, but at the same time it would not meet the difficulty ; the men who are really over-burdened are the men at the top of the tree, not the men at the bottom. It is the District Officer himself, and as a matter of fact he tries very few cases, so that he would not be relieved as regards magisterial work.

17978. Do you mean even as regards appeals?—Where a man has a Joint Magistrate, he very often gets him empowered to try appeals.

17979. Is it not best to relieve the District Magistrate by giving more powers to try criminal and civil matters to Sub-Divisional Officers, and relieve them in turn by appointing Sub-Deputy Collectors, giving them more power?—I think the best way of relieving the District Magistrate would be to give him a Joint Magistrate.

17980. Would you give him charge of the headquarters sub-division?—I think so.

17981. Do you approve of the system under which you have Deputy Collectors at headquarters doing branches of work, such as income tax work?—I should decentralize that as far as possible to the subdivisions, but in Bengal all our land revenue work is concentrated at the headquarters of a district.

17982. Would it not be better to have more Sub-Divisional Officers if necessary, and to give them land revenue powers subject to the general control of the Collector?—I do not think with regard to the revenue of permanently-settled estates, it could be done in that way. Certificate work is largely done in sub-divisions already, and I would certainly decentralise as much as possible in that way.

17983. (*Mr. Hichens.*) Are the accounts of the Municipality audited by the Government?—They are audited by auditors appointed by the Government. Their report goes to the General Committee, and goes on with the Committee's report to the Corporation.

17984. If the Government think their report is unsatisfactory, have they the power to take any steps?—They would, no doubt, exercise their statutory powers of control under the Act.

17985. And if there was a deficit, and the auditor reported that no adequate means had been taken to meet it, in another year the Government might exercise the power to step in?—Yes, and tell us to raise the rates for instance. I do not remember any such case. In practice the control of the Government would not be exercised so much by a definite statutory order as by advice given indirectly.

17986. Do they do that much?—Very little.

17987. Have officers of the Government, such as the Sanitary Commissioner, power to inspect the work of the Municipality?—No, not unless they are specially so detailed by the Government; the Government can appoint an official to inspect any branch of our work.

17988. Is that done?—Never, so far as I know.

17989. Who appoints the General Committee?—There are 12 members and the Chairman; four members are elected annually by the Ward Commissioners, four by the "appointed" Commissioners, and four are appointed by the Local Government.

17990. With regard to Government control, the Chairman is appointed by them; a certain number of Commissioners are appointed by them; and they have the power of control which they can exercise at any time? Then they would have the general report of the Municipality each year, which they go through and frame a Resolution upon?—Yes.

17991. Is it desirable that those Checks should be in any way relaxed?—I do not think so.

17992. Is there any rule prescribing the length of tenure of the Chairman?—None at all. It would be very desirable to have such a rule. Continuity is a most desirable thing in the appointment.

17993. Could that principle be extended to all to other departments of the Government?—I think it could, and should, be; there should be a fixed rule with regard to other appointments, as far as possible, fixing the time for which they should be held; but of course, as a matter of fact, the particular circumstances will always modify the operation of any rule of that kind: in so far as a rule tends to prevent frequent transfers it is most desirable.

17994. Would you carry that down to Collectors?—Yes. In their case I think that three years is probably a good term. After he has been three years in a district, a man wants to go on leave, and, when he goes, another officer might be put in his place.

17995. When he has been away on leave is it not advisable that he should go back to his old post?—I think not—he may have been away six months, and I think it would be better to let the man who has been acting for him remain.

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17996. (*Mr. Dutt.*) You state that in your opinion the number of sub-divisions should be nearly doubled in Bengal. Do you think the administration could be brought more in touch with the people if the sub-divisions were smaller?—I think so certainly. A Sub-Divisional Officer has more opportunities than anyone of getting into touch with the people.

17997. Could the same object be attained to some extent by following the Madras and Bombay systems of creating circles within the sub-divisions and placing an officer—a junior Deputy Magistrate or a Sub-Deputy Magistrate—in charge of each of those circles?—I think so, but you would have to be very careful to appoint an officer of good calibre in that capacity. If your sub-divisions are of reasonable size I rather doubt whether it would be necessary to sub-divide; if a sub-division is only 600 miles in area, it is not very far from one end to the other; but where they are very large, I would reduce their size; but you must have an officer of experience, and if you had small sub-divisions there would be a tendency to appoint men of insufficient capacity.

17998. But if men of higher calibre were placed in charge of the circles, would not your object be attained?—To a certain extent it would be.

17999. In that case, would you delegate to them some of the revenue work which is now done at sub-divisional headquarters, or at district headquarters?—I should think so.

18000. In the Calcutta Corporation, as the authority which appoints an officer is also the power which punishes him or dismisses him, you can dismiss a man receiving up to Rs. 300. Is there any appeal from such a punishment?—In the case of an officer punished by me if his pay is more than Rs. 100 a month, an appeal lies to the General Committee, which is final; there is no appeal against the order of the General Committee.

18001. And there is no appeal against the order of the Corporation?—In the case of the Chief Engineer and the Health Officer, punishment is subject to the approval of the Local Government, who also sanction the appointment of those particular officers.

18002. Would it give a greater sense of security to the officers if every man had a right of appeal against an order of dismissal?—I should think it would probably have that effect.

18003. Are you likely to get better men on the whole if every man had a right of appeal?—I do not think so; I do not think that would work at all well.

18004. Do you get as good men as you would if you extended the right of appeal?—Yes, I think we get quite as good men.

18005. Are the Chief Engineer and the other officer you mentioned appointed by Government?—The Chief Commissioner and the Health Officer are appointed by the Corporation; but the appointments are subject to the approval of Government.

18006. Are they generally Government officers whose services are lent to the Municipality?—No.

18007. You have a Vice-Chairman?—Yes. He is appointed by the Corporation.

18008. Have you also a Secretary?—Yes. The Corporation appoints him. The appointment does not require the sanction of the Government.

18009. Can you briefly state the nature of the duties of the Vice-Chairman?—He performs such functions as the Chairman may delegate to him. At present he is the controller of the accounts and financial adviser to the Chairman; he also hears appeals from assessees in the northern part of the town. Those are his main functions.

18010. What are the general duties of the Secretary?—They are mainly connected with correspondence and with the business of meetings.

18011. Are you perfectly satisfied with the distribution of work with regard to these officers?—Yes; I have the power of altering it if I am not, and I have very often occasion to modify it in small matters.

18012. Have you any suggestions to make as to delegating powers to subordinate officers with a view

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to smoother working?—I do not think so, because I already have that power and have exercised it where I saw fit to do so.

18013. (*Sir Frederic Lely.*) I notice that most of your transfers were made in consequence of Government having to fill special appointments. There is no remedy for that, is there, and it simply has to be faced?—I think an addition of more men would prevent the trouble that arises from taking men from an already overworked staff to fill special appointments; that is to say, if the Government made special provision in the *cadre* for these special appointments, as it should, then at least the staff available for ordinary administration would not be weakened below the proper standard; you would still have to take men, of course, and the personal question would not be altered.

18014. With reference to what you say as to the occupation for at least three years of a Collectorship, supposing a vacancy occurred and a man came out from England who was a year junior to the next man on the list, who was about to take leave in a few months, would you pass over the senior man and give the appointment to the man who had just come out, on the ground that he would not be likely to go home again soon?—Yes, I should certainly do so.

18015. Would that not create a good deal of feeling?—I do not think so; if it were the regular procedure individual officers would not feel themselves hardly treated, or if they did it would be a matter of small moment compared with the efficiency of the administration.

18016. In many cases it might happen that a man might have to sacrifice what he has hitherto considered his right for a year or more, but you would face that?—Yes, I would face that.

18017. Would you make the Collectorship practically a three years' appointment?—Yes, as far as possible. I would appoint no man as a Collector if he would not undertake — barring exceptional circumstances—to stay in the post for three years at least.

18018. With regard to the sub-divisions, who commits to the Sessions Court as a rule?—A First Class Magistrate. A Second Class Magistrate has no power to commit unless he is in charge of the sub-division, or is specially empowered in this behalf by the Local Government. Otherwise, if they have no jurisdiction to pass a sufficiently severe sentence, they remit the case to the District Magistrate under a special section, or they ask him to commit the case to the Sessions.

(*The witness withdrew.*)

Adjourned.

THIRTY-FOURTH DAY.

CALCUTTA, *Tuesday, 28th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Sir GOOROO DAS BANNERJEE was called and examined.

Sir Gooroo Das Bannerjee.

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18019. (*Chairman.*) What is your occupation?—I am a retired Judge of the Calcutta High Court.

I would not curtail the right of appeal to the Government of India now granted in respect to administrative or personal action. Nor do I think it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against, that reasonable grounds of appeal exist. The existence of an unrestricted right of appeal may involve a heavy burden of work on the appellate authority and may be taken to imply some want of confidence in the judgment of the authority appealed from, but it has on the other hand a most salutary operation in preventing wrong decisions in the first instance, by making the subordinate authority more careful, and in remedying them when arrived at. Moreover, it helps most effectually to strengthen the confidence of the public in the ultimate justice of the administration. The right of appeal is specially needed in the circumstances of this country, where the chances of error from local prejudice are so great, and where the check afforded by public opinion is so feeble.

Executive Officers, if they keep within the strict limits of official routine, cannot be said to have sufficient opportunities for personal contact with the people. But they may, if they are so inclined, create opportunities for such contact. The chief existing obstacles in the way of their coming in personal contact with the people are two—their want of sufficient inclination, and their want of sufficient knowledge of the vernaculars of the country. Executive Officers do not generally show much inclination to mix either with the educated classes or with the masses; and in the case of the latter, imperfect knowledge of the vernaculars becomes an additional difficulty. If Executive Officers are required, or encouraged, to learn the vernaculars, to invite Indians to non-official parties, and to make informal tours through their districts, increased opportunities will be afforded for their mixing with the people. But even this will not be enough, unless they can restrain, if not overcome, their feeling of racial pride, and meet educated Indians on terms of equality and Indian peasants and artisans in a sympathetic spirit, when coming in contact with them in non-official intercourse.

I am not in favour of the grant of larger powers to Commissioners, Collectors and other local authorities, because in my opinion the powers already possessed by them are sufficient, for their proper exercise, to occupy all their time and attention. But if larger powers be granted to them, that would certainly involve greater care in their selection, less regard being had to seniority except so far as it is a guarantee for sound and sober judgment, and more regard being had for goodness when combined with efficiency.

18020. Would you have no curtailment at all of the right of appeal. It has been suggested by some witnesses, both Indian and British, that in the case of a person against whom a decision has been pronounced, justice would be met by their having one decision above that of the original decision—what would you say as to that?—I would rather allow the right to continue as it exists at present.

18021. In the matter of personal questions, is care taken to go thoroughly into the circumstances of a case?—Care is no doubt taken to go thoroughly into the circumstances.

18022. Are there many personal appeals?—I could not exactly say in what proportion they are to the total number of cases, but there is a fairly large number.

18023. Do a considerable number of cases come up for revision?—Yes.

18024. Generally on questions of fact, or on questions of law?—Mostly on questions of law, but not infrequently on questions of fact, as well.

18025. But still neither with regard to fact nor law, would you limit the right?—I would not.

18026. You say that you are not in favour of conferring any extension of power upon the Heads of Departments or Commissioners—what is your reason?—I think the powers already vested in those authorities are sufficient to occupy all their time and attention.

18027. It has been suggested that particularly in the case of the Court of Wards local authorities should have much larger power of decision—would you allow them those?—My experience in that respect is very limited, but I would rather not enlarge their powers except so far as they may be necessary to meet urgent cases which require immediate decision.

18028. Were you appointed to the High Court straight from the Bar, or had you any previous experience of executive work?—I cannot say that I had any experience of executive work except so far as I could derive it from my practice at the Bar. I practised both in the *mufassal* Courts and in the High Court. For the first six years of my professional career I was a pleader in the District Court of Murshidabad, but that was many years ago.

18029. Speaking generally, is it possible to increase the sympathetic intercourse between the people and the Executive Officers?—I think it is possible. I would take action in two directions in particular—firstly, by requiring or encouraging Executive Officers to organise informal non-official social parties, and, secondly, by encouraging them to make non-official tours through districts apart from regular tours.

18030. How would an officer be able to make a non-official tour?—If he has leisure he might visit a particular village in his district, it may be without any previous intimation, but to make these tours in the interior of any use, Executive Officers should be required or encouraged to learn the vernaculars of their districts so as to be able to converse with the people unacquainted with the English language. English officers have not a sufficient knowledge of the vernacular at present.

18031. Would people in *mufassal* districts respond to any proposal to come to parties or unofficial gatherings?—Yes, I think they would, but they must see that the officials will receive them in a sympathetic spirit and will restrain, if not overcome, their social and official pride.

18032. It has been stated by a certain number of witnesses that the Indian official is quite as apt to exhibit what you call pride as the European official—is that your experience?—To a certain extent that is true, but, while the Indian official may show that roughness to his Indian subordinates in office or in social life, the English official, if he is not blessed with an even and equable temper, is liable to show it to, and will make no distinction between, his subordinates and his equals, or even his superiors, if they happen to be of a different race.

18033. Would you suggest that these difficulties may arise not merely from the difference of race, but from the possession of office?—Yes, that is so to some extent.

18034. Is there a considerable desire on the part of both official and non-official classes to come together?—Yes, there is that desire certainly, and there are many people amongst the officials, Indian and British, who show an anxious desire to mix freely and on equal terms, but I could not say that their number is very large.

18035. (*Mr. Dutt.*) At present the right of appeal is not unrestricted and there are certain rules restricting that right in different cases. Would you like those rules to exist as they are now?—In departmental matters my knowledge and experience are both limited, and if there are any rules restricting the right very much I would rather have even those rules rescinded as far as possible.

18036. You say that in certain urgent matters you would not object to the delegation of powers from the Government, for instance, to the Commissioners of divisions. Are there also many minute matters in which reference has now to be made to the Government, where a more speedy decision could be arrived at if they were disposed of by the Commissioner?—My experience in these matters is very limited, and therefore I cannot undertake to give any answer that will be satisfactory to me, much less to you.

18037. Has not a great deal of official work which a District Officer now has to perform the effect of keeping him somewhat aloof from the people?—Yes, I think so—want of time very likely is one of the reasons. My experience of the *mufassal* dates back to a period from 1886 to 1888, and not much later.

18038. Can you suggest any way in which a District Officer could be brought more into touch with the people even in regard to the work which he has to perform?—Yes; if he had something like Advisory Councils composed of men of his district, and invited their opinions, and them in all cases, even in the course of official work he would come more into contact with the people of his district than he does now.

18039. If the Commissioners and Collectors interested themselves more in education, or had the power to do so, would it have a beneficial effect?—Yes, I should think so.

18040. It is practically now a great deal under the control of the Education Department, but if local officers, the Commissioner, the Collector and the Sub-Divisional Officer interested themselves more in education, both secondary and primary, would it have a beneficial effect?—Yes, it would, generally speaking, but their interference in the matter will have to be so regulated as to avoid unnecessary or undesirable friction between the officers of the department and themselves; if care is taken in that respect their interference will certainly be valuable.

18041. Have you much experience of Bengal villages?—Not much.

18042. Generally speaking, would you be in favour of creating or reviving and encouraging small village communities to manage their own village concerns?—Yes it would be a good thing.

18043. Would you invest such small communities with power to dispose of petty civil and criminal cases, either finally or subject to appeal?—Yes, I think they might be invested with such powers, but the selection of the men must be very carefully made.

18044. If a number of men sat and disposed of petty cases would it be on the whole for the good of the people themselves?—Yes.

18045. (*Mr. Hichens.*) Is there any other point in particular which you wish to bring before the notice of the Commission beyond what you have already said?—No, I think not.

18046. Is the Collector out of touch with the villagers?—I cannot say that he is very much in touch with them.

18047. You say you have not had much experience with regard to villages. Therefore you may not perhaps be aware exactly what the Collector's relations with the people of the villages are?—That is no doubt likely; my experience is limited and there must be a great deal beyond the sphere of my knowledge, but as far as I can gather from second-hand information and from knowledge derived from accompanying Magistrates many years ago when making local investigations, I must say that although there is a great deal of curiosity exhibited when a Magistrate goes into a village, there is very little real approach. Many people come, but they stay a distance, and very few have any opportunity of exchanging a word with the Magistrate.

18048. Do you think matters are getting worse in that respect, or that they are about the same as they used to be?—I fear I am bound to say they are getting a little worse.

18049. You say that you have not considered the subject of Advisory Councils very fully?—I have not considered it very fully, but I would be in favour of them if the scheme is properly worked.

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18050. Have you considered at all what subjects might be referred to such Advisory Councils?—No, I cannot say that I have carefully considered the matter.

18051. Are you in a position to say whether the people who would be members of such Advisory Councils are people who are consulted in practice by the Collectors to-day?—I could not say anything definitely, but there is one class of people who are not likely to be consulted now, consisting of men who are of an unobstrusive nature who do not like to thrust themselves upon the attention of Government officers unless they are expressly asked to do so. That class I consider to be the most useful class to consult.

18052. But perhaps the Magistrate does consult them?—It is very difficult for him to get hold of people of that class.

18053. Then how could he get hold of them to sit on an Advisory Council?—By consulting the best of those, he would come into contact with men who would give in their names.

18054. All of which he might do to-day without an Advisory Council?—Yes, he might, if so inclined.

18055. (*Mr. Meyer.*) Do you mean that it is difficult for a Collector, especially if he is new to the district, to discover gentlemen such as you mention, who would be able to give him valuable advice, and therefore, when once a Collector has discovered them and got them put upon an Advisory Council, they would be valuable advisers to any successor?—Quite so.

18056. As regards appeals, is it not the ordinary procedure in civil and criminal jurisdiction not to allow a second appeal on questions of fact?—In civil matters, unless the subject matter in dispute exceeds a certain limit in value, the second appeal is confined to questions of law; in criminal matters there has been some difference of opinion, but there is no hard-and-fast rule limiting such appeals to questions of law; questions of fact are gone into in criminal cases on revision.

18057. Would you see any objection to applying the same principle to administrative appeals and appeals against matters connected with disciplinary action in respect to public servants?—I would rather not impose those restrictions in regard to administrative matters, because in administrative matters, to begin with, there are no hard-and-fast rules. In judicial matters there are hard-and-fast rules the operation of which is salutary and some safeguard is given that all the evidence will be gone into in the first instance, whereas in administrative matters the same safeguard might not exist; therefore I would leave matters less hampered by hard-and-fast rules in respect of administrative matters.

18058. Are you aware that in the case of Government servants there is a standing rule that all charges against them must be reduced to writing and shown to them, and that they have full opportunity of calling evidence?—Yes.

18059. Are there not occasionally, as in every nationality, designing persons who try to make friends with Collectors and other European officers for their own profit and ends?—No doubt there are such men—I cannot say there are not.

18060. Is it not possible that if a European officer has found, especially when he is young in the Service, that men of that sort have sought his acquaintance and used it for bad ends, he keeps himself aloof in future so as to prevent his confidence being abused again?—Yes, that is quite within the range of possibility, but here again there is one thing to be borne in mind, namely, that there are so many points of diversity between an Englishman and an Indian, that an Englishman is liable to misunderstand an Indian, and it may be that from misconception or misunderstanding, an Englishman might set down an Indian as a bad man when there was no reason for it.

18061. But may it not also be that an Indian occasionally misunderstands an Englishman and puts down to rudeness what the Englishman never intended as such?—Certainly.

18062. Is the existing system of education too uniform?—It is too uniform.

18063. Do you apply that to the University system mainly?—Yes.

18064. Would it be better, for instance, to allow local bodies to work schools with less regard to the cast-iron restrictions of a provincial Education Code?—I think it would have a salutary effect at least in one direction. The education problem being a new problem in this country, where education is imparted mostly through the medium of a foreign language, different lines of experiments may be tried with advantage, the results determining which lines shall be followed, and that some diversity would be very desirable.

18065. Are you not at present engaged in a very interesting experiment in education?—Yes, we are.

18066. Is your object to start a curriculum of education which is not quite in accordance with the general line pursued by the University?—Yes.

18067. Would you like to see more freedom generally for people to develop education on their own lines?—Yes.

18068. Would it be necessary still to have the results tested by Government officers?—I would stop at testing—it would not be by Government officers, but by trustworthy examiners.

18069. As regards *panchayats* you say you would be inclined, if they were carefully selected, to give them the decision of petty civil and criminal cases; would you make their decisions final?—No, except in very petty cases where the interests at stake have no lasting value.

18070. In a small dispute with regard to movable property worth a few rupees for instance, or in any petty case of assault would you have finality?—Yes.

18071. (*Sir Steyning Edgerley.*) I suppose the property at issue in matters of administrative appeal is sometimes of very great importance to one or the other of the litigants?—Yes.

18072. Supposing there is a great difference in the wealth of two litigants would not the multiplicity of appeals be a source of great danger to the poor man?—It would be a source of great trouble to him, but I cannot see that it is a source of danger, because the Appeal Court if it reverses the decision of the First Court will do so only where there are good and valid reasons clearly made out, so that, so far as the stability of a just decision goes, an appeal is not fraught with danger. Of course so far as the costs and harassment go there may be that difficulty in the way of appeals being allowed, but the question must always be considered from a relative and not from an absolute point of view; relatively the proportion of good that results from allowing these appeals would outweigh any possible hardship.

18073. Do you think that if a litigant has won in the first two Courts he should be carried on from Court to Court?—Yes, in civil cases that is so at the present day, and after all the result in the end is not very harmful.

18074. On a civil appeal you cannot go into the whole facts of a case, but only into the law. Is it not different on the administrative side?—Unless a good point is made out the appellate authority will only look to the regularity of the procedure and things of that sort and accept the decision, if it is a concurrent one, of two Lower Courts as binding upon it.

(*The witness withdrew.*)

The Hon. Babu BHUPENDRANATH BASU was called and examined.

Babu Bhupendranath Basu.

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18075. (*Chairman.*) Where do you reside?—My residence is generally in Calcutta, but I am a resident of the district of Hooghly in Bengal. I have been a solicitor of the High Court for the last 25 years and also a *vakil* of that Court; I have been a Fellow of the Calcutta University for a great number of years and have twice represented the University in the Council; I am a member of the Indian Association, and of the Bengal Land Holders and the British India Associations.

Within the limits of its budget, where the expenditure may be met out of revenue and where such

expenditure would not interfere with the efficient working of any other department, the Local Government should have liberty to spend without the previous sanction of the Supreme Government on works of a purely provincial character, but such expenditure should be clearly set out in the budget and sanctioned by the Council. Provincial budgets should be less cryptic than they are at present; any additional or extraordinary expenditure should be distinctly shown, and the Council should be allowed the right of dividing thereupon. If any extra grant is required during the year, the matter should be placed before the provincial Council for sanction. The present constitution of the Council does not offer an effectual safeguard: but the fact that the Council may be divided will work as a brake on any scheme of unjustifiable or extravagant expenditure.

The present financial settlement, though an improvement on the past, is not entirely satisfactory so far as the provincial Government is concerned. As the division is by certain fixed proportions, the Supreme Government reap the benefit of the administration by the Local Government and participates in the increase. There ought to be a rule that taking the division by fixed proportions as a working basis, the Supreme Government ought at the end of at least every 10 years, if not oftener, to allow a rebate, so to say, when the increase exceeds a fixed percentage. The customs have been entirely imperialized: this should not be the case, specially as the whole administration is by the Local Government, which has no voice or control over the appointment.

The difficulties in the case of borrowing by provincial Governments would be greater than in the case of the Supreme Government and the loans would be more onerous: but at the same time I would support power being given to Local Governments to borrow within certain limits for the purpose of spending on productive Public Works such as feeder railways and canals. These railways have in a few instances been constructed by private enterprise on the guarantee of District Boards, but the District Boards generally are not in a position to furnish this guarantee with the result that the development of the country is being retarded.

As regards new appointments to the Subordinate Services the Local Government ought to be allowed full powers, so also as regards the enhancement of salaries if carried out as part of a definite scheme, sanctioned by the Council and not by individual preferment. As regards the new appointment of European officers above Rs. 200, the rule laid down by the Secretary of State that his sanction should be obtained should be strictly followed, and I would extend this rule to non-domiciled Eurasians also.

In certain matters, such as famine relief and sanitation, the Local Governments may be allowed to work on the general lines of policy laid down by the Supreme Government. A special Sanitary Department to deal with the question of malaria in Bengal is urgently needed. In matters relating to the collection of revenue, the control of the Supreme Government is necessary.

In legislative enactments in which any action is directed to be taken by Local Governments, the taking of such action should not be delegated to a lower authority without special legislation. I am against a general delegation of authority, but there are some minor matters in which such delegation would probably be of some advantage, but this should be clearly stated and each Act amended in detail.

The Government of India is too impersonal. The pomp and circumstance with which it surrounds itself is an absolute and often irritating anachronism and is a vain attempt to imitate the outward trappings of the Eastern rule of old without its inwardness. There is no direct touch between the Supreme Government and the people, no *Darbar-i-Am* where the Emperor sat in open state to receive petitions from his subjects. The approach to the Supreme Government is difficult if not practically impossible.

Taking the case of the Director-General of Education, I do not see much use of his appointment so far as Bengal is concerned.

The greatest administrative reforms of recent times, the Local Self-Government Act and the Indian Councils Act were due to the initiative of the Government of India. So far as Bengal is concerned, one of the most retrograde measures, namely, the Calcutta Municipal Act, was due to the initiative of the Local Government. I would recommend that certain questions should be reserved for introduction after sanction by the Supreme Government, such as questions of taxation, matters prejudicially affecting popular rights, etc. In other matters dealing only with purely local questions I would leave the initiative and the carrying out of any measure to the Local Government.

The right of appeal should not be curtailed: It would not be desirable to restrict appeals only to cases certified as suitable for appeal by the authority appealed against.

Commissioners and Collectors ought to be allowed to spend money, subject to sanction, within a grant limited for each division and district respectively.

So far as the provincial Government in Bengal is concerned it is not too impersonal. It should however be brought in closer touch with the people. A provincial Government is often to a great extent dominated by considerations of revenue. I may instance the case of income-tax, where, notwithstanding the raising of the taxable limit to Rs. 1,000, the receipts have not appreciably diminished, and the result is ascribed to closer scrutiny.

There are sufficient opportunities for personal contact between the executive and the people, but unfortunately they are not sufficiently availed of. Close personal relations seldom exist between the Executive Head of a district and any class of the people: when the District Magistrate is out on tour, he is so hemmed in by, and so closely associated with, the police, that the ordinary people do not, and dare not, come to him freely: here insufficient acquaintance with the language is a great obstacle. In the headquarters also, the visits of the people are generally formal. The young Civilian comes out to India with all the feelings of a ruling race: he is at once placed in a vicious atmosphere: he generally forms an extravagant idea of his own importance, and is led to believe that freer intercourse with the people would diminish it: he generally invests himself in such a coating of dignity and aloofness that self-respecting people as a rule avoid him: he is generally intolerant of opposition and he wields such large powers that he cannot be crossed with impunity. The result is that the District Officer has hardly any personal knowledge of the people under his charge. I would suggest the following remedies—better knowledge of the vernacular on the part of District Officers; the separation of the functions of the police and the judiciary at present combined in the same officer; relieving the District Officer of his municipal and District Board work; the establishment of clubs where Europeans and Indians may associate on a footing of social equality; the cultivation of closer personal relations (for instance, a single unceremonious call by the District Officer on a private gentleman, of congratulation or condolence as the case may be, would draw the hearts of the people more towards him and the Government he represents than any number of formal or ceremonial meetings or Darbars); sending for and consulting people more frequently about affairs of the district; the retention of District Officers in their stations for at least three years if not five; the capacity for sympathy to be treated as an essential qualification for promotion.

No general increase in the administration staff is required.

Transfers are very frequent: the same system ought at least to be followed as in the Judicial Service.

There ought to be less interference by the District Officers in the affairs of District Boards and municipalities. The interference with the budgets specially in minor details is unnecessarily irritating; a grain allowance for instance of eight annas to a peon need not be under the scrutiny of the Magistrate. Only major heads of the budget should be examined: on the minor heads freedom ought to be given to the municipalities to spend within the budget grant.

In the case of the more advanced municipalities there ought not to be any interference at all, except in very important matters of capital expenditure, and the two classes of municipalities may be very easily differently scheduled. The District Boards are practically official bodies: half the members are nominated and the Chairman is the District Officer: interference with them—except in the case of capital expenditure—is hardly needed at all. The constitution of the

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District Boards should be entirely changed and should be similar at least to the constitution of the Local Boards, the Chairman beimg elected. If the District Boards are freed from the incubus of excessive officialization, they would be instruments of great good to the people and much further powers as regards roads, sanitation and education may be given to them than they possess at present.

The municipal Government of Calcutta is an absolute anomaly: it consists of 3 co-ordinate authorities, the Chairman, the General Committee and the Corporation, each of whom is independent of the others: a recent case is an apt illustration of the state of things. The Corporation wanted to enquire into the allegations of corruption against some of their servants; objection has been taken to their doing so by the Chairman, who, under the Act, has independent powers, and who in exercise of these powers has appointed these municipal servants. The result is that the Corporation under the Act has no power over the Chairman and practically no control over the servants appointed by the Chairman or the General Committee, who form, with the exception of a few superior officers, the bulk of the Corporation *employés*. The Corporation has no power of control over the proceedings of the General Committee or the Chairman except in specified instances and as a body has ceased to possess a truly representative character. To the Corporation, as at present constituted, I would not recommend further delegation of powers, as the representation of the ratepayers is unduly weak.

I am in favour of the creation of Advisory or Administrative Councils: if these Councils are to be of any use they ought to include a strong elected element, otherwise as the position would confer some prestige upon the holder, it would inevitably lead to subserviency and sycophancy, if it remained entirely in the gift of the officials concerned. Two-thirds or, if this proportion is considered too large in the beginning, then at least half, of the members of these Councils should be elected, and the remainder nominated. The election may be entrusted to the municipalities and the elected members of the District Boards. As regards Advisory Councils for divisions the same proportion as regards election and nomination should be followed, the election in this case being made by the elected members of the District Councils. The Councils should be consulted in all matters except judicial affairs affecting the district or the division, and regular meetings ought to be held, so that it may not be possible for an official to let the Councils go to sleep.

In the Education Department, funds for the current needs of colleges should be allocated in the beginning of the year, and the College Council, consisting of the Principal, some members of the teaching staff and one outsider to be nominated by Government, should be entrusted with spending it: books, instruments, and other accessories for colleges should be allowed to be indented for by the head professor of the department concerned with the sanction of the College Council. As regards Government schools, when they are under the control of a college Principal, the same system may be followed: in case of other Government schools the Collector of the district in consultation with the head-master should be allowed to buy school requisites.

The distinction now obtaining between the Indian Service and the provincial Service in the Education Department should not be allowed to continue. If it should be thought necessary to continue the system, though I think it is both unsafe and injudicious, let there be two classes A and B, class B ending with Rs. 1,000 and class A beginning with Rs. 400 and ending as the Indian Service now does; but subject to the number in the higher class being limited by the Government of India for each province, the Local Government should be allowed to recruit class A both in England, as well as from class B.

18076. Might some further opportunity be given to provincial Governments to lend money for provincial works without the previous sanction of the Supreme Government?—Yes, provided that it is included in the budget and sanctioned by the provincial Council.

18077. You do not mean it then to extend to works outside the budget as sent up by the provincial Government to the Government of India?—No.

18078. In the case of customs which have been imperialised, you say that the administration being by the Local Government it yet has no voice in the appointments to that service?—Yes, that is how I understand the case to be.

18079. Would you wish such power to be given to the Local Government?—Yes.

18080. Within the general limits of appointment otherwise laid down?—Yes.

18081. Have you any actual experience of the work of local bodies such as District Boards and municipalities?—Yes, I have been a member of the Calcutta Municipality for a great number of years, but not in the *mufassal*.

18082. You say that Local Governments might have more borrowing powers for the construction of feeder railways and canals? Could they get a local market for their stock?—Yes, municipalities and Port Trusts do obtain fairly good local markets for their stock, and if a slightly more advanced rate of interest were offered by the Local Government, I have no doubt loans would find a ready local market.

18083. Would you make the loans of these Local Governments subject to the sanction of the Central Government?—Yes.

18084. Is the offer of a slightly higher rate of interest an essential condition of success for borrowing in a local market?—It has been recognised as such by the Calcutta Municipality, whose credit has always stood very high, and by the Calcutta Port Trust, whose credit has also stood very high; these securities are gladly sought after for investment in the case of Trusts and for similar purposes. The rate is slightly higher than the rate offered by the Supreme Government, and is at present 4 per cent. in place of 3½.

18085. Would the revenues of the provincial Government as based upon their settlement with the Government of India be regarded as a good security by the investors?—I think so. So far as the Government of Bengal and rich people in Bengal are concerned, they would regard the security as quite good enough.

18086. Would not the failure which has attended District Boards in this direction necessarily attend a provincial Government requiring loans for the same purpose?—Not at all. The provincial Government would not meet with the same difficulties.

18087. You say that there is no direct touch between the Government and the people, and that access to the Supreme Government is difficult or practically impossible; what remedy would you suggest for that state of things?—The Supreme Government just now is more or less an abstraction to the people, partly because of the pomp and circumstance with which it surrounds itself, and partly because it spends the greater part of the year away in the hills.

18088. Are you thinking of administrative difficulties, or of some larger questions which are somewhat outside our province?—I am thinking of administrative difficulties. So far as we are aware, the Supreme Government has no means at its disposal of getting information first hand from the people; all its information comes through the Local Government, and as we take it, it is coloured by the tone of the Local Governments; the people have felt on many occasions that their representations have not received the same amount of attention they probably otherwise would if the Supreme Government was in closer personal touch with them. If it were possible for the people to approach the Head of the Government, or the Members in charge of the different departments, directly, greater confidence would be inspired in the people with regard to the work and methods of the Supreme Government.

18089. Have you been brought much into touch with educational matters?—Yes; I represented the University of Calcutta for four years on the local Council, and I was a Fellow of the Calcutta University for many years.

18090. Did you find that the influence of the Director-General in educational matters was either not useful or non-existent?—We did not see much evidence of that influence being exercised upon the Educational Department in Bengal.

18091. Supposing he had attempted to intervene with regard to educational matters in the University,

would that have been resented or welcomed?—The University as it is constituted is a self-governing institution, subject to certain powers of control by the Chancellor, who is the Governor-General of India, and I do not think the University would submit to outside influences unless offered in a spirit of friendly advice, and not in a spirit of criticism or fault-finding.

18092. Was such advice ever tendered to you by the Director-General?—I do not think so.

18093. Was it ever asked for by the University?—I do not think so.

18094. You have pointed to the desire of the provincial Government merely to acquire revenue, and you illustrate it by the fact that the receipts from income-tax has gone up, although the taxable limit has been raised. Are you aware that that is regarded as a sign of prosperity in most countries?—Yes, but in this case the result of the next year's operations after an enhancement of the taxable limit showed that there was practically no diminution. In one year I do not think the theory of advancing prosperity was sufficient explanation.

18095. Would you be surprised to hear that in other countries, notwithstanding the raising of the taxable limit, the income-tax limit has increased?—No, but a question was asked upon this head in the local Council, and so far as I remember the answer was not that the non diminution was due to the increasing prosperity of the people, but was due to the closer scrutiny exercised by the assessing officers over the incomes of the assessees, thereby including many people who had previously escaped from paying the income tax.

18096. When the Head of a district or division goes on tour, do the people find some difficulty in approaching him?—Before dealing with that question, I might bring to notice a general impression which prevails that in matters, for example, like the excise revenue, though there are directions which apparently restrict the number of liquor and opium shops in the *mufassal*, the local officers are careful to see that the revenue does not suffer by any restrictions imposed by the central authority. That was also in my mind when I said that Local Governments are more or less influenced by considerations of revenue.

18097. Do you suggest that while the Imperial Government desires to restrict the number of liquor shops, the provincial Government takes no notice of that desire?—The provincial Government does, but the officials under the provincial Government do not enforce those restrictions or at least enforce them in such a way that the revenue does not suffer any sensible diminution. The idea amongst the people is that a Revenue Officer who fails to return to the Government treasury the estimated revenue of his department does not find his position a very comfortable one.

18098. You think when District Officers go on tour the people have difficulty in getting access to them. Do you suggest that that is caused by the action of the police and the *chaprassies*?—I think so.

18099. Would you suggest that this is the case frequently or in isolated cases?—It occurs in most cases.

18100. No matter how great is the experience of the District Officer?—No. I think the greater experience he has the more accessible he is, and the higher an official goes up the more accessible he becomes personally to the people.

18101. At what stage in an officer's career does this difficulty of access which is experienced by the people cease?—I cannot say that it does cease, but the difficulty diminishes as the officer gains greater experience of the people and knowledge of the country. For instance, when he has been District Officer for some years, or the Commissioner of a division, he is less hampered in his intercourse with the people than in his younger days.

18102. Would that extend not merely to his younger days, but up to the earlier days of his administration of a particular district?—Relatively it would.

18103. You suggest that an officer ought to be kept for some time in a district?—Yes, for between three and five years.

18104. Would you make the period longer than five years?—That question has two aspects. Sometimes, unfortunately there have been District Officers who have not been popular, and we cannot contemplate with equanimity the continuance of their *régime* for a longer period than five years; therefore I have suggested that the maximum period should not exceed five years. Of course, on the other hand, with a good and sympathetic officer a longer period would be much more useful, both to the officer and to the people.

18105. When an officer is unpopular in a district, is he unpopular amongst all classes, or is he popular with certain classes and unpopular with others?—Generally he is unpopular with all classes, if he is unpopular. His unpopularity is sometimes due to a lack of sympathy which affects all classes; sometimes, but very rarely, it is due to an antagonistic feeling against a particular class, but that is very rare, and therefore his unpopularity is generally with all classes.

18106. Might a District Officer become unpopular because he took up the rights of one particular class as against another?—It has happened, unhappily, in my experience of District Officers, that owing to their taking up the cause of one class against another that has been the result.

18107. For instance, with regard to such questions as disputes between landlord and tenant?—Yes, that has happened, but not very frequently, and when an officer like Sir Henry Harrison thought that the rights of one class should be vindicated against the other, he proceeded with a degree of caution which eliminated to a great extent any feeling of hostility against his measures; but sometimes in cases between landlords and tenants young officers coming out from England, with preconceived notions as regards the strict rights between the tenantry and the landlord, have sought to carry out those notions, irrespective of their want of knowledge of the country, and have thereby provoked opposition which might otherwise have been avoided.

18108. In cases where there is this lack of sympathy shown, is it possible to overcome the effects of it?—We find that by experience it is overcome.

18109. It is suggested that sometimes social gatherings or visits without ceremony overcome on either side, and so forth, might take place; would you lead us to believe that those are possible as well as desirable?—They are possible and very desirable.

18110. Would there be no hanging back if they were proposed by the British Officer?—I do not think it would be so.

18111. Have you ever noticed that Indian Civilian Officers have shown equally with British Officers what might be called official pride and hauteur?—Unfortunately that has been the case in some instances.

18112. Might it therefore be thought that it is the pride of office rather than the difference of nationality which creates these difficulties?—I have qualified my answer by saying that it is sometimes the sense of belonging to the ruling caste that works against better relations between the people and the rulers; it is often the feeling of the ruling race, but it is also the feeling of the ruling caste, and I am sorry to say that I have known Civilians of Indian nationality who have been foolish enough to think that stand-offishness would be a source of strength in the discharge of their official duties, and would assimilate them more closely to the ruling classes, of which they form, for the time being, a component part.

18113. So that difficulties do arise very often in your judgment, not from differences of religion and race and so forth, but from the possession of authority and power and the way in which it is exercised?—Yes, to a great extent; in the case of Civilians of Indian birth, some of them have a mistaken notion that to put themselves on a par with their European colleagues they should imitate the manner of their colleagues, and that has been at the root of much of the mischief.

18114. I suppose their European colleagues have themselves perhaps been influenced by the same sense of authority and power?—It may be so.

18115. Generally speaking, you wish to see less interference by the District Officer with municipalities. Have you seen the working of any *mufussal* municipality?—Yes, I have, because I have property in the *mufassal*, and therefore I am more or less acquainted with how they work.

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18116. Are the present powers which municipalities have adequate?—For their present purposes they are adequate, but they are subject to too much interference, which ought not to be the case. I mean interference with the budget and with trifling details. The District Officer interferes too much in every trifling detail, causing unnecessary friction, and where it is probably not at all needed.

18117. Is the Chairman of the municipality which you have in your mind in making that statement an official or a non-official?—He is a non-official.

18118. Does he prepare the budget?—The budget is prepared by the Secretary and the Vice-Chairman.

18119. Both of whom are non-officials?—Yes, but it is done with the knowledge of the Chairman and with the help of a committee. The municipality is divided into committees for the purpose of doing work. They work satisfactorily.

18120. When the budget is prepared and sent to the Commissioner does he interfere with it too much?—It is not the Commissioner but the District Officer who interferes; then the matter goes up to the Commissioner and he does not often revise what the District Officer has done, except in very special cases where there is an appeal to him by the municipality, when the matter has to be gone into. Otherwise the budget as finally approved and passed by the District Officer is the budget sanctioned by the Commissioner.

18121. Is the budget before it is sent to the District Officer circulated amongst the members of the Municipal Council?—Yes, generally about a fortnight before the meeting.

18122. At all events you think that once the Municipal Council have agreed to the budget, unless there is some serious defect in it, it ought not to be altered?—I think at least the minor heads ought not to be disturbed, and as regards the major heads I would suggest that the total allotment may be sanctioned by the District Officer and Commissioner, the internal details being left to be worked out by the municipality.

18123. Is there much interest taken in the government of the town by the members of the municipality?—Yes, they take a good deal of interest.

18124. Apart from the question of the submission of the budget, have municipalities ample discretion and power?—Yes; within the scope of their functions they have quite sufficient power to act.

18125. Are their functions wide enough?—I think so. They do not possess the power of raising money at present except in the case of very exceptionally big municipalities, and I do not think any such power is desirable or necessary.

18126. (*Sir Steyning Edgerley.*) Are the people generally in this country interested in municipal administration?—They are, because it affects them locally.

18127. Do they feel that they are responsible to the public?—Yes, and I think that is felt at the time of the elections principally. If a Commissioner has not discharged his duties well his chances of re-election are considerably diminished.

18128. Would you say that generally of most *mufassal* municipalities in Bengal?—As far as my experience goes, I think I may say that generally municipalities vary according to the degree of education and public spirit in a particular province, but my experience which is more or less confined to the Presidency Division, shows that the people do take sufficient interest in municipal government.

18129. (*Mr. Meyer.*) Should the provincial budget be controlled by the Government of India, or are you in favour of complete independence subject to the vote of the Council?—The budget, on the whole, ought to be controlled by the Government of India. Not as to details, but as to the budget itself.

18130. Would it be an improvement, as has been suggested, if all the provincial figures were dropped out of the Imperial budget and only the figures with which the Imperial Government had to deal directly were included?—I have not considered that aspect of the question sufficiently well to be able to give a definite reply, but I think it would be an advantage. I am inclined to think that if the Imperial budget were less burdened with details as to provincial administration it would in some respects be an advantage.

18131. How would you find out what the Indian Government as a whole, provincial and Imperial, was spending on such a matter as education for instance?—The allotments would appear. The Imperial budget would show the allotments made to the different Governments, and need not go into further detail in order to show the minor provincial expenditure.

18132. Do you desire that the Local Government should have full power in agreement with its provincial Council to spend money on works, whatever the value of the works?—The Local Government and its Council ought to be the best judges, subject to the general control of the Supreme Government. The budget when framed should show the allotments made, but there does not seem to me to be any necessity for interference with the details.

18133. Supposing the provincial Government proposed to build a new college costing 15 lakhs of rupees; under present circumstances that would have to be sanctioned by the Government of India and the Secretary of State. Would you relax that restriction?—If a Council were constituted on which the voice of non-officials could make itself felt, and if the budget allowed it, I do not see why the discretion of the provincial Governments should be fettered.

18134. Would you therefore relax the restrictions imposed by the Secretary of State as well as those imposed by the Government of India?—Not as a general control, but the development of a scheme has to go backwards and forwards between the Imperial Government and the provincial Government and the Secretary of State, and its final execution is so greatly delayed that the original intention of the scheme probably is forgotten, and it is not carried out in its finality with the same degree of completeness and enthusiasm as it would have been carried out if all these detailed negotiations had not been required. Therefore, if within the limits of its budget a provincial Government, with the sanction of its Council, formulates a scheme which is sanctioned by the Supreme Government or the Secretary of State, in my opinion further interference is not needed and is not beneficial.

18135. Would you apply that also to the creation of new appointments in the event of a scheme for the creation of new districts involving additional Collectorships and Judgeships?—I think the cost of new appointments involving the appointments of European officers should receive the sanction of the Secretary of State as it does now.

18136. Do you mean that in any case you would keep the existing restrictions on new appointments which might be filled by European Officers?—Yes, and as regards other appointments, if the scheme were sanctioned by the Secretary of State or the Supreme Government, I would vest the Local Government with power to make them.

18137. As regards the borrowing powers of Local Governments, you wish to confine them to productive public works. Are the canals in Bengal productive?—Yes, in many parts. They have been productive in many parts of Bihar, both as a means of transit and as a means of irrigation.

18138. But have they yielded enough to cover their working expenses and make a profit?—My impression is that the canals in Bihar are productive; I would not advocate borrowing money upon works which are not estimated to yield sufficient return enough to cover the interest.

18139. Is your principle that the Local Government should not be allowed to borrow for works which will impose a permanent burden upon it, but for works which will pay in the long run?—Yes, because in those cases money might be borrowed on more favourable terms than by the Supreme Government, and it would be unwise to burden the finances of the Local Government with a liability which would be more easily borne if undertaken by the Supreme Government.

18140. Are you aware that at present the Supreme Government undertakes productive works and gets as much money as it can from them?—Yes.

18141. Do you think more money could be got if the Local Government borrowed also?—Yes, and the Local Government might develop the resources quicker, having more direct knowledge of the necessities of local administration.

18142. Are you opposed to any general delegation Act which in general terms would allow the Government of India or the Local Government to delegate any powers that the law has hitherto vested in them to some subordinate authority?—Yes.

18143. You want any delegation to be specifically carried out by legislation?—Yes. There are matters contained in special enactments which might safely be delegated to Commissioners, but those are matters which ought to be clearly put before the public or the Council. A general delegation Act would cover many matters which I do not think could be safely delegated, and therefore I am against a general delegation Act.

18144. You said that the Government of India had no means of receiving information from the people, but are there not elected non-official members as advisers to the Legislative Council?—Yes, there are.

18145. And is it not open to any Association, the British India Association for instance, to put their views before the Government of India, and do they not habitually do so?—They do so. As regards the members of the Viceroy's Council there is in Bengal only one member for the whole province, and he is in touch with the Government for a very short period in the year; for the greater part of the year he is not in touch with the Supreme Government at all, and as regards memorials they seldom produce the effect which personal intercourse might produce.

18146. With regards to excise and what you thought to be the tendency of the local officers to act counter to the instructions of the Government of India, are you aware that there was an Excise Committee appointed by the Government of India to inquire into that very subject amongst other things?—Yes.

18147. Ought the Central Government to keep control over the general lines of excise policy in India in order to guard against that possible danger on the part of local officers?—Yes. The Government of Bengal, as at present constituted, and I believe other Governments also, would follow the general lines of policy laid down by the Supreme Government, but at the same time I should prefer some control being vested in the Supreme Government with regard to it.

18148. It has been suggested occasionally that in all matters which Local Governments have the management of, such as police, excise and education, they should have generally a free hand and that the Government of India should not interfere; is that a policy which would meet with your approval?—I do not agree with that view; the Government of India ought to control the policy.

18149. You say that Commissioners and Collectors should be allowed to spend money, subject to sanction within a certain limit for each division and district—what matters have you specially in view?—Various matters which arise in the district; for instance, if there is an urgent call for relief or any small matters involving expenditure.

18150. In the matter of Public Works, for instance, would you like to see larger powers of sanction vested in the Commissioner?—Within a certain limit I would fix an allotment. For instance, the Local Government might fix so much as intended for a certain district or division and the Commissioner might be allowed some latitude as regards the way in which it was spent.

18151. That is to say you would break up the provincial budget to a certain extent and give the Commissioner powers of sanction within a smaller budget?—Yes.

18152. You have said that the young European officer is less sympathetic than the older man; would that not possibly be due to the fact that occasionally when he is young he finds that persons impose upon him a little and make use of his friendship for their own private purposes?—I am not aware that that is done as a rule and that his sympathetic attitude towards any particular class of individual is abused.

18153. Do you not know of any case in which an Indian has made use of his alleged friendship with a District Officer to get more things done for himself or to spread abroad an impression that he was in close touch with the Joint-Magistrate, for instance?—The influence of a younger officer could not be utilised if it were attempted to be for that purpose to the same extent as the influence, for instance, of a Commissioner. A District Officer after all has much smaller opportunities of things of that kind than the Commissioner, and I do not apprehend that that is one of the causes which keeps the District Officer to some extent apart from the people.

18154. At any rate, as he gets older he gets more accessible and perhaps he knows more who are the useful people to talk to?—He comes out as a junior officer and with increasing experience he is able to judge better, and appreciate better, the people than when he first comes out. When he comes to know their ways he makes concessions for many things which might have offended him to start with.

18155. At the beginning of his service he starts as a Magistrate and is brought into contact with perhaps the worst class of the people?—Yes.

18156. It has been suggested elsewhere that that might be remedied by putting the young Civilian, for the first few months, not to work under a Collector, but under a Settlement Officer, where he might mix with the people more freely and have nothing to do with criminal work: would you think that of any use?—It might be of use, but it has the danger that settlement work is very serious work which requires experience. From the point of view you put it to me it might to some extent serve the purpose, but it might on the other hand prove injurious to the people whose interests would be placed in the hands of the Settlement Officer.

18157. I do not mean that he should do the work, but that he should be merely learning the habits of the people. Might it not be more desirable to give the young Civilian in his early days some means of mixing with the people outside the criminal classes?—It would be better that he should come into contact with the better class of people.

18158. You speak of reducing transfers and following the same system as in the Judicial Service; what is that system?—In the Judicial Service no transfer is made in less than three years.

18159. Is that rule generally observed amongst District Munsiffs and Subordinate Judges?—They are as a rule posted to a place for three years.

18160. You speak of a District Magistrate's power of interference with a municipal budget, but has he any independent power; does not the budget go to the Commissioner for his approval?—Yes, but the Magistrate practically decides it.

18161. Do you mean that he remarks upon it?—Yes, and the Commissioner generally follows them.

18162. But as District Magistrate can he do anything beyond report to the Commissioner?—That is so.

18163. You spoke of municipalities not being able to raise money, but do they not borrow from Government habitually?—Yes, and probably it would not be necessary to invest them with independent powers of borrowing.

18164. As regards Advisory Councils, what would happen if the Commissioner and Collector disagreed with the majority of a Council on any subject?—There is a feeling in official circles that in case of a difference like that it would result in the creation of an unpleasant situation. In my own experience, and I have been a member of the Calcutta Municipality for nearly 12 years, when it was a self-governing institution and when the people had a clear majority of one-third, I never found, except in one instance in which the Europeans led the opposition, that the members of the opposition who were the representative members of the Corporation had disagreed from the Chairman who was an official. I do not think that a contingency like the one you suggest would be a matter which would happen usually or frequently. But even if it did happen in a matter which affected only the internal administration of the district, such as making roads and starting schools, or the excavation of tanks, or the allotment of grants for other purposes within the district in question affecting purely local needs and not questions of policy, I do

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not view any conflict arising between the majority of the members of the Council and the Commissioner with any serious degree of apprehension. If it did arise, I should think that the opinion of the majority should be respected, because it would be the opinion of the popular element represented by Hindus and Muhammadans. If it so happened that in any small local matter all these elements combined came to a different conclusion from that of the Commissioner, I do not think that the prestige or the position of the Commissioner would be in any way affected by an adverse vote of the majority; but to guard against that, I am prepared to suggest that in such a matter a reference might be made to the Local Government, and that the Local Government should be allowed to decide, just as happens in a case where the District Judge disagrees with the Jury and refers the matter to the High Court which decides.

18165. You have spoken merely of local matters, but let us take a matter which conflicts with the general policy of the Government—what would happen then?—Just now it does not strike me that there is any such matter which would arise in a district or division, but even if it did arise, if an ultimate appeal is provided for to the Local Government that would be sufficient.

18166. Would it not turn the Collector from a single individual into a corporation with limited liability?—Not at all, because it would apply only in matters affecting the people themselves; for instance, supposing there is a liquor shop proposed to be opened in a particular area, and the Commissioner's Advisory Council said that it was not proper to put it there, probably the Collector, who is more interested in the development of the revenue than in the improvement of the morals of the people, would wish to have it. I do not think that would be a catastrophe which need be looked upon with any amount of apprehension, and if it were, the final decision of the Local Government would be quite conclusive.

18167. Does the Calcutta University start curricula on various subjects which influence nearly all the colleges and schools in the province?—Yes.

18168. Is that a good thing on the whole, or would you like to see a little less uniformity and the education developed by the people more according to their own ideas?—Taking each province by itself and not India as a whole, I think a certain degree of uniformity is desirable, but it has been recognised both by the Government as well as by the people that the education so far imparted by the Calcutta University has not been all that was necessary or desirable. With the awakening of the Government to that fact, we think that the development of an educational policy for a province may be left to the control of the University of that province. The University entirely controls the literary and scientific education of the people; it has nothing to do with primary education, or with technical education—that is in the hands of a special department of the Government.

18169. Is that department too uniform?—For instance, primary education is, and the middle schools are, largely in the hands, or are supposed to be in the hands, of District Boards and municipalities. At the same time are these bodies not bound to manage them according to the rules and instructions of the provincial Educational Code?—Yes.

18170. Is that a good thing, or should local bodies have larger discretion, so that they might run schools as they think proper?—I think it would be desirable to invest local bodies with larger powers of discrimination as to the methods to be pursued with regard to primary education and the local needs of the people.

18171. If one local body, for instance, thought that agriculture was a better subject to be taught in primary schools than history, should they be allowed to do it?—Yes, or weaving. There are districts where there is a large weaving industry; there are districts where there is a large agricultural industry; there are districts where there are a large number of braziers, potters, and so on, and some latitude ought to be given to the District Board in the way of being able to level up the materials available.

18172. As regards secondary schools, which are generally managed direct by Government, some witnesses have suggested that the Collector should be given a larger say in their management; does that meet your view, or would you leave it to the Education Department?—I should leave the schools under the control of the Education Department because there you have a department of experience and knowledge, whereas the Collector in the first place has too little time, and in the second place less knowledge with regard to educational requirements.

18173. If you had Advisory Councils, would you put the educational policy under them, or give them a voice in the matter?—I would give them a voice.

18174. (*Mr. Hichens.*) Speaking of the power of the Commissioner to interfere unduly with a municipality, in practice does he frequently interfere in regard to details?—Yes, it is the great complaint that minor matters are too much interfered with; for instance, if a peon's salary is increased, an explanation is asked for, or if a man dies while in the discharge of his duty and a compassionate allowance is given to his widow, there is interference and check.

18175. Would you increase the power of a municipality with regard to raising salaries and giving gratuities?—I would limit the control and supervision of the Collector or Commissioner to the budget heads; let them make an allotment for a specific purpose, but as regards details, I would leave them entirely to the municipality.

18176. Would you allow the municipality to give any salaries it liked for any post?—I would allow them to give any salary, or make any expenditure for any particular object. Supposing Rs. 10,000 is allotted for road-making, it does not matter how much of that sum is spent on one road and how much on another; or if a sum is allotted for salaries, it ought to be no concern of the Collector that one rupee is given here or one rupee deducted there—all those matters ought to be left to the municipality.

18177. Would you give a municipality full power, say, to increase the salary of its Secretary as it liked?—There are two classes of municipalities, small and large. With regard to smaller municipalities it might be desirable that in the case of a man drawing a salary of a certain amount an increase should be subject to the sanction of the Collector or the Commissioner, as the case might be. In the case of a man drawing a salary of Rs. 200 a month, sanction might be desirable, but with regard to smaller amounts, I do not think it is necessary. With regard to bigger municipalities I do not think even that amount of control is required.

18178. Then in the case of larger municipalities would you say that there is no necessity for any control by the Commissioner in respect to a matter like salaries?—Yes, because in larger municipalities there is less chance of cliques being formed.

18179. Would you allow a municipality also to lower a Secretary's salary?—Yes; why not?

18180. And to dismiss him?—Yes.

18181. Without an appeal?—There might be an appeal, but the power to dismiss him might be given.

18182. To whom would you allow him to appeal?—It must be to the Commissioner because the Local Government would be too far removed and too much burdened to deal with details like that.

18183. That is to say, you think a municipality would be entirely impartial in regard to increasing a man's salary, but that they might not be entirely impartial in regard to dismissing him?—In the case of larger municipalities I would not advocate any interference by the Commissioner in the internal work, but in the case of smaller municipalities some control is desirable for some time to come, and I would provide for an appeal in the event suggested by you, but not in the case of bigger municipalities.

18184. In the case of bigger municipalities would you allow an important official no appeal beyond the Council?—Yes.

18185. In the case of a municipality are you prepared to agree that there should be no appeal at all, but in the case of the Government you want a substantial number of appeals?—Yes, for the reason that in the case of a municipality you have a large body of men to deal with, while in the case of Government it has happened in my experience that an officer incurring the displeasure of a single official has been dismissed

sometimes unjustly, because he has been reinstated on appeal; not reinstated by the Local Government but by the Government of India. I have in mind the case of a Government servant in Burma who was dismissed by his superior officer—the case went on appeal to the Local Government of Burma which upheld the dismissal; it then went on appeal to the Supreme Government which reinstated the man.

18186. Have you had any experience of municipal officials being reinstated after dismissal?—I have no knowledge of municipal officials being dismissed without sufficient cause.

18187. Would you think it necessary in the case of larger municipalities for the budget to be submitted to the Commissioner at all?—Yes, it is desirable.

18188. What form of control on his part would you think legitimate?—I would confine it to the allotments to be made under different heads.

18189. Are you in favour of both Advisory and Administrative Councils, or would you favour one or other?—I would prefer Administrative Councils if they could be had.

18190. Would they be Councils to be associated with the Collector or the Commissioner or both?—I think they should be joined with the Collector as well as the Commissioner.

18191. You would not go below the Collector?—No.

18192. Would these bodies be nominated or elected, or partly nominated and partly elected?—It is desirable that they should be partly elected and partly nominated.

18193. Would you be prepared to adopt the same principle as is adopted with regard to District Boards to-day?—With regard to District Boards half the members are nominated and half elected, but what I meant was a proportion of two-thirds and one-third. In Local Boards the proportion is two-thirds and one-third.

18194. Is their sphere of influence to be entirely different from that of the District Board?—Yes, the District Board has some special functions under the Local Self-Government Act and they have in their hands the disposal of the cesses for the specific purposes mentioned in the Act, whereas in the case of Administrative or Advisory Councils they would be bodies whom the Collector or Commissioner might consult in various matters in connection with the affairs of the district.

18195. What matters would you suggest should come before the Advisory or Administrative Council?—The District Board, for instance, has nothing to do with the police.

18196. Do you suggest with regard to police matters that the Advisory Council should discuss with the Collector the policy of the district?—I will take a concrete case. There is, for instance, the quartering of a punitive police force on a particular area; the District Board has nothing to do with that because it is outside its scope; the municipality has nothing to do with it. I think the Collector might with great advantage to himself and to the people consult the Administrative Council, or the Advisory Council, whichever Council the Government may appoint, as to whether the circumstances justified or necessitated the quartering of that police force in that particular area.

18197. Would the punitive police be quartered in any case without the order of the Local Government?—No.

18198. So that all the Collector could do would be to consult with the Council as to whether it was necessary or not, and send on the opinion arrived at to the Commissioner, who, in his turn, would consult with his Council and they would come to a conclusion as to whether it was desirable or not; then the joint deliberations of those two bodies would go on to the Local Government?—Yes. I have only given you an example. I have not considered matters in detail as to which may be within the scope of the Administrative Council or the Advisory Council, or which may be outside.

18199. Would not a Collector or a Commissioner, as the case may be, be able to gauge the public feeling with regard to the necessity or otherwise of that punitive force?—Our great grievance has been, and it is one of the principal elements of the unpopularity of British Rule in India, that the Collector depends more or less entirely upon the reports of the police. It has been our unfortunate experience that the word of a police officer has more weight with the Collector than any non-official information that he receives from the people; that has been the grievance of the people, and therefore I gave it as an instance shewing one of the acts associated with the arbitrary exercise of powers vested in the Collector of harassing the people at the instance of the police.

18200. Do not Collectors consult leading people to-day?—I do not say they do not; but they do not consult them to the extent that they should, and they do not consult the people they should.

18201. Would it not be possible to develop that system independently, without constituting a formal Council?—Yes, it would be a less efficient method, but it would be a better method than that which now prevails.

18202. The advantage of a Council would be that their advice would come with greater force and that in many matters they would have administrative powers?—They would have greater force and greater weight, and would be recognised by Government.

18203. But would they be recognised as representing public opinion?—Yes, if you select your men and allow your men to be elected.

18204. Would they meet in public?—They need not meet in public.

18205. Then they would meet *in camera*?—Yes, with the Collector.

18206. What kind of executive matters would you give them to decide?—I have not carefully thought about the special functions which might be entrusted to those bodies, and probably I shall be doing injustice to myself if I give an off-hand answer.

18207. Then you are not prepared to say at present that there are any executive functions which could be given to such a Council?—Yes, I will cite an example which is very fresh in my mind. Take the case of the last Mymensingh riots. It was brought to the notice of the Collector that certain notices which had been posted in the town had been removed, and it is admitted that in the dead of night he ordered a police patrol composed of civil and military police to visit the city. Now if, instead of doing that, he had had an Advisory Council he could have sent for them and ascertained the truth of the reports which came to him and the means by which the mischief done could be repaired, and the end that he had in view would have been attained without the ill-effects which have been caused by subsequent events.

18208. Was not that a case where prompt action was required?—Yes.

18209. On this Council you would have representatives from all parts of the district—you would not confine the representation to headquarters?—No.

18210. Therefore in the case you cite might it not have been difficult to call the Council together in time?—Yes, but there would always be some members at headquarters who could be easily consulted.

18211. Is it not an objection with regard to an Executive Council that very often prompt action is required and therefore your Council, to be of any good, must be on the spot?—Yes.

18212. (*Mr. Dutt.*) You suggest power being given to Local Governments to borrow within certain limits for the purpose of spending the money on productive works. Might that not lead to their undertaking schemes which might prove to be losing concerns in the end?—If it is controlled first by the Council, constituted as I suggest, and secondly by the Supreme Government, the risk of mistakes would be diminished.

18213. You do not want the control of the Supreme Government over every particular work that is undertaken?—There must be the sanction of the Supreme Government with regard to every work for which money is borrowed.

18214. Sometimes there is a great deal of pressure brought to bear on the Local Government for the construction of works by men or by Companies who are interested in such works?—If you gave Local Governments power to borrow for such works, might

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they not sometimes yield to such pressure and undertake works which might not be remunerative?—A mistake might be made once in a way, but one mistake committed in that way would be a warning.

18215. Then on the whole you think the bad results would be more than counterbalanced by the good results?—Yes, provided it is sanctioned by the Council, I think the risks of mistakes would be diminished, and at the time we in Bengal suffer from the lack of these communications, and that difficulty probably would be obviated.

18216. You said that the provincial Government could borrow money from the Imperial Government on such occasions and for such purposes?—Yes, but there might be difficulty; the Supreme Government might be unwilling to lend, and in that case I am inclined to think that power might be given to the Local Government.

18217. In cases where the Supreme Government was unwilling to give the money, would it give its sanction to borrowing?—I do not think they would give their sanction.

18218. Then what would you gain by having this power?—I should gain in this way that the Supreme Government might not like to lend its own money for the purposes of the project, and then it could be borrowed elsewhere.

18219. You have stated that for certain matters, such as famine relief and sanitation, Local Governments should be allowed to work on the general lines of policy laid down by the Supreme Government, but is that not the case now?—That is the case now, but in matters of sanitation it has been felt that Local Governments have not done all that was possible. In the case of deaths from malaria, for instance, we feel that greater attention ought to have been devoted to the question than there has been hitherto, and if the Local Government was able to carry on any works of importance to mitigate the ravages of malaria, it would be able to move sooner owing to its greater knowledge of local conditions, and the pressure that might be brought upon it by the non-official members of the Council.

18220. My question was whether the control and supervision of the Government of India has in any way impeded the provincial Governments from doing what they liked?—We are not cognizant of what passes between the Governments, but we have felt that many schemes are tied up in the Secretariat of the Supreme Government, and considerable delay takes place.

18221. With regard to sanitation or the finding of a remedy for malarial fever, do you know of any proposals of the Bengal Government which have been tied up by the Government of India?—No.

18222. You speak of a special Sanitary Board to deal with the question in Bengal, but is there not a Sanitary Commissioner in Bengal?—We have a Sanitary Commissioner in Bengal, but there is no special department to deal with malaria.

18223. Have you not a Sanitary Board?—Yes, but just as we have a Sanitary department for plague in Calcutta, I would suggest a special body to deal with malaria alone to the exclusion of other matters.

18224. In certain matters would you allow the provincial Government to pass legislative measures without the sanction of the Imperial Government?—It must be subject to the final sanction of the Imperial Government. I was thinking of a measure like the Smoke Nuisance Act, which might be easily undertaken by the Local Government and passed subject, of course, to the Imperial Government.

18225. Is there any great need for sanitary improvement in municipalities?—Yes, there is need of good drinking water.

18226. What prevents the municipalities meeting those requirements?—Want of funds.

18227. What is the income of the municipality you are speaking of?—About Rs. 48,000.

18228. Is that money mostly spent on its annual requirements leaving no margin for large sanitary improvements?—Yes, it is spent on current needs.

18229. How do you propose that those sanitary improvements should be carried out?—They cannot be carried out by individual municipalities; it is absolutely impossible, and they could only be carried out by the Local Government or by the municipalities grouped together.

18230. In such matters as large sanitary improvements might the municipalities look to the Local Government for some contributions from time to time?—Yes, I certainly think so, because the protection of life and the prevention of death are considered to be the prime duties of the Government.

18231. Latterly the resources of the District Boards have been supplemented by a grant from the Imperial Government which has been distributed by the Local Government. Might such contributions with advantage be made to municipalities for the specific purposes you mention?—I think so.

18232. Is it within your experience that there are certain municipalities which are very small and which, although they are called municipal towns, are practically only villages?—There are such places.

18233. Is anything gained by keeping them up as municipalities?—I do not know how they could otherwise be looked after. If arrangements could be made for the proper conduct of a place, that is all that is needed.

18234. If you made them into village unions, or villages under panchayats, would that not answer all purposes?—Yes.

18235. Is primary education now practically managed by District Boards?—Yes.

18236. Are primary schools supervised and managed by Government inspectors, or by the servants of the District Board?—They are supervised by Government inspectors.

18237. Would you give District Boards full power to appoint their own servants, to supervise their own schools, or do you prefer the schools being supervised by the Government inspectors?—I prefer their being supervised by the Government sub-inspectors.

18238. With regard to roads constructed by District Boards, would you like to have that work done by an Engineer who is a servant of a District Board, or by a Public Works Engineer whose services were lent to the District Board?—That is a question which has engaged the attention of the Local Government for some time past and upon which there is a difference of opinion. It is a very difficult question and I have not formed an opinion.

18239. When measures of legislation are sent to the District Officers for their opinion, would Advisory Councils be able to give any useful opinion on those matters?—I think they would; in any event they would be able to give very valuable information about the local conditions in reference to the proposed measure.

18240. Can you think of any matters in which the advice of an Advisory Council would be valuable regarding the general condition of the district, or the water-supply, or the drainage of the district?—Yes, their opinion and the information that they would place at the service of the District Officer would be of great value, because they would necessarily have a personal knowledge of things which the Collector may not possess.

18241. Is the want of water-supply a great and crying want in some parts of Bengal?—Yes, a very great want. For the present, it can be met only by good tanks and wells.

18242. If the Government pays a contribution, could money be raised locally for making tanks to be devoted to drinking purposes only?—I have great doubt about raising money locally in those places where there is no filtered water supply; elsewhere some money might be raised, but having regard to the conditions of Bengal, it would be difficult to raise money in the interior.

18243. Might the money come from the allotments given to the District Officers?—Yes.

18244. Allotments are made too for the purpose of excavation of tanks provided the people themselves contribute a definite proportion?—Some parts of that money remained unutilized because the people themselves could not raise the contribution.

18245. Are there not occasionally little local disputes between different sections of the people—different castes, or between Hindus and Muhammadans? Do you think that an Advisory Council would be of any use to the Collector in trying to settle those disputes?—I think it would be of very great use. On the occasion of the last Bakri-id festival, some influential Hindus in Bengal issued a notice saying that there should not be any interference with the ceremonies that Muhammadans might perform upon that occasion, and I have reliable information that that notice had a great deal of effect, and happily there were no Bakrid riots in Bengal on the last occasion.

18246. You mentioned something about the location of liquor shops in the *mufassal*; might the Collector usefully consult the District Council in the matter of the location of the liquor shops?—Yes, at least the members coming from the particular locality.

18247. Would their advice be of any value to the Collector in that matter?—Yes. For instance, take the Municipality of Calcutta; in many of these matters the Commissioner of Police or the Chairman of the Corporation consults the representatives of the Wards concerned, and their opinion is always acted upon. I have rarely known of a case in which their opinion has not been acted upon. As regards the location of a jute godown, or of a mill or factory or liquor shop, the opinion of the local representatives is obtained in Calcutta and always acted upon. The same system might be followed with advantage in the interior.

18248. A great deal is being done at present by the Government to encourage local trades and industries. Would the Advisory Council be able to help the Collector in that matter?—Yes, in making suggestions to him as to what industries should be introduced or fostered in a particular district and how it could be done—what classes should be approached, and how they should be educated.

18249. Would you have the Collector consult the Advisory Council only in these matters, or would you have him invite other gentlemen to be present there to give their opinions also when these questions arise?—If an Advisory Council is properly constituted I do not think that other men should be invited, because that would diminish the sense of responsibility of the Advisory Council and that would not be desirable. But for any particular measure, just as the Local Government now consults the members of the Local Council, but forms special committees to work out the details of any particular measure which it has in view, so the Collector may form individual committees, but they should be outside the Advisory Council; the Collector may nominate to them members of the Advisory Council.

18250. But the Collector would not be debarred from taking other advice from any other quarters?—Not only would he not be debarred, but he should not be debarred.

18251. Generally speaking, if the Collector consults these members of the Council would his administration be more in touch with the requirements of the people?—Yes; it would bring the Collector into closer touch with the people. It is a great gain, to my mind, that the Collector should be looked up to by the people as not apart from themselves. In the next place, he would know the feelings of the people and sentiments of the people in a much greater degree than he does now, and through more trustworthy channels.

18252. Would you suggest that the Council should be convened once a month, or periodically, or whenever it is necessary to ask them to come?—I think once a month ought to be the minimum.

18253. And they should meet when necessary?—Yes, they should not be like some of the local Councils which are seldom called together.

18254. Would you like to constitute small village panchayats and give them more powers than they exercise at present?—I think so. In arranging local disputes village panchayats would be a great help, and they would be helpful in putting down the desire of some people to rush to law on the least provocation.

18255. At present we have chaukidari panchayats?—Yes; they do not inspire any confidence.

18256. If you had to organize village panchayats, would you take the chaukidari panchayats as your basis?—I would get a different class of men.

18257. Would you have a panchayat in every village, or would you sometimes group villages together?—I would group together villages to give them sufficient importance and weight.

18258. Would you create these panchayats all over the district where the conditions are favourable?—Certainly.

18259. You think also that in that way the administration might be improved and popularised?—Yes.

18260. (*Sir Frederic Lely.*) I understand that you have not any practical acquaintance with the working of District Boards?—No, except as a resident sometimes in the *mufassal*, otherwise not.

18261. The interesting evidence that you have given us is the product of your own thought rather than your own contact with the people?—It is the product of my own contact with the people, not so much from my experience of District Boards. The actual workings of District Boards are brought home to us by our surroundings.

18262. Your view pre-supposes that we get for these Advisory Councils men of public spirit and determination?—Yes.

18263. With reference to municipalities, you are acquainted with one or two of rather a large size?—Yes, I am more familiar with them.

18264. You think that it is essential and necessary that they should be able to borrow for special objects?—From the Local Government.

18265. Never mind from whom, but that they should be able to raise money to discount future income for important works?—I am not in favour of *mufassal* municipalities borrowing independently.

18266. But you are in favour of their anticipating their future income with a view to carrying out large works?—In the case of big municipalities, yes.

18267. Would you go so far as to say that borrowing was essential for progressive administration?—Yes.

18268. At present a municipality is not ordinarily allowed by the Government of India to borrow for a longer period than 20 years; might that period be extended?—The period would have to be extended to provide for sufficient sinking fund and interest; the 20 years is too short. I would not make it less than 30 years.

18269. Would you suggest that the period should be to some extent adjusted according to the life of the work that was to be executed?—According to the life and value of the work. For a small work costing a small sum of money a long period would not be necessary, but for a big undertaking, one which would benefit future generations for a long time, it is desirable that the burden should be spread over a longer period.

18270. In the case of a municipality would you have the Chairman elected?—Yes.

18271. Would you advocate that all the members of the municipality should be elected instead of a proportion as now?—I am to some extent conservative as to that, and I think that two-thirds elected is not an unfair proportion.

18272. You justified not allowing an appeal from large municipalities on the ground that there are fewer cliques in large municipalities; is that really so?—I think so; you have to get together a much larger number of men to carry out a particular thing.

18273. Would not the practical result of that be that there are more cliques?—No. I have experience of some large municipalities, including the Municipality of Calcutta.

18274. You have used some rather strong words about the British officer. May I ask whether you speak from personal knowledge or is it only general?—Both from personal and general knowledge.

18275. Have you known yourself personally Englishmen who are intolerant of opposition, who invest

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themselves with such a coating of dignity and aloofness that self-respecting people as a rule avoid them?—I am sorry to say that I have known them in my younger days.

18276. It is not a general impression derived from what you have heard people say?—It is derived from both personal experience as well as from impressions received from people.

18277 (*Chairman.*) Probably the number of cases to which you refer is rather small?—Yes, so far as my personal experience goes.

18278. Your knowledge of what may be called village life is very limited indeed?—I live mostly in Calcutta but my home is in a village.

(*The witness withdrew.*)

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18279. (*Chairman.*) What is your profession?—I am by profession a *vakil* of the Calcutta High Court of 44 years' standing and a landholder. I have had some experience in the *mufassal* administration of municipalities, and I was Chairman of the Berhampore municipality for nine successive years. I was once a member of the District Committee before the constitution of the District Boards, and also a member of the Bengal Council.

To have some real control over the bureaucracy, we must have a Governor and his Executive Council, who all should be appointed from England unless indeed any of those appointments are given to Indians.

Experience has shewn that a provincial Head of each Department with an expert and exclusive staff, such as in the Excise, Registration and other Departments (by exclusive staff, I mean a staff the members of which are not ordinarily liable to transfer to other departments, and who therefore develop expert knowledge of their own departments), secures the greatest efficiency in the administration. The Excise Department is now about the best administered, and it will be still better when it is given an entirely exclusive staff. There should be a provincial Head for each important Department, who should be called the Inspector-General of the department and who should have an exclusive expert staff under his control. The provincial Heads of Departments should be called Inspectors-General of their respective departments, where they are not so designated now. And we may similarly have an Inspector-General of Wards' Estates, of Government Estates, of Tauzi and Cess Collections, of Partition and Land Acquisition, of the Chaukidari Department, and so on. The Land Registration Department should be under the Inspector-General of Registration with a Deputy Inspector-General under him. The Inspectors-General of big departments should have Deputy Inspectors-General to assist them, for instance the Accountant-General should have Deputy Accountants-General who will be inspectors of district and sub-divisional treasuries. In this way not only will decentralization be secured but the maximum efficiency insured.

The Governor of the province should have an Executive Council of four members, all the European members of which should be appointed directly in England and *not recruited* from the Indian Civil Service. The Governor will himself have a Chief Secretary and will hold direct charge himself of the Political, Legislative and Appointment Departments. All the other departments should be divided between the four members of the Executive Council. Each member of the Council should have the Inspector-General of all his departments directly under him, and each member will have a junior secretary to assist him.

The chain of subordination will be as follows:—(1) Governor and member: (2) Inspector-General: and (3) District Officers. The District Officers will have powers of decision up to Rs. 1,000. The Inspector-General up to Rs. 5,000, member of Council up to Rs. 25,000, and the Governor above that sum. Appeals will lie with the Inspector-General and member in all cases. Appeals from the decisions of members will lie beyond a certain limit to the Governor in Council, and thence beyond a certain higher limit to the Secretary of State in Council.

If the above scheme is accepted, there need be no Board of Revenue and no Divisional Commissioners. The latter serve no useful purpose at present, the only thing at all useful which they do is their periodical inspection of the District Officers, but these are not done effectively, as they have too many departments to inspect and no man can be an expert in all departments. Hide-bound routine and red tapeism is unquestionably the bane of the existing form of administration, and the greatest share of this mischief has been brought about by the cart-loads of manuals issued by the Board of Revenue, and whose correction slips in a year would fill boxes. They have made all initiative almost impossible and have reduced the members of administrations into machines. These two anachronisms, viz., the Board of Revenue and the Divisional Commissioners, should be altogether abolished. It is quite feasible to reduce the shelf-full of manuals into two handy volumes for all the departments put together.

There need be no separate Advisory Councils for the Local Governments and District Officers. When the provincial Local Self-Government Board, the Education Board, and the Committee of Wards' Estates are constituted as proposed below, all local officials will then have ample opportunities of meeting the representatives of the landholding and educated middle classes in those Boards, and in the District Boards, and in the municipalities.

The anomaly and the anachronism of the Non-Regulation districts should be removed. Almost half of each of the districts of Midnapore, Birbhum and Bankura is inhabited by Sonthals and other aboriginal tribes. Is it seriously maintained by anyone that they are at all discontented because they have to live in Regulation districts?

There should be a provincial Education Board at the capital of the province to consist of one representative from each district (to be elected by the District Board and all the municipalities in a district jointly), and representatives from each of the recognised Landholders' Associations and literary bodies, such as the British Indian Association, the Bengal Landholders' Association, the Bihar Landholders' Association, the Muhammadan Literary Society, the Anglo-Indian Defence Association, and the Asiatic Society, as well as four representatives each from the University, and the Agricultural and Industrial Departments of Government. There should be also a number of nominated members equal to one-fourth of the total strength of the Board in order to secure the representation of minorities and of Government interests. The present Director of Public Instruction, who should be called the Inspector-General of Education, should be the Secretary to the proposed Education Board, and it should be presided over by the Member of the Governor's Council in charge of the Education Department. All non-collegiate education should be under the control of this Central Education Board which should fix the curricula for all grades of schools, should sanction all grants-in-aid, and should control the entire inspecting staff of the Education Department. There should not be separate standards for the collegiate educations of Europeans, Eurasians or Muhammadans. For the non-collegiate education, they may have separate curricula to be decided by Special Committees of the Education Board, consisting of a majority of members belonging to their respective communities. There should also be Special Committees of the Board for female education, agricultural education, and for industrial and technical education generally.

When the Divisional Commissioners are abolished, there should be a provincial Local Self-Government Board, consisting of one representative member for each district to be elected by the District Board and all the municipalities in the district put together, and two representatives from each of the Landholders' Associations in the province, such as the British Indian Association, Bengal Landholders' Association, Bihar Landholders' Association, etc., and a number of nominated members equal to $\frac{1}{4}$th of the total strength for securing the representation of minorities and Government interests, the whole Board to be presided over by the Member of the Governor's Executive

Council, who may be in charge of this department. This Board should exercise the necessary control over District Board and *mufussal* municipalities, which is now exercised by the Divisional Commissioners and other executive authorities. All Local Boards should be entirely elected. The District Board should have ¼th of its members nominated in order to secure the representation of minorities and of the Government interests. All *mufussal* municipalities should also have the same proportion of nominated members for the same reason. But there should be non-official Chairman for all. The Vice-Chairman *may be* official, but there should be a well-paid Secretary to each municipality and District Board to be the head of its executive staff. Men with administrative experience, such as Deputy Magistrates and Sub-Deputy Magistrates of seven to ten years' standing, may be available for these posts, if it is made worth their while to accept them.

Rightly or wrongly the Indian public believe that Collectors and Commissioners are as a rule against imparting any high education to the wards, especially to those inheriting any considerable estates. There is ground for complaint in the excessive cost of management incurred under the Court of Wards by the appointment of European managers, assistant managers, and guardian-tutors on big salaries with house accommodation and large stables. My proposal is that instead of a member of the Board of Revenue forming the Court of Wards, as now, a Court of Wards Committee or Council may be formed at the capital to consist of three representatives from each of the recognised Associations in the province (British Indian Association, Bengal Landholders' Association, and Bihar Landholders' Association); two members of the Local Legislative Council, representing the landholding classes, the Inspectors General of Education and Agriculture, and to be presided over by the member of the Governor's Executive Council. The proposed Inspector-General of the Wards' estates should be the Secretary, and he should inspect the local wards' offices regularly.

The provincial Government ought to have borrowing powers within certain limits and under certain restrictions, and they might issue debentures like those that are issued by the Calcutta Corporation and Calcutta Port Trust.

I am not at all for curtailment of the right of appeal, nor for any restrictions being put upon it. If any changes be made in that direction, the measure will be highly unpopular and give rise to general discontent.

As a rule Executive Officers belonging to the Indian Civil Service are not much in touch with the people. There may be a few noble exceptions. Very few of them possesses sufficient knowledge of the vernaculars. Want of courteous treatment is the chief obstacle amongst others. It is difficult to suggest methods of removal of those obstacles, as much depends upon the temper and training of individuals.

In Bengal the village communities are not in existence. Village unions with panchayats are their substitutes; the status of the President of the panchayat should be at least co-ordinate with, and not subordinate to, the local police officers. He ought to be a link between the police and the District Magistrate.

18280. You sketch out a scheme of decentralisation which may be briefly described as depending upon the person at the head of the provincial Government, a system of Inspectors-General, and below them again District Officers. Would not the creation of all these Inspectors-General, with water-tight departments below them, tend towards centralization?—No, there would not be centralization, there would be division; there would be supervision and inspection by Heads of Departments, and what I suggest is that they would have an expert exclusive staff.

18281. You do not think that the expert staff would try to get into their hands the whole management of things?—Sometimes they do, but so far as my experience goes one of the departments which is successful is the Excise Department. They have an exclusive staff; they have got Excise Deputy Collectors and inspectors, and sub-inspectors: of course there ought to be certain safeguards.

18282. You think that the power of appeal both in administrative and personal matters ought to remain as it is at present?—Yes, it would be very unpopular to curtail it, and the people would feel that a certain vested right, as it were, which they have been enjoying, had been taken away from them.

18283. Has the habit of appealing increased of recent years?—No, I think not.

18284. You tell us that there are cart-loads of manuals issued by the Board of Revenue; upon what is that belief grounded?—In almost all departments there are manuals. In the Land Records Department, Settlement, Survey, Income-tax, Customs, etc., in all the different departments, there are a large number of manuals which are not necessary. They enter into details which are certainly unnecessary and which handicap the subordinate officers; the subordinate officers act as it were like machines—they are restricted to a great many details which might be avoided.

18285. Could the manuals be easily reduced both in volume and in number?—I think so, and the correction slips again which are issued make it very difficult for subordinates to act.

18286. Where did you get your experience of educational administration?—As a member of the municipality, and I happen to be a member of the Board of Trustees for the management of the Krishnanath College at Berhampore.

18287. What schools could be best entrusted to municipal bodies?—In my judgment primary teaching might be entrusted to the municipal bodies, not secondary education. The middle schools ought to be under the control of the District Boards. The non-collegiate schools ought to be under the control of the Education Department. The collegiate schools ought to be entirely in the hands of the University.

18288. How would you deal with the primary schools in the villages?—They ought to be under the control of the District Boards, and there ought to be co-operation with the officers in the Education Department.

18289. Would it be possible to entrust the primary schools to a village body?—Village bodies are not so constituted now as to be capable of being entrusted with such institutions.

18290. If it were possible, or desirable, to create a panchayat, would you put the primary village schools under them?—Yes, provided that the constitution of the panchayats was of a satisfactory character. It would depend on the personal qualifications and attainments of the members of the panchayat.

18291. With regard to the District Boards, would you keep the Chairman an official?—No, a non-official. The Vice-Chairman may be an official of experience; I would not insist upon his always being a non-official.

18292. Would it be easy to get men to act as Chairmen of the District Boards and to do all the work which the position entails?—I think so.

18293. How long would it take a man to get through a day's work of the District Board?—If he devotes three hours every day that ought to be sufficient.

18294. And you think it would be easy to get a gentleman to give that time?—Yes, I think so. From the experience I have had of non-official Vice-Chairman, they do most of the work of the Chairman, devoting their whole time almost, as it were, and without any honorarium or fee. I think that such men would be found to act as Chairmen, and that they would devote the necessary time.

18295. Would you say the same thing of the municipality—that the Chairman ought to be a non-official?—Yes.

18296. Do you desire to see any control exercised by Government over the municipality or the District Board?—Yes, some outside control. I much prefer the sort of control we had in the olden days. When I was Chairman there was a sort of control, but now-a-days the control has developed into detailed supervision, criticising, curtailing and restricting to which I object.

18297. What was the earlier control of which you speak?—Under big heads at the time of the budget; the minor heads they did not take into consideration.

18298. So much was allotted for sanitation, so much for roads and so on, and within those limits the Board was left free?—Yes, now they are not.

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18299. Do you wish to see any extension of the powers of a municipality?—They have got sufficient powers under the Act as it now stands, only some powers are withheld by Government under the law and are not extended to certain municipalities. The Municipal Act comprises sufficient provisions for the exercise of rights which would keep the municipality in good order.

18300. And the same with regard to District Boards?—Yes.

18301. Do you work in the municipalities by committees?—Yes. I think the system works well.

18302. Do you have committees on the District Boards?—No, the District Boards have no other committees; there is simply the District Board.

18303. Would it be desirable to establish committees?—I think it would be.

18304. Do municipalities depend for their income entirely on taxation?—Yes; in some municipalities it is a tax on "persons," as they call it, and in some cases it is a rate—that is, a valuation on buildings. There is also the latrine tax, and where there are water-works there is the water rate; then there are certain other sources of income. In the Berhampore municipality they have a certain income from pounds and ferries.

18305. There is no contribution from the Government?—Not as a rule, unless for special works.

18306. For Public Works, either under the District Board or municipality, do you borrow from Government?—Yes; the Government does not charge a high rate of interest.

18307. Is there any principle by which the Road Cess is shared as between the Local Board and the District Board?—Unfortunately, no. It is desirable to lay down some principle. The allotments made to these Local Boards are generally poor, while they are expected to keep up and maintain the village roads. The agriculturists pay the tax; they can only appreciate its benefits if the roads are kept in good order and if village communications are maintained, but unfortunately the District Boards made scanty allotments to the Local Boards, and the actual agriculturists, the cess-payers, do not feel the benefit at all; that is a grave complaint.

18308. Would you suggest what a fair division should be?—I think it should be half and half of the Road Cess; half to the District Board and half to the Local Board.

18309. If members of District Boards and municipalities were gazetted by the Commissioner of the division, instead of by Government, would that lead them to think that their position was in any way lowered?—It would be a sentimental question, and I think, in view of the feelings and views of my countrymen, they would look upon it with disfavour.

18310. Do sanitary projects, which are contemplated by municipalities or District Boards, go to the Sanitary Board?—Yes, they go to the Sanitary Board. The people go to the District Board; the matter passes through some channel or other and then goes to the Sanitary Board.

18311. Is that a satisfactory method of doing the work?—I do not consider it satisfactory. In my district there are two endowments by a liberal gentleman. He has endowed Rs. 50,000 for the improvement of the sanitation of the district, and a lakh of rupees for the supply of drinking water. I happen to be one of the trustees of these two endowed funds. With regard to sanitation, the improvements which have been adopted have simply been cutting down jungle to try and improve the drains and to kill the mosquitoes; they have not proved successful as yet. From that fund we tried in one village, but we failed, partly owing to the apathy of the village people themselves. We cleared the jungle and cleared the drains and did everything; we spent some thousands of rupees over that, and wished them to keep the place clean henceforth, and they would not do it. So that with regard to the improvement of sanitation, a good deal depends upon the sympathy and co-operation of the villagers themselves. We have not got village communities now, but if we could substitute village panchayats, composed of men of higher status and educational attainments, much good could be done by them so far as sanitation is concerned.

18312. Are the comments and criticisms of the Sanitary Board generally justified; do they generally add to the value of the work?—The expert ideas sometimes differ from the people's way of thinking, and amongst my countrymen there are few who can claim an expert knowledge perhaps of sanitation, so I would not like to attach much importance to that.

18313. Is the work done pretty speedily?—Some work is taken up and some money is spent; jungles are cut and drains are kept clean, and so on, spasmodically as it were, not in a systematic way, and they do not do much good.

18314. You would like to see panchayats established where possible? It would probably be necessary to start experimentally?—Yes. Instead of starting wholesale throughout the province, it would be much better to take up experimental and tentative measures in some well-advanced districts.

18315. Would you give them a small jurisdiction in petty civil and criminal cases?—Yes.

18316. Probably you would be able to add to that minor sanitation?—Sanitation and education in primary schools.

18317. With perhaps a simple water-supply?—Yes.

18318. And would you suggest the distribution of irrigation water?—There is not much feeling in Bengal about the distribution of irrigation water, but in Bihar there is a considerable feeling, and it would do much good in the Bihar districts. I have known of several cases where from a single dispute as to taking water from one field to another there have been lots of riots and murders.

18319. Would those be probably less frequent if they were settled by a panchayat?—I am inclined to think so.

18320. Would you add the management of any communal or forest lands that might adjoin the village?—That would be too big a subject.

18321. When you start experimentally with these panchayats would you start them in single villages?—No, I should start them in groups of villages; you could not start them in a single village. I would take a population of about 10,000; that is, if one village is to be taken; if a group is to be taken, perhaps two or three thousand in each village—three or four villages of two or three thousand each.

18322. With regard to the conduct of Executive Officers towards the people, you tell us that there is a want of courteous treatment often; is that from your own personal knowledge?—Speaking for myself, I should say, perhaps, that I have been always very courteously treated, but I cannot say the same with regard to others.

18323. When you have heard complaints of discourtesy have you ever taken the trouble to personally investigate them or have you simply accepted the statement?—I have accepted the statement of the gentleman who came into contact with the authorities.

18324. Is it possible to draw together the officials and population of the districts in any way?—There might be a sort of meeting occasionally. It is very difficult to lay down any rule for that; it depends a great deal upon the temper and nature of the individuals in authority. There might be a gathering in some shape or other and an exchange of thoughts; perhaps that would bring into existence a sort of touch which might be desirable.

18325. Is there a desire on the part of both parties to come together?—I think there is.

18326. Therefore it is perhaps only want of consideration—perhaps on both sides—that prevents it?—I think on both sides, yes.

18327. Perhaps some sort of racial pride on one side, and some amount of diffidence, which to a certain extent is equally pride, on the other?—Yes, diffidence on one side, and I might almost say arrogance on the other.

18328. Is this arrogance, where it exists, due to the fact that the man is an office-holder?—Yes.

18329. So that it may affect both Europeans and Indians?—Yes.

18330. (*Mr. Hichens.*) You suggest that the Lieutenant-Governor should be replaced by a Governor

and an Executive Council; what is your reason for that?—The Members of the Indian Civil Service would be under proper control. It is very important that this control should come from outside.

18331. You might have a Lieutenant-Governor from outside; if you had that, would you still want an Executive Council?—Yes, the Executive Councils would be an essential thing to help him in administration.

18332. Why do you think that the Head of the Government requires advisers and colleagues; is it because you would get greater continuity of policy?—Yes, there would be greater continuity of policy, and his colleagues would help the Lieutenant-Governor in duties which he alone could not be expected to discharge.

18333. You mean you would get several minds looking at the thing instead of one, and possibly a broader point of view?—That is my idea.

18334. You are not in favour of Advisory Councils for District Officers?—If what I have suggested be accepted, there will be no necessity for Advisory Councils.

18335. You would rather have an effective Advisory Council for the whole province than a number of small Advisory Councils dotted about all over the province?—Yes.

18336. You might have a conflict of opinion among the smaller Advisory Councils, and one might be in conflict with the other?—Yes, and that would give rise to disorder and difficulties which it is not desirable to introduce into the administration.

18337. If there was a question which provoked a certain amount of conflict, you might have a number of conflicting views sent up to the Government, and the temptation might be to play off one against the other?—That is the reason why I suggested that the central control should be properly representative.

18338. The Local Boards to-day have a certain amount of money for roads; do they spend that money well?—Neither the Local Boards nor the District Boards spend their money well.

18339. Which spends it best?—I should say it is better spent by the Local Boards than by the District Boards.

18340. In the case of the District Board there may possibly be less supervision and therefore possibly more leakage—is that what you mean?—I fear so.

18341. Would that be an argument for giving greater powers to the Local Boards?—I think so.

18342. (*Mr. Dutt.*) You propose to abolish the Divisional Commissioners and the Board of Revenue and to substitute an Inspector-General at the head of each department? Would you tell us briefly what would be gained by that arrangement?—Strictly speaking, the Board of Revenue as originally constituted has ceased to exist long ago. These officers are, as it were, channels by which certain reports and resolutions pass and are recorded. If they did not exist the members in charge of departments would receive advice and reports from the Heads of Departments. Now you have got several steps—first the District Board, then the Commissioner, then the Board of Revenue and then the Government; but according to my suggestion the Governor with the Council would get his report from the Head of the Department.

18343. You would do away with a lot of circumlocution?—Yes that is the gain; we should get rid of circumlocution which causes delay and lengthy writing, the repetition of despatches and reports, and so forth. Abbreviate work and secure efficiency—that is my idea.

18344. Under your system would the administration be as much in touch with the people as it ought to be, or is supposed to be now?—It would certainly be more so than at present.

18345. One of the duties of the Divisional Commissioner now is to supervise the work of the District Officers under him; would that be secured under the scheme that you have recommended?—Far more would be secured; you cannot expect a Divisional Commissioner to be an expert in all departments; he is only human. There are so many departments. A Divisional Commissioner's inspection cannot always be very useful and satisfactory, but if these inspections are made by the Heads of different Departments, that would be an expert examination.

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18346. You do not think that under your system the administration would be too departmental and not sufficiently human, too much the administration of experts and not sufficiently the administration of men in touch with the people?—I believe they would be in touch with the people.

18347. You say that provincial Governments should have borrowing powers within certain limitations; you have not told us for what objects the provincial Governments should be allowed to borrow?—For the improvement of general administration—not for the construction of residential houses or for the improvement of a ball-room, or anything of that sort.

18348. What do you mean by the improvement of general administration?—For irrigation purposes, for sanitary purposes, or for educational purposes, or for anything leading to the improvement of the country.

18349. Would you make it a rule that these loans should be incurred under the sanction of the Government of India on each occasion?—Yes.

18350. At present provincial Governments can borrow from the Government of India?—Yes, but I am not in favour of that.

18351. What is the advantage of the system which you recommend in comparison with the present system of the provincial Governments borrowing from the Government of India?—If the provincial Governments borrow from the Supreme Government, the Supreme Government might say that it is not able to do certain works, it might plead impecuniosity; but if on the other hand the provincial Governments borrowed money by issuing debentures it would be borrowed from the public.

18352. Could the provincial Governments borrow at the same rate of interest as the Government of India?—Yes. Every Corporation and Port Trust can do so; therefore, *a fortiori*, they can.

18353. Does the Corporation or the Port Trust borrow on as advantageous terms as the Government of India?—Not quite, but I think the provincial Government would be able to do so.

18354. Would you make any kind of police work one of the duties of the village panchayat?—The panchayat ought to be a link, as it were, between the police and the District Magistrate. These panchayats ought in no way to be subordinate to the police; they ought to be at least co-ordinate with them. They might be entrusted with certain police powers, not all. For instance, just as there is a legal obligation on the chaukidars to report some local offences, it might be made an obligation on the panchayat to give information on certain matters.

18355 Barring that, you do not want them to undertake any other police work?—No.

18356. Otherwise you confine the panchayat entirely to sanitation, education, and the improvement of their villages and so on?—Yes.

18357. Would it help the organisation of these panchayats if a special officer was employed?—I think so.

13358. You were Chairman of Berhampore municipality; is that not a large town?—Yes. The population is about 40,000. I ceased to be Chairman in 1895.

18359. Was your Vice-Chairman a non-official gentleman elected by the members?—Yes.

18360. Did you feel that you had sufficient powers to carry on all the work of the municipality?—I think I had; the executive authorities perhaps thought that I had too much power.

18361. Did you have to maintain any schools or dispensaries in the municipal area?—Yes, there was a large dispensary which we supported entirely.

18362. Were the services of the doctor lent by the Government, while you paid all expenses?—Yes.

18363. Had you sufficient control over the working of the dispensary?—The municipality had not sufficient control over the dispensary, nor has it now. There is now a Dispensary Committee.

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18364. For the money you paid did the municipality have a sufficient voice in the expenditure?—Yes.

18365. Are primary schools inspected by sub-inspectors paid by the District Board or by the Government?—The sub-inspectors are paid by Government.

18366. So that you maintain the schools and Government inspect them?—Yes.

18367. Is that a good system?—No, it is not at all a good system. I would prefer to have our own schools inspected by our own servants under our own control.

18368. (*Sir Steyning Edgerley*). Your suggested Council is an Executive Council of four members; how many of these would be European?—Provided you cannot appoint an Indian they should be recruited from Englishmen.

18369. Where will you get all these Inspectors-General from?—They will be drawn from the Indian Civil Service: they will gradually rise to those posts. All the appointments should be by competition; in that I include also the Indian Civil Service examination.

18370. You mean for instance that your Inspector-General of the Imperial Survey Department should be a member of the Indian Civil Service?—Yes, that is the case now.

18371. And the Sanitary Commissioner?—He, too. Unfortunately there is not now much training in sanitation, but sanitary men with good sanitary education would spring up.

18372. And the Commissioner of Excise?—Yes, gradually.

18373. And the Director of Public Instruction?—Yes.

18374. Then it is practically a change of name?—A change of name and change of functions.

18375. A change of name and a change to administration by subject in place of territorial charges?—Yes.

18376. (*Mr. Meyer.*) Under your system you speak of an appeal going up to the Governor-in-Council, and thence, beyond a certain higher limit, to the Secretary of State. Where does the Government of India come in; is it to be dropped out?—Yes.

18377. The provincial Government should go straight to the Secretary of State?—Yes: I would not like any decision by the provincial Government to be subject to the revision of the Government of India; it ought to go direct to the Secretary of State.

18378. You speak of special Boards for education and local self-government and Court of Wards. As far as I can make out your Education Board would consist of over 70 members: would that be a good administrative body?—In this province we have 31 districts; there would be 31 members; then from the Associations and Universities and so forth there would be about 40 members.

18379. You do not see any objection to a body of that size?—No.

18380. With regard to the Municipal Council, who punishes a municipal clerk?—The Chairman.

18381. Does appeal lie from him to the Council, or to the Commissioner or where?—The Chairman can make appointments up to Rs. 20 and can punish departmentally, his order being subject to revision by the Municipal Commissioners, but with regard to other appointments and dismissals, punishment has to be inflicted, and the appointment has to be made, by the Municipal Commissions at a meeting by the whole body.

18382. Suppose a Rs. 20 clerk is appointed and dismissed by the Chairman, is there any appeal?—There is no appeal.

18383. If you have a Rs. 50 man, he is appointed and dismissed by the Council. Has he any appeal?—Yes. To the Divisional Commissioner.

18384. Are you in favour of that system?—Yes.

18385. You said that middle schools should be under the District Boards. What about middle schools in municipalities?—The middle schools, too, might be under the control of the municipal Commissioners.

18386. Do you consider that the municipality has sufficient power in the matter of managing and aiding schools?—Not at present. I think that local bodies generally might have more discretion.

18387. Who looks after your streets and drains and so forth in the municipality?—There are the overseer, sub-overseer, Vice-Chairman and Chairman. The Chairman is always expected to do outside work besides the office work.

18388. Are those overseers entirely municipal or are they appointed by Government?—They are entirely municipal servants.

18389. Is it the same with regard to the Assistant Surgeons and so on who look after the dispensaries?—They are not under the municipality. They are lent by Government.

18390. Is the Assistant Surgeon under the control of the Chairman while he is in charge of the dispensary?—No, under the local Committee of Management.

18391. That Committee is responsible to the municipality?—No, the municipality merely subsidses it; with regard to the management the municipality has no control.

18392. Is that the usual thing in Bengal?—Yes, as far as I know.

18393. Does the municipality give a fixed amount?—The dispensary Committee sends its requisition; the municipality makes an annual contribution.

18394. Suppose the Committee wanted to add to the dispensary building or to extend the work of the dispensary in any way?—The municipality can hardly afford to make any contribution, and they would do it by other means.

18395. Would you be in favour of the municipality having a larger control over the dispensary itself?—The Chairman generally is a member of the Managing Committee. Speaking personally, all the time I was Chairman I was a member of the Managing Committee and the subsequent Chairmen have all been members. I think the present system works well.

18396. As regards the panchayats of which you have been speaking which, when properly constituted, are to deal with local matters; if they were successful, would you let them absorb the present chaukidari panchayats and the local fund unions, or would you keep them separate?—I think they should be kept separate.

18397. So you might have in one place three authorities within the same area more or less—a chaukidari panchayat, an ordinary panchayat, and a village union?—The duties of the chaukidari panchayats would be confined to certain matters in connection with police work, and the other panchayats and union committees would have other duties independent of those.

(*The witness withdrew.*)

BABU MOTI LAL GHOSE was called and examined.

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18398. (*Chairman.*) What is your profession?—I am a landholder, and I am connected with the press as proprietor of the "Amrita Bazar Patrika."

It is very desirable that large financial powers should be given to provincial Governments; for, in that case, they will be in a better position than now to benefit the people entrusted to their charge. But where is the guarantee that they will not abuse the authority?—So long as the people have no hand in controlling the administration of the provincial Government, it does not mean much if you give larger powers to it in the matter of finance and borrowing.

More independent financial and administrative powers should be given both to the provincial Governments and the district administrations, but, at the same time, the people should also have a voice in controlling them, respectively through Legislative Councils and self-governing district bodies.

The district administration may at once be made substantially useful by bringing it under popular control without encroaching on the rights of the local authorities. The two so-called existing self-governing bodies in the districts are the municipalities and the District Boards. It was the Government of Lord Ripon which inaugurated these two institutions. The objects in view were to teach the people the art of managing their own affairs and impart to them "political and popular education," and the other to afford relief to the over-worked District Officers. It was further stated in the Government Resolution that in the beginning the scheme was bound to be attended with failure, but this must not discourage the authorities. Neither of the above-mentioned two objects has been attained. The District Officers are still as hard-worked as ever, while the people have been allowed to learn very little of local self-government. This is due mainly to the fact that the principles embodied in the Resolution of 1882 have but been very partially followed, and that even in an unsympathetic spirit.

The principles were adopted, to some appreciable extent, in the case of municipalities, but very partially in that of District Boards. A municipality in a *mufassal* town, however, affords very little opportunity for learning self-government, as its area of jurisdiction is very limited. It is in the District Board that representative men can expect to get an effective training in the management of local affairs, as its jurisdiction extends to the whole of the district. The Municipal Board, again, is so much dominated by official control that, as a rule, it is practically no self-governing body at all.

Under the existing arrangement, two-thirds of the members of municipalities are elected and one-third nominated. Now, why should not the proportion between the elected and the nominated be three-fourths and one-fourth, considering that municipal towns in the *mufassal* are inhabited by a large number of educated men, and also considering that nearly a quarter of a century has passed since the two-thirds concession was made?

The chief complaint against the smooth working of municipalities is official interference. In many places the District or the Sub-Divisional Magistrate is the Chairman. The District Police Superintendent is an *ex-officio* member, and so is the Civil Surgeon of the station. Then, again, Government officials have the privilege of being elected as members and Chairmen of the Municipal Boards. The Sanitary Commissioner has the authority to recommend the suspension or the supersession of a municipality on the ground of the insanitary condition of the area. Such an incident took place about a year and-a-half ago with regard to the Pubna municipality. The Commissioner of the division is empowered to set set aside even the unanimous decision of a municipality. Officials should not be Chairmen or Members of Municipal Boards, except in cases where non-official members have shown their utter incapacity to manage the local affairs of the town. They should supervise and control the acts of these bodies without taking any actual part in their proceedings. Then, the Local Government, and not the Divisional Commisioner, as now, should have the authority to interfere with the work of Municipal Commissioners.

The necessity of withdrawing all official control applies with greater force to the District Board. The main object of the District Board was (1) to give relief to the over-worked District Officer; and (2) to confer the privilege of administering the affairs of the district upon representative men. As neither of these objects has been fulfilled, so not only does the constitution of the Board require change but its functions must also be extended.

Half the members of the District Board are elected and half nominated. The Magistrate Collector has, as Chairman, the casting vote; so practically the number of nominated and official members is larger than that of the elected. Now when the municipality was allowed to elect two-thirds of its members, I do not see why the same privilege was not given to the District Board. In the matter of its constitution, the District Board should be in line with the municipality. Great care should be taken in selecting nominated members, that is to say, as few officials as possible should be selected so that there may be, to quote the words of the Self-Government Resolution of 1882, "a large preponderance of non-official persons" on the Board.

District Officers should be relieved of the duty of serving as Chairmen of District Boards, and replaced by elected non-official persons as a rule. This will secure the two-fold object for which the local self-government measure was initiated. It will relieve the overworked District Officers of many petty duties, and, at the same time, enable the representatives of the people themselves to manage the local affairs of the districts. The appointment of the District Officer as Chairman might have been a necessity in the beginning, but as the District Boards have now worked for upwards of twenty years, the time has certainly come when the Magistrates may safely retire in favour of non-official representatives of the people. The other important change needed is in the direction of entrusting to the District Board more serious work. At present the Board is not at all attractive. The principal sum of money placed at its disposal—namely, the proceeds of the Road Cess—is not even as large as an ordinary zamindar spends annually with the help of his servants. You can make the Board as independent as possible, but its members will not feel any real interest in it, or work with heart, if the duties imposed upon them are not of an important nature or do not appeal to their vanity or patriotism.

At present the only sources of income to the District Board are the Road Cess, the pounds, and the ferries, besides the grant made by Government on account of education. But why should not several other sources of income be also made over to it?

The functions of the District Board may be expanded by placing the following departments and sources of income at its disposal: (1) The Road Cess; (2) the Public Works Cess; (3) the income-tax (which has supplanted the license tax suggested in the Self-Government Resolution); (4) the chaukidari tax; (5) the ferries; (6) the pounds; (7) the abkari and other cesses or rates if any. As to the Road Cess, which was imposed with some specific objects in view, a separate account should be kept showing that its proceeds are spent for only such purposes for which it was levied. Besides, a portion of the land revenue of the district, say one-third, should be placed in the hands of the District Board for sanitary, educational and other matters in rural tracts.

As in the case of the municipality, so in that of the District Board, the Local Government, and not the Commissioner of the division, should have the power to interfere with its proceedings. Such also was the advice of the Government of Lord Ripon.

The District Board should thus be un-officialised to as large an extent as possible and supplied with ample funds, so that, in addition to its present duties, it may undertake various other works and thereby not only relieve the over-worked District Officer of many of his duties, petty and large, but perform these with greater efficiency than now. Such unpopular taxes as the income-tax and the chaukidari-tax, and the Excise Department may also be placed in the hands of the Board, and the odium attached to the administration thereof may be transferred from the shoulders of Government to those of the representatives of the people. In fairness to the Board, however, if unpopular taxes are made over to it, it must also have the power to convert them into more popular ones. Such funds as trust funds, unclaimed funds deposited in the treasury, may be made over to the Board. It should be remembered that unless sufficient funds, or rather sources of income, as well as real responsibilities are placed in the hands of the Board, it is bound to fail in its object.

The District Officer has to administer criminal justice. He is the Head of the police, that is to say, he is primarily responsible for the peace of the district and the protection of the people. He is responsible for the management of prisons. He has to take care of the district if it is visited by famine, plague, cholera or malaria. In times of famine, fire, pestilence, inundation, and other calamities, he is the man who has to administer criminal justice and control the police, to see that the people are protected from sufferings of various sorts. The District Officer is also the Collector. He has to make land settlements and collect the land revenue. He is the head steward of all Government estates. He is the head manager of all Wards' estates. He has to collect the Public Works Cess and the

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income tax. He has to hold charge of the treasury. He is the stamp-vendor general, as also the Head of the Excise Department. He is the Head of the Registration and the Education Departments, and is the Chairman of the District Board. Latterly the village watch or chaukidars have been amalgamated with the regular police and brought under the control of this hard-worked officer. Where is then the wonder that the Magistrate should find himself overwhelmed with work and fail frequently in the performance of his numerous heavy duties? Where is also the wonder that he has very little control over his subordinates who frequently bring disgrace upon his administration?

The District Board should be made a living thing, by transferring a considerable portion of the administrative work from the shoulders of the officials to those of the representatives of the people. Lord Ripon's Government suggested that all matters which, for imperial reasons, had not to be retained in the hands of the representatives of Government, might be made over to the people themselves. One such matter is sanitation. Another is education. A third is the rural police. One more is work relating to village roads, village tanks, wells, canals, water reservoirs, &c.: the other is the improvement of village cattle and the agricultural and industrial condition of the masses. Yet another is the disposal of various civil and criminal cases among the rural population. The Board should be entrusted with these duties, as also several others which the local officers can part with, without jeopardising imperial interests, and also be furnished with the requisite sinews of war to carry them out. The Board must have its paid agents in the shape of engineers, sanitary experts, educational and police inspectors, to conduct their work. Government officers should have perfect liberty to inspect the works of the Board and offer friendly advice from outside. Government may also appoint a special auditor to check the accounts of the Boards. Indeed, there must not be any friction between the Board and the officers of Government; on the other hand, the latter should make it a point to see that the project becomes a success.

A Board of Control, consisting of two non-official Indians, with a senior Civilian as President, should be appointed to direct control and supervise the proceedings of both the Municipal and District Boards of a province. This suggestion emanated from the Government of Lord Ripon. The controlling Board should be subordinate to the Local Government. If the District Magistrate or the Divisional Commissioner want to know anything regarding the doings of any particular municipality or District Board he should have to do it through this controlling Board.

How the municipalities and the District Board are to be constituted are matters of details. Either the present electorates may be retained, or they may be altered according to the circumstances of each district. The proportion between the elected and the nominated official members should be $\frac{3}{4}$ths to $\frac{1}{4}$th.

The District Board, as now, should have Local Boards subordinate to it. As regards village unions or village communities they should be created by the District Board, and not by the Magistrate as now. The village communities might have been developed into excellent and very useful institutions 25 years ago; but alas! the respectable classes in all the villages of Bengal, with the exception of a very few, have been decimated by malaria and cholera. Village communities have thus practically disappeared from Bengal. The District Board, however, may be entrusted with the duty of selecting such villages as have yet some educated men left and constituting them into unions or communities, and making over such matters, civil and criminal, to them as they deem fit.

The reformed municipality and the District Board may elect a body of, say, half-a-dozen persons to serve both as an Advisory and Administrative Council. The Administrative Council is, of course, more desirable than the Advisory. The District Magistrate may relegate several responsible duties to the Council in the interests of both himself and the public. The members of the Council may be paid an honorarium in the shape of a fee of, say, Rs. 10 per sitting.

To summarise the above:

(1) Larger financial powers might be safely given to the provincial and district administrations provided they could be controlled respectively by the Legislative Council, and the District and the Municipal Boards.

(2) If two-thirds of the elected members of the local Legislative Council vote for or against the disposal of provincial funds, their voice should be respected by Government.

(3) The local Legislative Council should be expanded in the following way, namely, each first and second-class district as well as two third-class districts grouped together shall have the privilege of returning not less than one member to the Legislative Council through the District and Municipal Boards.

(4) Both the Municipal and the District Board, specially the District Board, should be largely expanded and as thoroughly non-officialized as possible. These institutions should be under the control of a Board, consisting of two non-official Indians and one senior Civilian Officer, the controlling Board being subordinate to the Local Government.

(5) The Calcutta Corporation should have its old constitution returned to it and further liberalized in due course.

(6) Unless the people of the country have at least one municipality in the metropolis and two local bodies in the district, containing some real self-governing element in them, it is useless to expect that they will ever learn to manage their own affairs.

(7) It is a pity that our old village communities were demolished by the rulers and no real self-governing institutions substituted in their place. Return these old village republics with all their privileges to us and we dont want your Boards, Legislative Councils and so forth.

11399. Have you had any experience of local administration?—I was a member of the District Board for two years—that is a long time ago.

18400. Subject to certain considerations, into which we need not now go, you would like to see the hands of the provincial Governments and Municipalities and District Boards strengthened so as to give experience to the members of the municipalities and District Boards how to manage their own concerns?—Yes.

18401. Was the Chairman of the Board to which you once belonged an official?—Yes.

18405. Is it desirable that the Chairman should be an official?—He should be non-official.

18402. Would a non-official Chairman have the experience and would he give the time which would be necessary to manage the affairs of the district?—Yes, the district is very large and there are men interested in its administration who could do the work quite efficiently. The business is not of a very complicated nature.

18404. Does it differ in different districts?—No, in Bengal it is all the same. They deal with the roads and primary education and some small sanitary works, such as small water works, digging tanks, sinking wells, and so on; the road work is the main work, and there is a District Engineer who does this work under supervision.

18405. If you remove the direct control of Government over the proceedings of the District Board, do you desire to retain their indirect control in any way or do you wish it to disappear altogether?—I think it ought to cease; the Local Government might have control. The controlling Board is not my suggestion although I approve of it; Lord Ripon's Government suggested that there should be a controlling Board consisting of three persons, two non-officials and one official, who would supervise the work of the District Boards and municipalities; this controlling Board should be immediately under the Local Government.

18406. Suppose a District Board wanted to carry out some sanitary improvement, and they had to spend something more than the money which they could get from revenue, would you have the Board frame its own scheme and prepare its own estimates?—The Board should be expanded according to the suggestion of Lord Ripon's Government, and various other matters should be entrusted to it. In that way the functions of the Board would be increased, and a Board of Control should be established to supervise their work. The especial reason for that is that the District Officers are very hard worked; they have so many things to do that unless they part with some of their work it is simply impossible for them to do

things as satisfactorily as they ought to do them. That being so, the Board should be enlarged and expanded, and a non-official controlling Board should be placed over the District Boards and municipalities. This Board would have ample work to look after, and they would be able to suggest improvements in administration.

18407. Would a Board, constituted as you would desire to see it constituted, be perfectly competent, with the aid of the District Engineer, to undertake all district roads and sanitary works? How would you find the funds wherewith to do these things which you desire to do?—Under the existing system the District Board has got only the proceeds of the Road Cess and the proceeds of pounds and ferries; Government makes some grant for educational purposes. These are the three funds, and there are small grants which are in the hands of the Board now. The result is that practically all the money is swallowed up by road-making; no sanitary works are done; education is neglected. Then again, the Road Cess Fund was created for a separate purpose altogether, but the Fund is practically mis-applied for purposes for which it was not intended. That being so, the Government must find the funds; the Government must make other sources of revenue available as Lord Ripon's Government suggested, such as the licence tax for instance. Under present circumstances the Board has practically no funds at all.

18408. So that your suggestion would entail on the one side the removal of control and on the other side the increase of Government contribution?—When you talk of Government contribution you speak of the people's money, and the Government would be simply giving back some of the people's money to help the District Board. You must give some control to the people over their own taxes.

18409. But viewing it from the administrative point of view, would not your proposal entail the removal of the administrative control, but an increase in the public contributions?—It would involve the removal of the official administrative control, but the popular administrative control is as good as, or I think better than, the administrative control.

18410. In Bengal are most of the municipal Chairmen elected or appointed by Government?—Generally they are elected. In the large municipalities such as Howrah, Patna, Dacca and others they are all official Chairmen.

18411. You wish to see official control removed also in the case of these large municipalities?—Yes.

18412. Since the municipalities practically raise all their own funds, no increased contribution by Government would be necessary in respect of their expenditure?—But Government has certain duties to the people; for instance, plague or some disease breaks out, or there is a necessity of improvement in educational matters. It is the duty of Government to impart education from Government funds, and it should contribute; with regard to other matters which affect the citizens directly they must manage to find their own money.

18413. In the case of municipalities you do not want an increased Government contribution, at all events not so much proportionately as you do in the case of District Boards?—Yes. I said with regard to certain matters only; in exceptional cases, or if a disease breaks out, the Government should help.

18414. Are you in agreement with the last witness that primary education should come under the municipalities?—Yes.

18415. And secondary education should remain with Government?—Under the existing system the Government has got a larger staff of officers than the municipality has, so that it is better that higher education should be left with the Government.

18416. The District Boards in their turn would also control primary education?—Yes.

18417. Suppose that a panchayat is created in either single villages or groups of villages, would you prefer that primary education should be in the hands of the District Board or in the hands of the panchayat?—The existing panchayat is nothing; it is all under police control; but if you can get an improved panchayat, then educational matters might be placed in their hands. It is very difficult because our villages have been denuded of all the respectable classes practically by malaria and cholera; it is very difficult to get men who could be trusted with those duties.

18418. Are there not sufficient men left in the present villages to be able to undertake the duties?—There are only illiterate agriculturalists—that is the class that predominates.

18419. Have you any practical experience of village life in Bengal?—Yes, I have a native village of my own. Now and then I go to my own village; it is now a deserted village. We had formerly more than one hundred families there of the higher classes, and now we have got half-a-dozen.

18420. How would that affect the administration by the District Board?—The members of the District Board are generally recruited from those who live in the town; those villagers who could save themselves from the influence of disease and malaria have emigrated to the towns, in which you have a number of educated people; the District Board members are generally recruited from these educated people, so that the District Board is composed of men who are educated and highly respectable men. There are some villages no doubt here and there where some respectable people manage to live; they may also supply members for the District Boards.

18421. Where are the members of the Local Boards drawn from?—From the sub-divisional areas.

18422. Are they mostly people who are living in villages or in small towns?—In very small towns, from 5,000 up to 10,000 people.

18423. Are the powers of the District Board sufficient?—As it is now, practically the District Board is in the hands of the Magistrate-Collector.

18424. But apart from the question of an official Chairman, are the powers which the District Boards are supposed to have now sufficient?—They are not sufficient. First of all the Boards are equally constituted of elected and nominated members; they may have power, but what is the good if they are in the minority.

18425. Leaving apart the question whether they exercise the powers, are the powers which they have by law sufficient?—Yes, they can look into the accounts. In that respect they have some powers no doubt, but if the Magistrate-Collector wants to have a thing done they cannot resist him.

18426. Do District Boards work by committees?—Some of them do.

18427. Is that a good system?—I think it is, and it might be usefully extended.

18428. Do the municipalities work by committees as a rule?—Yes.

18429. Do they work well?—Yes.

18430. With regard to the Advisory or Administrative Councils do you think that they would be a good thing to establish?—Yes, if they can be constituted properly they would be of use.

18431. From your point of view, you wish to see a Council for the Collector or the Commissioner as the case may be, which he should be bound to consult, not which he should call together at his pleasure?—Yes.

18432. And unless there is that obligation, you do not attach much importance to Advisory Councils?—No.

18433. You think that they ought to be paid some honorarium?—Yes, because they will give up their time; that would make the work more attractive to them—like the Municipal Commissioners in Calcutta, who get their fees.

18434. You would really like to see before everything else the re-establishment of the village community so far as that is possible?—Yes, but unfortuntely it is utterly hopeless. I wish the Commission had gone into a village and seen the havoc which has been played; I think that that is the most important subject for consideration; if the people die out who pay the taxes; Government will be bankrupt in no time.

18435. (*Mr. Meyer.*) Are you aware that the population of Bengal increased very considerably, as shown by the last census?—I think it can be accounted for in

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this way; the local Mussulmans in Eastern Bengal—not in old Bengal—have multiplied, and they make up this deficiency.

18436. I have got the census figures for every division in Bengal, and every one of them shows an increase?—The lower classes might have increased—I do not know about that, but the higher classes have been decimated; every high class man in the country will tell you that. If Government has its census, so also we have our social census. I belong to the Kyasth community, and I know what its condition was 50 years ago, and what it is now. More than half of my castemen are dead and gone. This is also the case with the two higher castes in Bengal—the Brahmans and the Vaida. The lower caste Hindus have suffered more terribly; some of them have totally disappeared.

18437. Do you desire that the District Board should deal, among other sources of revenue, with income-tax and excise revenue?—That is not my view; it is Lord Ripon's view with which I agree.

18438. The licence-tax was a very different thing from the income-tax?—The licence-tax has been converted into the income-tax?

18439. It was a mere tax upon trade?—Afterwards it was converted into the income-tax.

18440. You speak of the odium connected with the collection of these taxes; do you think that an elective Board would face that odium?—It would make it more popular.

18441. You speak of a Board of Control to be established to look after local self-government, and you speak of that as one of Lord Ripon's projects; are you correct there; was it not a scheme started by the late Mr. Colman Macaulay for Bengal, which was disapproved?—I know it was started.

18442. It was not a scheme propounded by the Government of India in Lord Ripon's time?—But it was started, and if you like I can tell you the reasons why it was given up.

18443. You speak of an Advisory Council or an Administrative Council to assist the Collector; if you are going to disassociate the Collector entirely from these local self-government matters, what are they going to assist him in?—The administrative body ought to be a popular body.

18444. But what work is left, because road and schools and sanitation and the administration of the excise and income-tax will all have gone over to the District Board with which the Collector has nothing to do?—I would give them the duties of the Collector; the list is half a mile long. I would relieve him of many of them both in his own interests and in those of the people; that is one of the reasons which led the Government of Lord Ripon to propose that.

18445. Should they help him to try cases?—You have Honorary Magistrates; why should you not have an Honorary Board?

18446. (*Mr. Dutt.*) You say that the District Superintendent of Police is an *ex-officio* member of every municipality; is that so?—So I am told; a man connected with the police told me.

18447. But you are not quite sure?—No.

18448. Is the District Superintendent of Police *ex-officio* a member of any municipality?—I will enquire about it; I am not quite sure.

18449. You say that the proceeds of the Road Cess are now misapplied; will you tell us what you mean?—This Road Cess was levied with definite objects in view; when the Road Cess was proposed the zamindars made a row over the matter. The Government silenced them by giving direct pledges that the cess would be applied to certain purposes, only to village roads; not provincial or imperial roads, but village roads, village tanks—everything connected with the village. But now the proceeds of the cess are being applied to provincial roads and dispensaries, which were not the object originally; they are being applied to maintain veterinary schools and for other purposes, so that practically the purposes for which the cess was originally levied have not been fulfilled.

18450. Are you sure that the proceeds of the road cess are now being applied for veterinary purposes?—Yes, I am absolutely sure.

18451. Are you aware that the Bengal Government has lately passed an order to the effect that the Road Cess money should be applied only for the construction of roads and for sanitation?—No; that is not published yet. I have heard that the Government is going to ear-mark it, so that the Road Cess Fund may be devoted to the purposes for which it was collected.

18452. If that is so, would that be bringing back the money to its original purpose?—Yes.

18453. Among the duties which you propose to impose upon District Boards you include the trial of civil and criminal cases?—Yes.

18454. Is that quite in keeping with the object for which District Boards were established?—No.

18455. Is there anything gained by making them Judicial Officers also?—No. It was put to me in one of your questions whether civil and criminal cases might be made over to the villages. My idea was that the District Board might constitute village communities and these communities might take over those cases.

18456. You do not propose that the cases should be tried by the District Board itself, but that they should be tried by village communities which should be under the District Board?—That is my idea.

18457. You say that one of their duties should be to look after the rural police; would not that impose on the District Board a part of the police work for which the District Board is hardly qualified?—Yes. Let me explain: Lord Ripon says all local rates should be made over to the District Board. The chaukidari-tax is a local rate; it should, therefore, be placed under the Board. The chaukidars, or the village police, for whose benefit the chaukidari-tax is raised, are practically the servants of the villages; they have now been incorporated with the police. That is wrong. That being so, the chaukidars, as servants of the villagers, should be under the District Board, or its subordinate, the Local Board, which practically represents the villagers.

18458. You mean that the chaukidars should be under the village communities, which should be under the District Boards?—Yes.

18459. When you speak of the village communities, do you mean the chaukidari unions which now exist?—They might be improved.

18460. You are rather hopeless in the matter?—Yes.

18461. You say there are very few respectable people or qualified people in the villages; under these circumstances, would you try the experiment gradually?—In some places at first, where the conditions are favourable.

18462. You tell us about the great havoc which has been played by malaria and fever; have you any concrete suggestion to make to meet or remedy that evil?—Generally the drinking water or drainage system are the main causes; that is generally admitted by all people who can speak with authority on the subject.

18463. Would you entrust that to the District Boards?—Yes.

18464. Are the present funds at the command of the District Boards sufficient for that purpose?—No, not at all.

18465. How do you propose to meet that?—The Government must make grants for the purpose, or if the Road Cess may be allowed to do its duties—one of the duties being sanitary purposes—that might also suffice.

18466. (*Mr. Hichens.*) Would you suggest that the Public Works Cess should be devoted to the purposes of the District Boards?—That ought to be under the District Boards, too.

18467. Suppose the Legislative Council had all the powers that you indicate, would you want Advisory Councils for the District Officers, or would you then think it unnecessary to have them?—They would almost become unnecessary.

(*The witness withdrew.*)

Adjourned.

THIRTY-FIFTH DAY.

CALCUTTA; *Wednesday, January 29th*, 1908.

PRESENT :

C E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Honourable Mr. F. A. SLACKE, C.S.I., was called and examined.

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18468. (*Chairman.*) You are a member of the Board of Revenue in charge of the Land Revenue Branch?—Yes ; I deal with land revenue, survey and settlement, land registration, land improvements, the sale or lease of waste land and Government estates, the management of Wards and attached estates, the collection of cesses, and so forth.

The relaxation of the existing limits on the exercise of powers is desirable and can be best effected by a general Act giving power to delegate, such as was suggested by the Bengal Salaries Commission in 1885, but with this proviso that no delegation should be made until (*i*) a notification had been published in the Gazette to the effect that such delegation was contemplated and inviting criticism from the public and (*ii*) such criticism had been considered.

The proper sphere of work of Directors and Inspector-General under the Government of India is that of inspection and suggestion. These officers being the expert advisers of the Government of India exercise very important powers and where an opinion given by one of them is adverse to a proposal submitted by a Local Government such opinion might be first communicated to the Local Government concerned for any criticisms they may like to offer before a decision is arrived at on the proposal by the Government of India.

I would not curtail the existing right of appeal in respect to administrative action, but as regards the right of appeal now granted to officers of Government against orders affecting them personally I would not allow any such appeal in respect of promotion or the selection of officers for special posts.

I am not aware of any increase in the demand for returns and information from the Government of India since the curtailment effected by Lord Curzon.

I have doubts as to whether the influence of the Commissioner is sufficiently strong in matters relating to the supply of drainage facilities by railways. A case came to my notice when I was Collector of Saran where it took about eight years to compel the Bengal and North-Western Railway Company to provide a bridge and thereby remedy the distress occasioned to the people living by the side of the railway line whose lands were yearly inundated and the water banked up on them for want of an outlet across the railway line.

Owing to the continuous increase in office work and the inadequacy of the administrative staff in point of numbers, District Officers have not sufficient opportunities for personal contact with the people. Matters could be improved by providing an adequate staff, including a Joint-Magistrate at the headquarters of each district, and by the appointment of an Officer to be the Sub-Divisional Officer in charge of the headquarters sub-division. This last suggestion will be carried out as soon as the additional officers, who were lately appointed to the Provincial Executive *cadre*, have been sufficiently trained.

Several Executive Officers do not possess sufficient knowledge of the vernaculars, a defect due partly to the fact that business is now, owing to the advance of education, mostly carried on in English, partly to there being several vernaculars in this province, and partly to the frequency of transfers.

No general reduction in the area of district or other changes is needed, though such is needed in respect to the Patna Division and the district of Midnapore. I would like to see an increase in the number of sub-divisions, the average area of a sub-division not to be much more than 600 square miles.

The grant of larger powers to Commissioners, Collectors and other local authorities would involve greater care in their selection and less regard to the claim of seniority.

Transfers of officers are not unnecessarily frequent, bearing in mind that the existing staff is inadequate, and owing to this the transfer of officers is such as to render in some instances efficient district administration a matter of extreme difficulty. Thus the district of Singhbhum has had eight Deputy Commissioners in the last three years, and in the last two and a half years the district of Manbhum has had five Deputy Commissioners. This constant transfer of officers, due to inadequacy of the staff, is the greatest administrative evil which now exists.

I am not in favour of creating Advisory or Administrative Councils to assist Divisional or District Officers or of investing District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

18469. With which Directors and Inspectors-General have you been brought into touch?—I have very little to do with the Imperial Directors. They should not deal with details ; they should not give suggestions with reference to details, but should confine themselves to general principles.

18470. Do they do that as a matter of practice?—It depends on the officer himself ; some officers do and some do not.

18471. Is anything laid down with regard to their duties?—In the recent appointments made the Government of India laid down certain stipulations ; if they were followed always it would be beneficial.

18472. You would not curtail the right of appeal with regard to administrative action?—No. Where it is a question of selecting an officer for a particular post, there should be no appeal against the Lieutenant-Governor's order.

18473. But in the case of such things as small revenue appeals, would you allow them to go up?—I think that any curtailment of the right of appeal would be very distasteful to the people.

18474. Are appeals against supersession frequent?—No, there are not many. I would stop them absolutely beyond the Lieutenant-Governor in certain cases, and beyond the Commissioner in others.

18475. You say that there is no increase in the demand for returns made by the Government of India ; what about the provincial Governments?—There has certainly not been any increased demand for returns since the time when the returns were revised in Lord Curzon's time.

18476. Have you issued any fresh ones since that inquiry?—No, I have cut down two or three periodical returns concerning land revenue quite lately.

18477. Is there any further reduction that would be advantageous?—I cannot think of any at present.

18478. From the point of view of the Board of Revenue are you bound to ask for all that you now do ask for?—That is my position, as far as I can see

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at present; I am always on the look-out to see what can be reduced both in respect of registers and returns.

18479. You tell us that the Commissioner has generally enough influence in matters which appertain to his duties, except in respect of railways; is that an exceptional case?—Hardly, because railways are increasing, and railways where they do not provide sufficient water-way do a very large amount of damage to the country.

18480. You would expect a Commissioner to deal with a railway?—I cannot say that he would have a voice in the amount of water-way. That would be done through the Local Government.

18481. Then it is a matter not as against the railway, but of the Commissioner as against the Local Government?—No, it is the Government of India. I have instanced a case where there was delay of eight years; that shows that the procedure that is now followed is too cumbrous. In that case the railway had made its bank, and then it was found that the spill water of the Ganges could not get across country as it used to, so that a bridge was wanted. The railway authorities were against a bridge; it had to go up to the Government of India, and the Government of India said that the bridge should be made. Then it came up on appeal; twice it was appealed on certain points by the railway authorities, and that made a delay; the bridge had to be made and it was made, but it took about eight years; meanwhile the crops of all these people were being drowned nearly every year. The Commissioner knew best about the local needs, and his view was not given sufficient attention to. It obtained ultimately, but only after this waste of time had caused an enormous damage.

18482. You tell us that there is a great want of Joint-Magistrates in Bengal. Would the real remedy be to relieve the pressure of work, or could it also be done by a larger appointment to the Provincial or Subordinate staff of Deputy or Sub-deputy Collectors?—I do not think so.

18483. Is the Joint-Magistrate the essential person missing?—I want other things also; more Sub-Deputies, and officers to be kept in their districts continuously, for, say, four or five years each.

18484. Are transfers too frequent at present?—Yes, because we have not got the necessary staff.

18485. Suppose you had the necessary staff to enable you to keep your officers four or five years in one place, would you then have something like a language limitation governing the districts where an officer should be posted?—I would not lay down a hard-and-fast rule that an officer, say, in the Orissa Division should not be sent to the Chota Nagpur Division; I would have it considered whether he knew anything of the language of the division to which he was proposed to be transferred.

18486. Is it not essential to good administration that an officer should know the language of the district which he administers?—Yes; it is very necessary; unfortunately you have so many languages in Bengal. Take the Chota Nagpur Division; you have there some six or seven languages. You have got, for instance, Mundari, which is probably spoken by half a million people; then there is a kind of patois of Hindi.

18487. Is there a predominating language?—You can hardly say that; the Bihar division has got one language and Orissa has an altogether different language; if a man knows two languages well he can be utilised, and that is done; we pass in two languages.

18488. What is the length of time that an officer should be kept in a district?—There are different classes of districts: in a very small district I should say three years would be the minimum. I would not prescribe any maximum. In a very big district like Midnapore, if that is not split up, he should be five years.

18489. An officer having served five years in a district would probably have reached the maximum amount of usefulness there?—Probably, but I would not make it a hard-and-fast rule that he should be sent away.

18490. As a rule do your officers know sufficient of the vernacular?—Some do not.

18491. Is that held to be a disqualification for promotion?—No, I do not know of any case in which an officer's promotion has been stopped or retarded because his knowledge of the vernacular was somewhat insufficient.

18492. Then what encouragement is there to an officer to learn the vernacular?—First he has to pass his examinations; he does not draw an increment of pay until he has passed certain examinations. Then, if he does not know the vernaculars well events may happen which, owing to his lack of the vernacular, will show that he is not a good District Officer, and thereby retard his promotion. The retardation of promotion is not dependent on his knowledge of the language, but his lack of knowledge affects his promotion.

18493. It is an indirect, not a direct, factor?—Yes.

18494. Might vernacular knowledge be profitably taken into larger account?—It is very hard to do that. I am myself not good at languages; I am not good at the classical portion of the languages; but there was once a Commission sent round, and I had to conduct it round my sub-division; one of the members had passed in the High Proficiency Examination in Bengali; it was a Bengali sub-division. I found that he did not understand the people in the slightest; I did all the interpretation. Upon that experience I venture to say that these examinations will not help you to get any idea as to the value of an official's work amongst the people.

18495. Would you lead us to believe that the superior officers of the Service are so unacquainted with the capacity of their juniors that they do not know whether a man has a reputation as a practical linguist?—I did not mean to say that, because one travels about amongst one's subordinates and hears how they speak.

18496. Then there is some method, other than examination, by which an officer's knowledge of the vernacular can be arrived at?—Certainly.

18497. Ought the knowledge of an officer's power to speak the vernacular to be taken into account either in retarding or advancing his promotion?—In some cases it should be. I would not go so far as to say that it should always be taken into account. It should be left to the discretion of the officer who makes the appointment to take it into consideration.

18498. An officer should only be exceptionally promoted when he knows the vernacular?—Exceptionally promoted for a post in which a knowledge of the vernaculars is necessary.

18499. Is enough care taken in selecting officers for promotion for the ordinary posts such as Collectorships?—You have got to make the most of what you have got; you have not sufficient officers. To a certain extent there is selection. For instance, some men would not be sent to certain districts, because they would not be considered competent to manage them.

18500. Suppose one of these exceptional districts fell vacant, is it within your knowledge that a senior man has been passed over and a junior put in?—Not generally; they might transfer from another district an officer who could manage that district properly.

18501. So that the non-observance of selection may not only lead to a more or less incompetent officer being promoted, but it may possibly result in a greater number of transfers?—That is so.

18502. Suppose you could get an adequate staff, would it be well to take greater care in the promotion of Assistant Collectors to Collectorships?—Certainly. I would go further; I would go to a Joint-Magistrate.

18503. Suppose the process of selection had been more rigorous than it appears to have been at the present moment, would the result have been that some considerable number of officers would have been passed over for promotion?—I could not say a considerable number, but some would have been passed over.

18504. You state that the number of transfers recently has been very large?—For some time past.

18505. Has that had a bad effect upon Government generally?—Certainly; we are letting go the most valuable asset that we possess—the confidence of the people. Over and over again the zamindars and those entitled to have some say have told me: "We want

to know who the Head of our district is ; we want to know him so that he may know us, but he is here only a very short time, and we know by experience that he is likely to be here so short a time that it is not worth our while to go near him."

18506. Would that apply with even greater force to the raiyats than to the zamindars ?—Yes ; they are very slow to take anything in, but they are being taught "The *Hakim* is here for only a short time, and by the time he gets to understand our needs somebody else will come." It is now extended not merely to District Officers, but to Sub-Divisional Officers at headquarters ; it is affecting the office work. I have done a good many inspections this past year, and in most of the Collectorates I have found many departments in which on the average the Gazetted Officer-in-charge has been there only six months, and so he lets the department be run by the clerks. It is affecting the administration very badly.

18507. Has there been a large increase in the number of clerks attached to district offices away from headquarters ?—Not clerks ; there have been increases, but you cannot call them large.

18508. Has there been a steady increase ?—No, I will not go so far as that ; spread over the whole clerical establishment of Bengal, the yearly increase has been very small.

18509. Therefore the most urgent reform is to prevent the constant transfer of officers ?—Yes, I look upon that as equivalent to fourteen annas in the necessities of administration.

18510. A considerable number of Court of Wards cases come to you from Commissioners and Collectors ?—Yes, that gives me a great deal of work.

18511. Could a large number of your powers in that respect be delegated to one or the other of your subordinates ?—A great deal of the heavy work cannot be delegated, for instance, budget and returns ; they cannot be wholly delegated unless the subordinate establishments are better. Commissioners have the power at present to pass the budgets for estates the revenue of which does not exceed one lakh of rupees, but I find they cannot be trusted to pass them ; they must be checked here, because their establishments have not been sufficiently trained, or the officer-in-charge does not know his work sufficiently to be trusted to pass the budget. In time I hope it will be possible to do it, but it will take some years before we can safely do without the check that we have now.

18512. What is it that you find wrong with the budgets ?—They are not sufficiently carefully prepared ; there are a number of faults which are detected here and are put straight ; matters are put under the wrong heads, or there is no explanation given, and there are variations in amounts.

18512A. Could that not be checked by audit ?—It might be, but these estates with incomes under Rs. 50,000 are not submitted to professional audit ; they are only audited by some Deputy Collector at headquarters.

18513. It is not that the Collector or Commissioner would not have experience to be able to deal with these points, but that his clerical staff is not sufficiently careful ?—Quite so.

18514. Therefore the power of the delegation might be given ?—The power has been given, but it does not affect the amount of work in my office here.

18515. Would you give Commissioners a considerable power of making small budgets in their own divisions dealing with Public Works and things of that kind ; so that they could undertake Public Works without reference to Government up to a limited sum, say, Rs. 10,000 ?—They have now a certain sum which they can spend. At present I am unable to see the necessity of anything further.

18516. You do not think it would save time ?—I think not. I would not like to pledge myself unless I had an instance put to me.

18517. (*Sir Frederic Lely.*) The Board of Revenue in Bengal consists of two members ?—Yes.

18518. It is an appellate Court in revenue administrative matters ?—Yes.

18519. Do appeals to the Board of Revenue afterwards lie to the Lieutenant-Governor ?—He can be memorialised. It is very rarely that a memorial is submitted.

18520. Practically the Board is a final Court of Appeal ?—Yes.

18521. It is also the superior executive authority in certain departments. Do you consider that it is an advantage to have a Court other than the Commissioners and the Local Government ?—Somebody has to deal with the appeals from the Commissioners, and it seems to me that the Board is the best authority to deal with them.

18522. It has been suggested that the status of the Board of Revenue should be somewhat altered—that the members should still sit to exercise appellate authority, but for all executive work they should act as the Lieutenant-Governor's agents ; that all minor matters should be referred to, and dealt with by, them, and that on important matters they should act as a Consultative Board to the Lieutenant-Governor ; what do you say to that ?—That is very much what is being done now. Many matters are submitted to us either individually or jointly.

18523. What do you consider is the special place of the Commissioner in the official administrative machinery ?—Certain matters do not pass beyond him in executive affairs, and he sees that a certain portion of the province is properly administered.

18524. Does he, or ought he, to fill in his division practically the place which the Local Government fills in the whole province ?—No, I would not go so far as that.

18525. Would you consider that the Commissioner has any responsibility for the management of excise in his division ?—He has responsibility, and he exercises it. I cannot say that he has any authoritative power in the matter, but his suggestions are always given great weight to.

18526. As a matter of official courtesy, so to speak, to a man of position and influence ?—Yes.

18527. Has he any authoritative influence in matters of police ?—The Commissioner has a great deal of power with regard to the police. He hears appeals from police officers.

18528. Was that under the recommendations of the Police Commission ?—I have not had experience of police work during the last two years, but up to about two and a half years ago he had.

18529. Has he any authority over education ?—A great deal.

18530. I mean direct authority ?—No, I think not.

18531. Would he be in any way held responsible for anything going wrong ?—I think he would be held responsible for not knowing that any large matters were going wrong. He is expected to know about everything of magnitude that is going on in his division. He would be looked upon as responsible for seeing that if anything was going wrong steps were taken to put it right. Suppose there was friction going on between the Educational Officer and the Head of the district, it would be his business to know of it and to see that it was stopped.

18532. Suppose a training school or a college is utterly mismanaged ; would he be held responsible in any degree ?—Yes, because he would have to satisfy himself that the District Officer was taking steps to see that the want of discipline was remedied.

18533. But he would have no direct authority himself ?—Except the authority that is given to his position, that is all.

18534. (*Mr. Dutt.*) You have made some suggestions for the delegation of powers to Divisional Commissioners ; will that delegation largely, or to some extent, reduce the work of the Board of Revenue ?—Wards' matters give one more work, and the work will not be reduced very considerably until we can get better staffs in the *mufassal*.

18535. But in other branches besides the Court of Wards will there be any great reduction ?—There will be a slight reduction, but then on the other hand you have to take into account the extra work that may be entailed by the delegation of powers to the Board from above, powers which they do not possess now. I cannot say to what extent that will employ the time which will be rendered free by the delegation of the powers of the Board to Commissioners.

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18536. So that you do not foresee any great reduction in the work of the Board if these recommendations are accepted?—I cannot yet foresee it.

18537. A suggestion has been made that the members of the Board of Revenue, besides acting as a Board of Revenue in regard to revenue matters, should be either advisers or colleagues of the Lieutenant-Governor in matters other than revenue; in fact, that they should be something like members of his Council?—I would not let them be colleagues, because that would divide authority; I would let them be advisers as they are now; the Regulation gives them that position; the old Regulation lays down that they are the confidential advisers of the Government.

18538. Is that so in all matters?—The Regulation says so.

18539. But as a matter of fact are they the advisers of the Lieutenant-Governor in these matters?—There is nothing laid down about that: all matters are to be sent to them for their opinion. Under the present system it is only the matters which the Lieutenant-Governor sends to them for their opinion; it rests with the discretion of the Lieutenant-Governor as to what subjects they are consulted upon. Matters have not to pass through them, as they would in the case of the Council of a Governor in Madras or Bombay. It may be possibly read that they are confidential advisers of Government in revenue matters; on the other hand (I am only speaking from memory) that they are confidential advisers to Government in everything.

18540. Would you approve of the idea that they should be *de facto* advisers of the Lieutenant-Governor in general administration, including all matters?—I should leave it to the Lieutenant-Governor's discretion: I would not hamper him and say to him, "You must take the advice of the Board on every point."

18541. For instance, is there anything in the law to prevent the Lieutenant-Governor from consulting the Board in municipal matters?—There is nothing in the law to prevent the Lieutenant-Governor consulting anybody he chooses.

18542. You say that you are in favour of a general Act giving power to delegate, as was suggested by the Bengal Salaries Commission in 1885. Does that mean that when certain powers are vested in the Government by certain Acts a general power of delegation should be given enabling the Lieutenant-Governor to delegate any of those powers to any local officer by Gazette notification?—Subject to certain safeguards; that is to say, the Local Government should not delegate those powers without having first of all published their intention to do it and obtained any comments that others might choose to make. Delegation should be made with the sanction of the Imperial Government, and with the proviso that those comments had been examined.

18543. In certain matters there is a good deal of debate in Council as to the authority which should have the power to sanction a certain thing, and the question is settled sometimes as the result of a compromise. If such a power has to be delegated, would it be altogether fair to delegate it by simple Gazette notification?—I cover that by providing that the intention should be published and that comments should be invited; then if it was not thought to be fair there would be a large mass of opinion against it, and presumably the Imperial Government would be asked to take that into consideration, and the delegation might not be made except through the Legislature.

18544. Then you do not provide for an amending Act in every case?—I think that that is not elastic enough; look at the time it takes to pass an Act through the Legislature; very often prompter action than that is needed.

18545. Suppose it to be the law that a new tax in a municipal town can be introduced by the Government of Bengal, and under a general Act of delegation the Lieutenant-Governor delegates that power to Divisional Commissioners, thereby amending the Act without a specific amending Act; would that be altogether fair to the rate-payers of municipalities?—But they would have had their say before any delegation took place; the delegation would not be rushed through in a week; time will have been given to anybody to put forward any reason for objection, and those reasons would be considered; if it was thought the reasons of objection were tenable, delegation would be made, so that I see no unfairness. It would be in some instances quite unfair, not to have those safeguards, and to have the thing simply done by notification, without the persons interested hearing anything of what was taking place. Where the delegation was objected to strongly, if the Government still thought it necessary to delegate, I would have a special Act so that it would be debated in the Council.

18546. You mean if there was strong opposition?—Strong and reasonable opposition.

18547. Who is to judge of that?—The Imperial Government.

18548. You say that you would not curtail the right of appeal except with regard to appointments?—Yes, with one exception; I think it has just been altered lately. Commissioners of Divisions should be put on the same level as Heads of Departments.

18549. How are the Deputy Collectors appointed?—They are appointed by the Government, except that first of all, in some instances, they are nominated by the Commissioners, and in other instances they are nominated by the Board; there are also promotions from Sub-Deputies to Deputies; appointments of outsiders to Sub-Deputy Collectorships are made on the nomination of the Commissioners and Collectors; some are made direct by the Lieutenant-Governor.

18550. I am speaking of the actual appointment; is that made by the Government in every case?—You may say that it is made by the Government, but it is not made always direct by the Government.

18551. Would you recommend the delegation of that power, or would you keep it in the hands of the Lieutenant-Governor?—I would certainly keep the power in the hands of the Lieutenant-Governor.

18552. Are the posting and transferring of these officers done under the orders of the Government?—Except as to Sub-Deputies in a division.

18553. I am speaking of the Provincial Service?—You mean the Deputies. When the staff is sufficiently strong I would like Commissioners to transfer their Deputies within their division; I would not do that now; the *cadre* is not sufficiently strong. It might be considered hereafter.

18554. You recommend that there should be a larger number of sub-divisions; is that with reference to the area of sub-divisions generally, or have you some particular sub-divisions in view?—I think the area of sub-divisions generally should not exceed 600 to 700 square miles, because the more sub-divisions you have the closer you bring the administration to the people through the medium of a reliable officer other than the police.

18555. As a rule now are sub-divisions over 600 square miles?—There are a great many over 600 square miles.

18556. Are you in favour of the idea of creating one or two circles inside the sub-division under the Sub-Divisional Officer and placing officers in charge of those circles?—That would not be so good as lessening the size of the sub-division. You would then have an inferior officer to carry out the work. Of course, something is better than nothing; if you could not afford to increase the number of sub-divisions that would be an improvement, but it is not nearly so good as increasing the number of sub-divisions, when you would have a much better officer in charge.

18557. In Madras and Bombay under the Sub-Divisional Officer there are smaller circles mainly for revenue collection but also for other purposes, of which circles tahsildars are in charge. It has been suggested to us that some arrangement like that would probably bring the administration more into touch with the people. What is your opinion generally upon such a scheme as that for Bengal?—I do not think it would be useful, generally speaking; it might in certain sub-divisions be of assistance. There are a very large number of sub-divisions in which such an officer would have next to nothing to do; you would not give that officer first-class powers probably in many instances; he would not have even second-class powers, and even if he had second-class powers he would have very little criminal work to do, and the revenue work he would have to do, unless there were many Court of Wards' or Government estates in his division, would be trifling.

He certainly could be utilised in continual touring about and seeing how the village chaukidars and panchayats did their work and assisting them ; I do not mean in the way of critical examination, fault-finding, and so on, but generally helping them. But in purely revenue work, unless he had Government or Court of Ward's estates to supervise, I cannot see what he would have to do ; now and again he would have a little to do.

18558. I suppose nine-tenths of the cases which come up are triable by a Magistrate of the Second Class ?—There are a great many cases which are not. There are, of course, a large number which are so triable.

18559. Therefore if you had an officer in charge of such a circle he would be able to take a large number of the cases as they came up ?—I would not say large. You put him in charge of a certaiu area ; from that area only a certain proportion would come. Taking the sub-division it would be a large number, but he would only deal with a small proportion.

18560. But he would have all the other work which you have just indicated ? — Yes, if it happened to come up.

18561. Is it possible to delegate to Sub-Divisional Officers some of the revenue work which is now done at headquarters in the Bengal districts ?—As it is the Sub-Divisional Officers has excise, he assists in income tax, he does stamps, he does Government estates, if there are any. The only things that might probably be delegated would be land registration and the collection of land revenue. Delegation of those two things might be useful in a few tracts, where you are practically coming to a *raiyatwari* land settlement, such as, for instance, in Bihar ; otherwise it would not, and it would be exceedingly unpopular with the landlords themselves ; it would mean their having to keep an agent in every sub-division instead of keeping one only at head-quarters.

18562. With regard to income-tax, what do you say ?—I do not think that that would be much work for the Sub-Divisional Officer, because the income-tax realised in the *mufassal* is very small.

18563. Or land acquisition work ?—That is very small.

18564. You do not then think it is possible very largely to transfer the work of the officers at headquarters to the Sub-Divisional Officer ?—No. Of course, there are cases in which an officer does not transfer ; at present it is permissive ; I have found cases in which an officer could have transferred revenue work and did not do so.

18565. It would also be possible to transfer some of the treasury work from the Sub-Divisional Officer to the circle officer, suppose the circle was created ?—You must consider the grade of the officer ; if you have an officer at Rs. 200 or Rs. 250 a month, you would not transfer to him excise work about the locality of a liquor shop, for instance. I cannot see what could be transferred ; you might transfer some of the few certificate cases to him to realise on the spot ; I cannot think of much more.

18566. So that there would not be very much work for him to do ?—There would not.

18567. You say you are not in favour of creating Advisory or Administrative Council at all to assist Divisional or District Officers ; have you any sort of suggestion to make to delegate any powers or any duties to non-official or popular bodies ?—You have it already in the case of District Boards and municipalities.

18568. But have you any suggestions to make for the *further* delegation of powers or duties to non-official bodies ?—No, nothing further than has been given in the list from the Bengal Government.

18569. Have any suggestions been made in that list for the delegation of any powers to non-official bodies ? —I think there are ; I have nothing to add.

18570. Are you in favour of the suggestion that officers who are considered to be unfit for promotion in the Service should be retired on a proportionate pension ?—Yes.

18571. Would you apply that rule only to members of the Covenanted Civil Service ?—I would apply it to the Uncovenanted Service too.

18572. (*Mr. Hichens.*) What do you mean by a "proportionate pension" ?—At present after a certain number of years, when an officer has to retire on medical grounds, he is entitled to a pension ; I would give him something like that.

18573. Some matters which come before the Board of Revenue are settled by one member, and some have to be referred to both members. In regard to those that have to be referred to both, are they usually settled by correspondence or by a meeting ?—Sometimes by meeting and sometimes by correspondence.

18574. Are appeals usually settled at a meeting ?—When I have an appeal in which I think I am likely to go against the Commissioner's orders I ask the other member to say what day will suit him, and he comes and sits with me. Occasionally the record is sent to the other member beforehand with my draft decision, to see whether he agrees with it.

18575. In certain matters is it a great advantage to have a meeting and a joint discussion ?—Yes.

18576. Do the public in Bengal attach greater value to the opinion of a Board of Revenue than they would to that of a Financial Commissioner, because they feel that two heads are wiser than one ?—I think probably they would.

18577. Is it for that reason alone that you would not be in favour of having a single Financial Commissioner ?—I cannot see the grounds for it.

18578. Might it be equally desirable that the principle that two heads are wiser than one should apply to other administrative matters, such as municipal matters ?—I only say that the Board require two members, because there are more departments than one member can attend to. If the departments were so small, each in itself, that the work could be done by one member, then there should be only one member. We carry out the principle really here by Commissioners' conferences.

18579. Would it be desirable to have possibly an additional member attached to the Board of Revenue, and make it one deliberative Body in regard to all administrative matters ?—That is to say, the Lieutenant-Governor would be bound to consult them ? I cannot see the advantage of that over the present system ; you have joint deliberations now. With regard to other matters you have your deliberative body in the Commissioners' conferences.

18580. How often do such conferences sit ?—Once a year for about 14 days.

18581. Once a year would be a very inadequate amount of time if the same amount of deliberation is to be applied as is applied in the Board of Revenue ? —Those are particular questions that come up. Most of these big questions are not so urgent that they cannot be postponed for two or three months.

18582. You appreciate the importance of a deliberative body in the case of your own work ; do you not think that the importance might apply equally to the Lieutenant-Governor's work ; if not, what is the difference between the two ?—The Lieutenant-Governor should have the power to pass orders of his own motion ; he should not be subjected to the dictation of another body ; he might ask for advice where it suited him to ask for advice and where he thought it was necessary to do so, but you should not compel him to submit every question that arises to a deliberative assembly for their opinion.

18583. Would your first point not be met if he had the power in exceptional circumstances of over-riding his colleagues ?—I think that that would increase the work without any necessity ; you would have to put it always down on record why he over-ruled his colleagues.

18584. Would that be an advisable and desirable check ?—If you had a deliberative assembly the Lieutenant-Governor should have the power of veto.

18585. Suppose he had to put his opinion in writing and to consider it very carefully before he over-ruled his colleagues, would that not be a desirable check against impetuous action ?—I do not think you will find that there is impetuous action.

18586. Does the Board of Revenue decide whether encumbered estates should be taken over by the Court of Wards ?—They have taken under the Encumbered

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Estates Act, not by the Court of Wards; the Board of Revenue advises as to whether Government should take action under the one or the other method.

18587. The decision is left to His Honour?—Yes, there is a proposal to delegate that power to the Board of Revenue.

18588. Is it desirable to delegate that power?—Yes.

18589. Is the taking over of estates under the Encumbered Estates Act a matter of political importance?—Yes.

18590. In practice, has the taking over of such estates grown or decreased?—It has grown, because the part of the province where these estates exist is becoming opened up; the owners of these estates are very thriftless; they have greater opportunities of getting into debt, and therefore more cause arises for bringing estates under the Encumbered Estates Act.

11591. Are estates taken over merely because they are encumbered, or is there any additional reason?—You do not want to have these aboriginal people in the hands of alien money-lenders, who have no sympathy with them, who do not know their ways and customs, and who might produce a revolt or rebellion.

18592. You say that an increase of staff is necessary; have you figured out at all in numbers what it would cost?—No.

18593. (*Mr. Meyer.*) You say: "Where an opinion given by an Inspector-General is adverse to a proposal submitted by a Local Government, such opinion might be first communicated to the Local Government for any criticisms they might like to offer before a decision is arrived at on the proposal by the Government of India." Do you mean an opinion given by the Inspector-General in the course of his tour of inquiry?—If a scheme is submitted to the Government of India and the Government of India send it to their expert for his opinion, then if his opinion is adverse to the scheme, before orders are passed, that expert's opinion should be shown to the Local Government to see whether they accept it or not, or to get their reasons for not accepting it, so that the Local Government's reasons for not accepting the expert's opinion might be before the Government of India when they came to decide the matter finally. I was thinking of officers such as the Superintendent of the Geological Survey; he is an expert adviser.

18594. Would you say that the Secretary's opinion should be held confidential but not the opinion of an Inspector-General?—I did not contemplate the Secretary's opinion being other than confidential.

18595. Is the Inspector-General not referred to as a sort of Secretariat officer?—As an expert adviser to the Government in that particular matter.

18596. Would it not often involve considerable delay when it might possibly be an urgent matter?—It would make administration smoother.

18597. In many cases the Government of India, as a matter of fact, now do not overrule the Local Government without first referring the matter to the consideration of the Local Government?—Yes, for further consideration on certain points.

18598. And it often happens that the Local Government is able to produce reasons in favour of their own course, which the Government of India accepts?—Yes.

18599. You would like that practice to be extended?—I would like the Imperial Government not to override the Local Government with regard to a proposal, where the decision of the Imperial Government was arrived at on the advice of their expert, without first of all letting the Local Government see what the advice of the expert was; I did not contemplate for a moment that the opinion of the Secretary in the department concerned should be similarly treated.

18600. Is it not likely that the expert, if he has travelled all over India, will know more about the circumstances of the province and the local arguments than the Secretary, unless the Secretary happens to have belonged to that province himself?—I would not say so always.

18601. You mention among the matters in which larger powers might be given to the Local Government questions which are covered by the Bengal Tenancy Act. That was arrived at as the result of a compromise after a very acute and lengthy controversy?—Yes.

18602. Do you think the time has now come when it would be quite expedient to delegate powers which were advisably reserved to the Government of India?—Yes, subject to the safeguard that I mentioned just now.

18603. As regards general delegation, should the orders of the Government of India be sought in all cases: where the Act as it stands says that the Local Government shall exercise the power, and the Local Government want to delegate it, say, to the Board of Revenue, must it go to the Government of India?—Yes.

18604. Where the Act says that the Commissioner is to exercise power and the Local Government wants to delegate it to the Collector, should you go up then?—Up to the Local Government, not up to the Government of India.

18605. Is there not a general distinction between Acts which may be called Acts of administrative expediency, as to who shall sanction a particular matter which the law already provides for, and matters which affect the liberty of the subject, such as who shall sanction a particular prosecution, or what powers a Magistrate should be invested with; would you allow a general delegation in respect of such questions also?—I am not in favour of a general delegation Act; I would have have special delegation Acts where the liberty of the subject was involved; I was simply looking at it with reference to revenue matters, not with reference to criminal matters.

18606. Do you make the distinction I suggest between matters of revenue and administrative convenience, and matters involving the liberty of the subject?—Yes.

18607. It was suggested to us by a member of the Board of Revenue in Eastern Bengal that one undesirable restriction imposed at the instance of the Government of India, and he thought of the Secretary of State, was the prohibition of *salami*; I understood that to mean payments for the original right of occupancy. In the case of Government or Court of Wards' estates do such matters come before you?—Yes, the policy of the Government is not to allow *salami* to be taken in Court of Wards or Government estates; personally I am not in favour of *salami*; there may be one or two cases where it should be taken.

18608. Is it a matter upon which you would allow discretion?—No, I would not. I would lay down a hard-and-fast rule that *salamis* are not to be taken into account.

18609. Outside appeals, when it is a question of overruling the Commissioner, are there other two-member subjects that come before the Board?—No, but there are two or three manuals in which, when a correction is to be made, one member would consult the other because both are concerned in the matter.

18610. Is that merely a matter of expediency which the Board itself has adopted, or is it enjoined on them by Act or by Government?—It is enjoined on them in both ways.

18611. We have heard from other witnesses about the present method of disposal of cases which come up to the Board of Revenue; are you satisfied with that system; do you think it leads to efficiency?—I think it leads to efficiency. Of course it involves more noting, because if you have to take the opinion of somebody else which was not taken before, that means a note; it leads to more routine office work.

18612. You have, in fact, got double office work, first in the Board's office, and secondly in the Revenue Secretariat?—It does lead to more routine office work; that is one complaint that was recently made, and I am going into the matter very soon to see if I can remedy it.

18613. Is not the logical corollary of the system the abolition of the Board's office?—Yes, that is also contemplated—the amalgamation of Board's office with the Revenue Department.

18614. Might it not also be possible to reduce Under-Secretary to Government?—He does not practically come in under the present system as regards revenue work; he merely comes in in the routine work.

18615. A note is submitted by the Secretary to the Board to the Secretary to Government; the Secretary to the Board is practically the Under-Secretary in this scheme?—Yes; there are one or two things in which the Under-Secretary does come in, but it is merely routine.

18616. Is there sufficient work for him?—I could not say that, because I have not got the figures.

18617. Is it a matter for consideration?—Certainly.

18618. You mentioned that various powers in respect of the Court of Wards had been formally conferred on Commissioners and others which it was proposed to confer on them could not really be exercised by them because of their want of sufficient establishment. Could not that be met by distributing some of the Court of Wards staff among the Commissioners?—Hardly; you could not pass them round quickly enough; the men who do this particular work are not numerous enough; you cannot get the men from the Board's Office for six Commissionerships; you have great estates with income of over a lakh of rupees, so that you have to keep your best men here.

18619. You say Commissioners have the powers, yet they have to send the budgets up to you?—Naturally they must in any case send the budgets up to the Board for information, otherwise the Board would be in the dark; and when the Budgets come to the Board they have to be examined because they cannot be relied upon.

18620. Is there much use in decentralization when you do not rely on the lower authority?—I quite agree, and I hope in the course of years their establishments may be reliable; then it would be of some help.

18621. Is not the best method of reliable decentralization to strengthen the establishments?—That is what I am trying to do, but I have not yet a sufficient number of properly trained men to strengthen Commissioners' offices to the extent that is necessary.

18622. Conferences of Commissioners are attended by the Secretaries to Government, by the members of the Board, and by the Heads of Departments, and they deal with matters affecting the administration of the province generally; they are presided over by the senior member of the Board of Revenue?—Yes.

18623. Would it not be better if the conferences should be presided over by the Lieutenant-Governor in person?—We thought not, the reason being that it is better for the Lieutenant-Governor to be outside and to be able to focus the discussions that go on and pass an opinion upon them, rather than that he should be present and take part in the debates.

18624. On the other hand, the Lieutenant-Governor misses a valuable opportunity of hearing opinions interchanged?—Those are all down on the notes.

18625. Is it the same thing to have the decisions recorded on paper and to hear various officers debating questions?—Not quite—not always.

18626. Are there divisional conferences of the same character?—Yes.

18627. The Commissioner has held regular conferences of his own for the last three or four years?—Yes.

18628. Who attends them besides the Collectors?—Only the Collectors, as far as my knowledge goes.

18629. Not the officers of other departments in the division?—The inspector of schools would attend on certain matters.

18630. Then, acting on the same principle, does the Commissioner abstain from presiding over the divisional conference?—No.

18631. Should he not preside over the divisional conference?—No, I do not think so.

18632. In Eastern Bengal we were told, generally speaking, that the Sub-Divisional Officer had practically nothing to do but magisterial work, and that his revenue functions were of the slightest; you have told us just now that he does a great deal of revenue work?—I did not say a great deal; I said there are various items of revenue work; it depends on the sub-division itself as to whether there is much revenue work to be done, or not; in some sub-divisions the Sub-Divisional Officer might have heavy Government estate work; in others he might have none; and so on with other subjects.

18633. Does he take the original criminal cases coming up in his sub-division?—Yes, or he transfers them.

18634. But as regards revenue work he has no territorial jurisdiction; he has only the work that the Collector chooses to delegate to him?—Yes.

18635. Is that a good system?—The Collector and the Commissioner too see that he gets sufficient work delegated to him.

18636. As a consequence of that you have a number of Deputy Collectors at headquarters all dealing with particular subjects, one dealing with excise and income-tax work, another dealing with certificate work, another dealing with collections, and so forth?—Yes; but certificate work is deputed to the sub-divisions.

18637. At the same time, you have a whole lot of Deputy Collectors at headquarters?—But then you must consider the size of the sadar sub-division; it is very much larger than any other sub-division in the district.

18638. The Madras and Bombay system is that the district is split up into sub-divisions, and the Sub-Divisional Officer takes practically all the local revenue work; there is, of course, a Deputy Collector at the headquarters treasury, but there is no aggregation of Deputy Collectors. Would not a Civilian be likely to get better training in that way than under your system?—The best training a Civilian can get is to be in charge of a sub-division in his early years.

18639. A Madras Civilian is in charge of a sub-division and exercises all the powers of a Collector. A Bengal Sub-Divisional Officer may possibly have been a Sub-Divisional Officer for years and done hardly any revenue work?—I think that is rather an exaggeration; he is not all his time in one sub-division, and therefore he gets a variety of work in some sub-divisions there may be next to no revenue work to do, no matter what the Collector may wish to depute; in others there may be a good deal to do.

18640. Take income-tax work; it is quite possible that he may never do any income-tax work if the Collector chooses to do all his work at headquarters?—That is so, but the Commissioner should see that that is not done.

18641. Is not income tax essentially a matter that ought to be done locally?—Yes, therefore you have the assessors.

18642. Can a Sub-Divisional Officer dispose of an appeal from a Second or Third Class Magistrate?—I think he can be specially empowered.

18643. In Eastern Bengal the District Magistrate usually takes appeals; is that a good system?—I would rather have the appeal heard by a Sub-Divisional Officer.

18644. From the point of view of the people, does not your system oblige the people often to go to district headquarters to get their business done?—Yes, because we have not a sufficient staff; if we had a sufficient staff it would be different.

18645. We were told that the average size of a sub-division in Bengal is 1,170 square miles; you would nearly double the existing sub-divisions?—Yes.

18646. That would involve a large expense?—No doubt.

18647. In other provinces the bulk of the magisterial work is done by tahsildars of corresponding pay and status with your Sub-Deputy Collectors here. Are you in favour of having a similar system of delegation in Bengal?—It would be a much better system to have a number of sub-divisions than to do that, but something is better than nothing.

18648. Then the practical doubling of the number of sub-divisions is what you would like, but in default of that you would be quite prepared to accept some system analogous to that in other provinces, by which powers might be given as far as possible to Sub-Deputy Collectors?—Yes.

18649. You want to have a separate officer for the headquarters sub-division; do you want a Joint-Magistrate besides?—I think it is very probable you would.

18650. For what sort of work?—For general district work and for important cases.

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18651. That is to say, a sort of additional Collector?—Something like that to help the Collector, so as to give the Collector more time to go about touring himself.

18652. Have other provinces with much larger districts these additional Collectors?—I believe they have in Madras.

18653. There are only one or two as a temporary experiment. Has not the Bengal Government already submitted some proposals for a considerable increase of the district staff and is contemplating others?—It has already had sanction for a large increase in its Provincial Executive Establishment; that was some two years ago, and I am not sure whether it is not thinking of asking for more men with regard to other projects.

18654. Before embarking on schemes involving much expenditure, would it not be desirable to study the systems of administration in other provinces?—It would be very helpful.

18655. Do you share the opinion that has been expressed that one of the most serious difficulties and drawbacks of administration in Bengal is that there is no local officer in communication with villages except the police thana officer?—They have forgotten to take into account the fact that more than a third of the whole of Bengal is in direct management: therefore for more than a third of the whole of Bengal you have other agency.

18656. Those are estate tahsildars?—And managers.

18657. What sort of pay do these estate managers get?—The Government estate managers may be Deputy Collectors.

18658. Are the majority of Government estates in Orissa?—There are large estates in Orissa, but in almost every division you have a number of Government estates of considerable size.

18659. Are they all under Deputy Collectors?—There is a Deputy Collector in charge of each.

18660. Through whom you have a link with the people?—If you choose to use it.

18661. Is he generally so used in your opinion?—As far as I have seen he is certainly used.

18662. Still, in two-thirds of the province you have not got that link? You think that that is unsatisfactory?—Certainly.

18663. Your Sub-Deputy Collectors at present are on a provincial list; they are appointed by the Local Government?—Yes.

18664. Could you not break them up into divisional lists and leave the Commissioner the power of appointing them as well as posting them?—I cannot see the necessity for it.

18665. Might it not avoid transfers and correspondence?—I cannot see the necessity of having six different series of Sub-Deputy Collectors; you have six divisions and you would have six different series of Sub-Deputy Collectors; I would recruit them for the general work all over the province.

18666. And therefore they are constantly transferred from one division to another?—Sub-Deputies are not constantly transferred from one division to another by the Commissioners; they may be transferred from one district to another.

18667. You told us that you saw no object in splitting up the Public Works budget and dividing a portion of it between divisions; at present have all the allotments for provincial work to be made at headquarters?—I believe so.

18668. Assuming that to be so, is it not likely that there is a considerable rush and that the divisions may not all get their fair share?—That would be so in any case.

18669. Would it not therefore be of advantage to give a Commissioner a certain sum for his division?—No complaints have come before me showing the necessity for that. It has not been discussed.

18670. Would you give the Commissioner power to invest officers with magisterial powers, subject to the conditions of fitness laid down by the Local Government?—Without consultation with the judge I do not think I would. In consultation with the Judge it might be considered; I should not like to commit myself definitely.

18671. Would you give Commissioners the powers of Government under the Land Acquisition Act—of course within certain pecuniary limits?—I think the procedure might be simplified.

18672. In the case of small areas of small value not included in growing towns might the Commissioner notify the acquisition?—Certainly.

18673. Might the Commissioner's powers in connection with District Boards and municipalities be increased; it has been suggested, for instance, that all such powers of outside control as are necessary over these local bodies, except of course the actual creation or suspension of them, should be given to the Commissioner instead of to the Local Governments except possibly in the case of certain large towns?—You mean that certain powers now possessed by the Local Government should be delegated to Commissioners; certainly.

18674. It has been suggested, on the other hand, that the non-official members might feel aggrieved if they were appointed by the Commissioner; is there anything in that?—There is something in it, but it might be lived down.

18675. Could it be obviated by giving Commissioners a sort of formula such as "I have been authorised by the Lieutenant-Governor to appoint you member of such and such a municipality"?—It might be tried; I would not say that it would meet the difficulty.

18676. Has the Commissioner sufficient say in the allocation of Public Works funds?—So far as my memory goes the budget goes through the Commissioner.

18677. As Commissioner or Collector did you ever have any difficulty in that respect?—No.

18678. Are you satisfied with your control over the forest officer?—Yes.

18679. Have you any idea as to the proper distribution of education work as between the Government and local bodies? Would you make over primary schools to the management of local bodies?—They are now under the management of local bodies.

18680. Is that a satisfactory allocation?—So far as funds permit.

18681. Then about middle schools and secondary schools?—I should not like to entrust them to the District Boards. The Government high school should be maintained by Government as a model for the rest of the district.

18682. Suppose it were proposed to start a new Government high school, or to aid some mission or other high school that had not been aided before; would the Commissioner or Collector be consulted?—Speaking from memory, I do not think he would be.

18683. Supposing that to be so, ought he to be consulted?—I am not sure whether the Collector—the District Officer—is not asked, but I do not think the Commissioner is. The District Officer certainly should be asked.

18684. Should the Commissioner have some say in the preparation of the educational budget as to what is needed for his division?—He might be shown the educational budget and asked whether he has any remarks to offer in regard to it. I remember that reports were sent to me when I was in charge of the Chota Nagpur Division by the Education Officer for any comments that I might like to make with regard to education as a whole before they were published.

18685. Was that with regard to his inspection of particular schools?—No, as far as I remember, it was with regard to the year's work.

18686. But were you consulted in the matter of future expenditure?—I do not remember. I would send him the budget for any remarks, but I would not keep the budget back until I got his remarks.

18687. You would put him on the same footing as he is now in the matter of the Public Works Budget?—Yes.

18688. Do Collectors tour sufficiently in Bengal?—As a rule, the Collectors tour as much as they can.

18689. The minimum prescribed is three months?—Ninety days.

18690. In Assam it is four months?—You must take into consideration the amount of their correspondence and other calls upon them, the correspondence

in Bengal is just double what it is in the North-West Provinces, and they have got about 48 districts to our 36, I think.

18691. If the pressure of work would allow it, should Collectors travel more than they do?—Certainly; I always travel myself more than that, and I try to impress it on other officers; I believe thoroughly in touring.

18692. What would you consider a reasonable minimum limit to impose?—One hundred and forty days. Say four or five months—not as matters now stand, but assuming that you provide the Collector with a staff which will enable him to get through the work; it would be absolutely impossible for him to do that now.

18693. Does the Sub-Divisional Officer have to tour?—Yes. His minimum, I think, is 90 days, too.

18694. Could he do more touring?—No, because he has so much magisterial work to do.

18695. Cannot he dispose of his magisterial work when he is touring?—No; the people if they want to employ a *mukhtear* have to pay him a great deal more to go out to camp than they would if the case was tried at headquarters. The people object, because they know probably that a complaint which has not the whole truth in it is likely to be broken down if tried locally.

18696. Would it be desirable to over-rule objections of that sort?—There would be very strong objections to-day to that, with regard to Sub-Divisional Officers dragging the unfortunate complainants and defendants out into camp.

18697. Would you be in favour of giving specially selected village panchayats the power of disposing of petty civil and criminal cases locally?—That would not always be safe because there is too much village faction; there are individuals here and there to whom you could depute power, but you cannot say that generally it could be done.

18698. Does your statement about factions apply to the whole province?—The parts of the province to which it would not apply are parts of the province—for instance, Chota Nagpur—where you cannot get a literate man to carry out the work.

18699. Not Orissa?—I have not served there. I am speaking of Bengal, Chota Nagpur and Bihar; that is more than three-fourths of the province.

18700. Could you group the villages so that the faction of one should neutralise the factions of another?—Then they would not know the village conditions themselves. The essence of giving powers to the headman is that he knows everybody in the village; you would loose your local knowledge by the grouping together of villages.

18701. You group for chaukidari and police purposes?—But you have the individual chaukidar who knows about every bad character in the village.

18702. But you have the chaukidari panchayat which has to perform certain functions?—It has to get in reports from the chaukidars of the different villages.

18703. Would it be possible to have a similar grouping for the disposal of petty cases?—You mean to have a panchayat of headmen of these villages to settle disputed cases?

18704. Headmen or other people from the panchayat?—I should be afraid of it. I do not think it would work.

18705. Would you be against the suggestion that has also been made to us that the villagers should be allowed allotments from which to carry out their sanitary work, drinking-water tanks, and village roads, and even schools, getting certain subsidies from the District or Local Board?—I would not be against that; it does not imperil the liberty of the subject in any way.

18706. Would not the faction you speak of tend to destroy the utility of control in respect of a well or a school, just as much as in respect of the disposal of a case?—No; it is not their interest to destroy a well, because they thereby destroy the water for themselves; nor is it their interest to destroy a school, because they would make it less useful for their children.

18707. Then you think they could work together?—I think it is possible; I do not say that they could, but it is possible.

18708. Would you be in favour of trying the experiment?—Yes, in some cases in carefully selected villages.

18709. Your Local Boards in Bengal do little work?—Very little.

18710. Would you be in favour of giving them larger powers?—It is under discussion and, as far as I know, we are of that opinion.

18711. In Madras, for instance, the Sub-Divisional Boards, corresponding to your Local Boards, get half the land cess and certain other receipts; but in Bengal the Local Board only gets what the District Board chooses to dole out to it; would you be in favour of putting the Local Boards more on the Madras footing?—Yes, anything that would give them a certain knowledge of the income they would have to deal with, provided you alter the present system of election.

18712. Assuming that to be done, would you like to give the Local Board the functions which the District Board now has in regard to education, medical relief and sanitation?—I would give them a more assured position than they now possess.

18713. At present they only deal with petty roads and ferries and so on; in Madras they deal with primary education, sanitation and medical relief.—I quite agree that if the Local Boards are to be a success they must have more powers.

18714. And the people will then be more likely to take an interest in them?—That is so.

18715. Would you be in favour of trying to diminish transfers in some parts by making acting appointments depend more upon character than upon seniority. For instance, if a Collector goes upon leave and you have a Civilian in the district who is not next for promotion by any means, but who has had some years' service and is quite fit to run a district for a time, would you put him in?—Such a Civilian would be the Joint-Magistrate; there are very few Joint-Magistrates in any of our districts.

18716. In the matter of grading, the Joint-Magistrate corresponds to the lowest grade of Assistant Collectors in other provinces?—I cannot say that; they draw Rs. 900 and Rs. 700; there are two grades of Joint-Magistrates.

18717. Let us say that the man who was next for promotion according to seniority was in the first grade of Joint-Magistrates, and you had a second grade officer in the district?—Unfortunately we have not got it; if we had Joint-Magistrates the work would be better done and the transfers less frequent.

18718. Speaking generally, is it not desirable to reduce transfers by giving acting appointments as far as possible locally?—On the assumption that you have an efficient officer locally, yes, and it is so done with regard to Commissioners.

18719. Disregarding the fact that there is also an efficient officer senior to him some districts off?—An efficient officer on the spot should be appointed in the case of short leave—a three months' vacancy.

18720. I will assume that you have got more men; might you not extend your proposal of local selection to six months instead of three?—Possibly you might.

18721. Should larger powers be given to Commissioners and Collectors in the case of remissions and suspensions of revenue in Government estates?—They can suspend within the revenue year.

18722. Only within the revenue year; might not Commissioners have larger power than that?—It comes up so very seldom in Bengal; it is important in other provinces where they have not the permanent settlement.

18723. You said just now that one-third of the province was made up of Government estates?—What the raiyat pays to Government in Government estates is not looked upon as revenue, but as rent; the Government is in the position of landlord. I was talking of revenue in the strict sense of the word.

18724. In the case of Government estates you are in the position of zamindars?—Government is the landlord, as the people are its tenants; they do not pay revenue, they pay rent.

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18725. Have they occupancy rights?—Yes, just in the same way as on private estates; over the great bulk of the province they are regulated by the Bengal Tenancy Act; in Chota Nagpur they have a special Act.

18726. Who deals with suspensions and remissions of rent?—The Commissioners deal with remissions of rent in Government estates.

18727. Do you suspend very often when you do not remit?—Yes; he goes up to the Board for the year afterwards, but they occur so seldom.

18728. Generally speaking, you do not think that Collectors and Commissioners need more powers in that particular matter?—It would not lessen the work; I am perfectly willing to delegate powers where necessary, but I do not see the necessity for this; the present system does not hamper them, because the need for their carrying out those matters occurs so very seldom.

18729. Is the principle under which decentralization should be conducted merely that of lessening work?—And making it more efficient; there is no necessity to delegate a power which is used probably once in five or ten years.

18730. Is not the principle rather that when there can be no objection to an officer having power, there is no reason for not giving it to him?—But you have not sufficient instances before you to show that there is no objection.

18731. Suppose a Joint-Magistrate is passed over for a Collectorship, would you debar him from an appeal?—I would put him then to serve in another division and see what the officer there said of him.

18732. Suppose the Lieutenant-Governor came to the conclusion that X was unfit to be a Collector, would you allow X to have an appeal to the Government of India?—No.

18733. In a Lieutenant-Governor's province is that not rather a dangerous power to be in the hands of one man?—I would not bar the man from promotion for ever. I would let him go to another division, and then if the Commissioner there reported that he was unfit I would retire him on a proportionate pension.

18734. His fate after one or more trials is to lie absolutely in the hands of the Lieutenant-Governor?—Supported by the advice of two Commissioners.

18735. You would have a sort of Committee?—No; the Lieutenant-Governor depends on the advice of his Commissioners in the first instance.

18736. Therefore if two Commissioners have said that X is not fit, that should be accepted; suppose one Commissioner says that he is fit and the other says he is not?—Then I would give him another chance.

18737. Take a man who is passed over for a Commissionership and feels, wrightly or wrongly, that he has a very real grievance; are you going to allow him to appeal?—No.

18738. The appointment of members of the Board is now technically in the hands of the Government of India; that is to say, it requires their sanction. Do you see any necessity for that?—I think it will be better for the procedure to remain as it is now.

18739. In the railway case you mention of the Bengal and North-Western Railway, that it is not a railway under direct Government management?—No.

18740. Do you say that in a railway matter the Commissioner's opinions should at once prevail if he says that a bridge or some expensive work, say, wire-fencing, is necessary?—I do not say that it should at once prevail, but I should like to see the procedure altered so that frequent references to the Government of India would not be required.

18741. As long as railways are an imperial matter there must be references to the Government of India?—I am afraid so, but there is the fact that in railway matters a great deal of harm is done to the people by the present procedure.

18742. (*Sir Steyning Edgerley.*) I should like to call your attention to Act I of 1903, that is, an Act by which in the second schedule a large number of delegations were made to the Government of Bengal; would that be an illustration of specific legislation for the purpose of delegation?—You mean specific legislation for specific subjects; yes.

18743. That Bill was introduced and specific permission to publish given on the 20th February 1903 (I am quoting from the Legislative Department proceedings); it was not referred to a Select Committee; it was finally passed on the 6th March 1903. Do you see any advantages in that procedure over a general Act of delegation with notification?—These were all things which were non-contentious; no one would for a moment think of disputing them; as far as I remember they were simply the substitution for an old defunct procedure of a modern one; that is to say, where you had "the Governor-General in Council" you put in "the Lieutenant-Governor." At the time it was imposed there was no such thing as the Lieutenant-Governor; the administration had improved since then, and no one had the slightest objection to the Lieutenant-Governor being substituted for the Governor-General in Council in these matters.

18744. Is the procedure that was followed in that case in any way better than the procedure would be under a general delegation Act such as I have suggested?—You could utilise this procedure just as effectively with regard to non-contentious matters.

18745. Would that not be much more trouble?—Yes, in so far as you could not do it except probably in the cold weather and the rains.

18746. Does this procedure, as followed in this case, give any advantage over the procedure that you suggest?—No.

18747. The public have just the same notice under your procedure?—Yes, just the same.

18748. Rather more?—I do not know about more, because this Bill has to be published.

18749. It was published and passed within fourteen days?—But they would not do that always; they knew that these things were non-contentious; this would not be a general instance.

18750. Can you always know *a priori* that things are non-contentious?—You can have a very good idea whether they are likely to be contentious or not.

18751. The Salaries Committee reported that the custom of introducing the words "subject to the previous sanction of the Government of India" into Acts was of comparatively modern origin; do you agree with that view?—Yes.

18752. Would it not be generally sufficient to legislate in the sense that action should be "subject to the control of the Government of India" in order to enable the Government of India to maintain effective supervision?—In some cases, yes; I would not adopt it universally.

18753. It has been suggested?—Yes, in some instances, not for general use.

18754. Could anything be done in the way of delegation in the sphere of executive administration, by devolving the powers and saying that instances of the exercise of the powers should be reported in periodical returns for the purpose of information and control?—In some instances it might be useful.

18755. Could that be made general use of?—No. Possibly there would be some instances in which it would be waste of time to do it; it might be considered on each delegation.

18756. You say that the functions of Inspectors-General should be those of "inspection and suggestion." What do you mean by the word "inspection"?—For instance, take agriculture; where you have got an experimental farm, it would be for the Inspector-General to inspect the farm, to see whether the work was being carried on upon proper lines.

18757. Should they be able to come into the provinces and make tours of regular inspection?—Yes.

18758. If they do that, should they inform the Local Government beforehand of their intention to come?—Certainly.

18759. And after they have inspected it, to whom should they report?—To the Government of India, sending a copy to the Local Government for information, unless of course there were confidential matters that they did not want to send.

18760. You suggest that the Inspector-General of Education, say, could come into a province, make an extended tour, examine everything, and report direct

to the Government of India?—Sending a copy to the Local Government. He is not under the orders of the Local Government; I mean that he should inform the Local Government beforehand that he was coming; I do not see why he should not; he is not giving any orders; he does not over-ride the Local Government in any way; he simply comes to see whether education is being carried on on proper lines, and if he does not consider that it is, to point out to the Supreme Government in what way it is not being properly done. He would send a copy to the Local Government, so that they might be forewarned of what he was saying; there might be some confidential things that he wanted to send to the Government of India first, and those he would not send copies of.

18761. You think he should be able to come in and obtain information and take it away and discuss it confidentially with the Government of India, about matters for which the Local Government is primarily responsible?—No orders are passed. My idea is that no orders changing the system should be passed until his views have been put before the Local Government and discussed by them.

18762. It was suggested to us in Burma that there is apt to be a very great deal of correspondence (and your suggestions would possibly promote it) by Local Governments having to be continually combating unsuitable suggestions made by officers who have not sufficient local knowledge to make their advice of real value?—Of course officers do sometimes make suggestions which are useless, because of want of local knowledge; I do not think that the system of reporting direct to the Government of India would add to such work.

18763. You say the Inspector-General exercises very important powers?—Apparently so, because they have the powers of advertising.

18764. You do not mean that they exercise any actual powers?—I do not mean that.

18765. I suppose you have seen schemes coming back from the Government of India for further opinion. We have been told elsewhere that there is a tendency to the growth of detailed criticism?—It all depends on the officer who at the time is at the Head of the particular Department.

18766. Do you think the Government of India chiefly reproduce their Inspector-General's advice?—No, I do not mean the Inspector-General, but the Head of the Department, who may be the Secretary, or may be the Member-in-Charge; very much depends upon him; some go into detail, others do not.

18767. Have you noticed in your tours any tendency on the part of your own provincial officers to look up to these Inspectors-Generals as Heads of their Departments?—I have not noticed any tendency of that kind.

18768. As between the Government of Bengal and the Government of India, might there be a system whereby the Government of Bengal should decide various matters which contravene the financial rules, such as the regulations in the Account Code and so on, and send up the instances of the exercise of their powers to the Government of India in periodical returns?—I think it would be useful with regard to departures from the Civil Service Regulations.

18769. Not as regards other matters also?—I cannot think of any other matters.

18770. Take the Forest Code or the Public Works Code?—Deviations from those are very infrequent; the deviations would occur chiefly with regard to the Civil Service Regulations.

18771. Are there not a good many references about the Public Works Code—desiring to get exceptions?—Yes, they may be numerous.

18772. Would you wait till you saw the burden was great before taking advantage of the system?—I would not initiate any change unless it was for the better.

18773. And you would require rather a severe experience in order to convince you that it was better?—I would not say a severe experience.

18774. You do not think that up to the present you have seen sufficient reason for a change?—Yes, as to the Civil Service Regulations I have. It might apply to others.

18775. Who pays for the Court of Wards' establishments?—The estates.

18776. What is the general charge for management?—Ten per cent. generally; in some cases more, in some cases less; on the average 10 per cent.

18777. Ten per cent. on the gross income?—On the yearly income—not on the arrears, but on the yearly annual demand.

18778. Would it tend to prevent transfers if you had a certain number of general-duty Collectors in order to meet leave and special duty?—That means a reserve staff, which we have not got at present. If you had a reserve staff, that would do; it is tant-amount to what I want, that is, a larger staff.

18779. It would stop a good deal of the transfers of Joint-Magistrates?—Yes; I would not say off-hand that it should be adopted, but it is worth considering; it means a reserve staff which we have not got.

18780. In the course of your tours have you heard any sort of complaint that the recent police reorganisation has injured the prestige of the District Magistrate?—No.

18781. One suggestion we have had in different places is that it would be a great relief to the Collector if he were relieved of the charge of the treasury, and the treasury were really worked directly by the Accountant-Général; do you think the relief would be great?—No, because all the Collector has to do is to count the treasury and the stamps, once in two months I think it is. I cannot see how it would relieve him except that he might be allowed to depute the examination of stamps and so on to some other senior officer. All the other treasury work is done by the Treasury Officer.

18782. You do not think there is much in it?—I do not think so.

18783. Have you any rule in this Presidency that when an officer is transferred from one linguistic division to another he must pass in the new language within a limit of time?—No, because he has to pass in two languages, one of which two languages is current in some portion of every division, for instance, Hindi and Bengali.

18784. He has to pass in two languages before he is regarded as a fully qualified Assistant?—That is so. I do not say that the two languages are current all over the province, but they are current in some portion, except in Orissa; but Uriya is a variation of Bengali, and once knowing Bengali you can learn it fairly easily.

18785. Have you had complaints about inadequacy of the staff from Engineers, Civil Surgeons or Education Officers?—I certainly have large complaints about education that there is not a sufficient staff.

18786. Is the medical staff adequate?—No, it is not what might be done; it is a question of funds.

18787. And the police?—Certainly not; it will take years to increase the police up to their proper strength; you cannot introduce things all at once; that is gradually going on.

18788. Do you approve the system of the appointment of the superior staff in the Forest and Public Works Departments by the Government of India; do they not appoint Conservators of Forests and Superintending Engineers?—Yes.

18789. Is that desirable or would a local *cadre* be better?—The local *cadre* is too small.

18790. In these outside departments, have you heard any complaint that the rates of travelling allowances are inadequate to enable the officers to travel?—Generally speaking, no; but in some few places they are; for instance, in the hills travelling is very expensive.

18791. And there are special concessions made?—Probably in some cases these are not enough, unless you say that a man has never to take his wife out with him; the wife's existence is alway ignored by Government. You cannot expect a man never to travel without his wife, and if he takes his wife out on tour it becomes a serious expense to him.

18792. You are the Chairman of the Port Trust?—Yes.

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18793. Have you seen the memorandum of evidence that they have put before the Commission?—Yes.

18794. Do you personally agree with that?—Yes, it was discussed at a meeting of the Commissioners.

18795. For instance, as to the inclusion of a recommendation in favour of the transfer of the Pilot Service to the Port Commissioners?—I think there is something in it.

18796. (*Chairman.*) Is a considerable amount of time spent between the arrival of a question, say, before the Board of Revenue and its final settlement?—Sometimes; one always tries to get a question settled as quickly as possible.

18797. You said as regards conferences of Commissioners, that projects could be quite easily put off for a few months?—Not ordinary projects, but big projects which would involve the whole province and which could not be decided in a short time. Probably, if you started correspondence now between each division you would not get the results arrived at in those particular areas before the time came for the conference.

18798. You told us the delegation could be put off—that in the course of years it might be possible to have a greater amount of delegation; may I take it that time is no object in the Secretariat of Bengal in regard to the Court of Wards for instance?—I am trying to improve it; it is a question of time to raise the officers up to their proper standard; that must require time. As soon as they are efficient the work will be lessened and my office will be decreased to a certain extent; I cannot decrease my office now; the moment I have worked them up to the proper standard they will have the full powers and I shall not check these budgets.

18799. I am not to take it from your evidence that time is of no consequence?—No, I am sorry if I conveyed that impression; I did not mean to do so at all.

(*The witness withdrew.*)

The Hon'ble Mr. WILLIAM CHARLES MACPHERSON, C.S.I., was called and examined.

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18800. (*Chairman.*) You are a member of the Board of Revenue in Bengal and have more particularly to deal with Customs, Excise, Income-tax, Opium, etc.?—Yes.

The financial powers of the Lieutenant-Governor of Bengal are, generally speaking, sufficient, but they may properly be enlarged so as to give the Lieutenant-Governor power to relax rates and a wider discretion under the heads specified in the list recently submitted by the Bengal Government, and specially in the matter of establishments (permanent and temporary), local, personal and travelling allowances, expenditure on residences of officers, and petty charges.

Generally speaking, the administrative powers exercised by the Lieutenant-Governor of Bengal are sufficiently wide. In the statutory control of revenue administration it is the exception for the Government of India to be the ultimate authority in this province. Ordinarily the Local Government, or the Board of Revenue, has final statutory control. In revenue administration less fettered control of survey and settlement work, more power in the alienation of land and land revenue, complete authority with regard to refunds, and more power with regard to appointments, should be conceded. So far, then, as regards delegation of statutory powers exercised by the Government of India in Bengal, there is no great need for a general Act of delegation such as Act V of 1868; and there would be obvious advantages in specific amending legislation, or at least in a full citation of Acts and sections and powers delegated. But a delegating Act, with safeguards, is required to permit of full and reasonable delegation of powers by the Local Government to inferior authorities.

There is no doubt at times a tendency in the departments of the Government of India towards excessive rigidity and uniformity. Much depends on personal idiosyncrasies and experience. In times past the Revenue and Agricultural Department of the Government of India has had insufficient knowledge of conditions in Bengal, and on a supposed analogy of other provinces, has pressed economies in the survey and record writing which, if accepted, would have seriously impaired the accuracy and value of the records. The Home Department is not always sympathetic in handling proposals regarding education.

As a measure of reform it is suggested that a Lieutenant-Governor of a province should not be finally over-ruled, in matters great or small, unless with the concurrence of His Excellency the Viceroy, and in important matters not until after discussion in Council. It is also suggested that orders of the Government of India disallowing a Lieutenant-Governor's proposals should more often take the form of suggestions, or at least be passed after giving opportunity to show further cause or after discussion unofficial or otherwise.

Except occasionally in matters of expenditure, there is not a tendency in the Imperial Secretariat to consider matters too much from a purely departmental standpoint; nor can I remember cases, unless one or two only throughout my service, in which I have thought that the Government of India was unduly dominated by considerations of revenue.

The proper sphere of work for Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments is to inspect and to advise. The instructions issued at the time of the appointment of the Inspector-General of Agriculture, Director-General of Education and Inspector-General of Excise and Salt were very suitable. It would be better to call such officers "Inspectors-General" rather than (as in the case of Education at present) "Director-General." Care should be taken not to dictate to, or overrule, a Local Government on the strength of advice given by an Inspector-General, until the Local Government has been fully heard.

The initiative in administrative reforms relating to the land in this province, excepting the Department of Agriculture, has come chiefly or entirely from the Provincial Government and its officers. So also with regard to municipal and local self-government. In reforms carried out under the head of police, criminal and civil justice, excise, emigration, sanitation, education and agriculture, the initiative has been divided. The Commissions, which have done so much to clear the ground for, and introduce, reforms, have been appointed, as is believed, to deal with defects pointed out and proposals made for the most part by the various Local Governments. Proposals for reforms submitted by the Bengal Government have often been improved by the Government of India; but remedial measures have also been seriously delayed by discussions between the two Governments. As instances of such delays may be cited the discussions which preceded the reorganization of the police, the discussions of the pending Bengal Local Government and Municipal Bills, the Calcutta Improvement Trust and the proposals for increasing the *cadre* of Deputy Magistrates and Deputy Collectors.

The right of appeal now granted in this province in respect to administrative action is not excessive, nor are such appeals numerous. I should be opposed to laying down that no such appeal should be admitted unless accompanied by a certificate from the Local Government that reasonable grounds of appeal exist. I would not curtail the right of appeal now granted to officers of Government against orders affecting them personally.

I am generally in favour of an extension of the powers of the Board of Revenue, Commissioners of divisions and District Officers in matters relating to revenue, general administration and Court of Wards. This subject has received much attention in Bengal in recent years.

The influence of the Bengal Government is not in the direction of excessive rigidity or uniformity, nor is the ordinary tendency of the Provincial Secretariat to regard matters too much from a purely departmental standard. The Bengal Government has never before been in so close touch as at present with its officers and with those leaders of the people who have a right to be consulted. This result has been obtained

by constant unofficial communications and conferences on all subjects of administration. Such unofficial communications and conferences should be continued and extended. I can remember no cases in which the action of the Provincial Government has been too much dominated by considerations of revenue.

The influence of the Commissioner of a division in Bengal is as strong as he likes to make it in all matters, unless in regard to Public Works and railway administration.

Executive Officers in Bengal do not come sufficiently into personal contact with the people, chiefly because they are too much taken up with desk work, also because they do not stay long enough in their charges. Relief can be given by increasing and improving the staff and establishment, and by the reduction of correspondence.

Executive Officers in Bengal frequently do not possess as much knowledge of the vernaculars as is desirable. They have to master two distinct languages, viz., Hindustani and Bengali, and if they serve in Orissa they must master three languages. In addition the province has many local languages and dialects. Greater conversational fluency and greater readiness in reading at least one language should ordinarily be required. But it would be possible to require too much in this matter. All persons have not the gift of tongues ; and it may be remembered that Sir Ashley Eden, who was among the best of District Officers and administrators, is stated to have been a " poor linguist." Intercourse with the people is prescribed, but is not sufficiently required.

I have never served in a district which had a staff at all adequate for the work. The district staff should be strengthened. With regard to areas and charges, the first requirements are that the Patna Division and the Midnapur district should be divided, and that Sub-Divisional Officers should be appointed for headquarters sub-divisions.

The care taken in selection of Commissioners, Heads of Departments and officers of higher rank is ordinarily sufficient. Selection of District Officers would be more careful if it were practicable to require compulsory retirement of weak or otherwise inefficient officers.

Transfers of officers both of the Indian Civil Service and of the Provincial Executive Service are too frequent. Increase of the *cadre*, specialization of departments, allocation of officers to districts for fixed periods, and some regulation of leave would mitigate the evil.

I am not in favour of establishing Advisory or Administrative Councils for districts or divisions, with responsible functions. The District Officer has his district Board and Municipal Commissioners to deal with the business committed to it ; and he frequently consults them collectively or individually on matters not immediately within their cognizance. District Officers and Commissioners of divisions frequently consult, formally and informally, the Associations and non official leaders of the communities. There is no need to lay down hard-and-fast rules in the matter ; but neglect to take such advice, when it should be sought, should always be pointed out.

It is desirable to give respected residents of villages greater powers in the disposal of local affairs. This matter is being carefully considered in Bengal. The organization of such local authority itself requires a special staff.

18801. Are the financial powers of the Lieutenant-Governor sufficient ?—I think so. In matters of establishments the Lieutenant-Governor's powers might well be increased.

18802. You say that the necessity of reference to the Government of India often prevents questions being brought forward. What kind of subjects have you in your mind ?—The position of the Bengal Secretariat was very aptly described in a letter of the Government of India which referred to the question of the grant of special pensions. The Government of India said that in so many years they had only referred 25 cases of applications for special pension to the Secretariat. No doubt, there would have been more frequent grants of special pensions if the matter had been in their own hands. In the case of a Local Government it is too often a question, " How will the Government of India look at this question ; will it go through ? "

18803. Might that not possibly be a reasonable check upon the desire of the Local Government to give an excellent officer something more than he is entitled to ?—No doubt there is much to be said in favour of the check, but improvements and progress are also impeded.

18804. The Board of Revenue acts in many ways as a sort of consultative body to the Lieutenant-Governor in this province ?—Yes, not only as a consultative body, but they are a judicial tribunal with large powers. They are defined in the Regulation as the Lieutenant-Governor's confidential advisers.

18805. If their consultative position was more definitely recognised, could the administrative powers exercised by the Lieutenant-Governor be extended ; it might be that the responsibility which is too heavy for one man might be increased, if there were three men, for instance ?—I am not aware that in matters of real importance the Lieutenant-Governor has in fact smaller powers than the Governors in Bombay and Madras who have their Councils to help them.

18806. You do not think that the responsibility is too great for one man ?—I do not.

18807. You say that there is some tendency in the departments of the Government of India towards rigidity and uniformity, and that they have not sufficient knowledge of the conditions in Bengal and so on ; would not one way of getting over that want of knowledge be to demand statistics and information ?—The way to get over it is to leave more control as to details in the hands of the local authorities. For instance, officers with great experience in settlement in other provinces wished to apply their experience to the conditions connected with Bengal settlement work, but in Bengal it was considered that the analogy was not complete, and the economies that were suggested were earnestly deprecated.

18808. Have you noticed any tendency on the part of the Government of India to increase their knowledge by periodical demands for information ?—I should say that the tendeney was checked in Lord Curzon's time.

18809. Has it sprung up at all since then ?—No.

18810. Do you in this Government make too many demands on the time of local officers ?—I think it is our constant effort to control any tendency in that direction.

18811. Notwithstanding your efforts, might your demands be still further curtailed ?—I think so ; since conferences of Heads of Departments and Commissioners were instituted four years ago, very useful work has been done with regard to delegating powers and cutting down reports, returns, and correspondence.

18812. We have been told that a great deal of information is demanded by the Board of Revenue in the way of periodical returns ; has any systematic attempt been made by the Board of Revenue to go through the returns required from local officers ?—It was done very thoroughly in the years 1902-03. From time to time since in particular departments the reports have been overhauled and considered in isolated cases, not in the mass.

18813. Are there still outstanding returns which might be dispensed with ?—I think it is quite possible that some pruning might be done. I was, perhaps, wrong in saying that the work had not been looked at in the mass, because we had a Committee sitting a year or two ago which enquired into the whole work of the District Officers. The fact is that pruning and examination of the returns and reports is constantly going on under the examination of the superior inspecting officers, whether it be the Board or the Commissioners of divisions. I suppose hardly a month passes without their considering some return or report. The improvement of the form and matter of the report is discussed, and suggestions are made in the way of reduction.

18814. Without any corresponding subsequent attempt in another direction ?—I hope not. I should say that a great deal has been done apart from Lord Curzon's orders in that direction.

18815. Do you agree with the evidence of the previous witness with regard to the work of Directors and Inspectors-General ?—Generally I agree with Mr. Slacke's evidence.

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18816. Is there anything which you would wish to say in addition?—No, my experience with regard to the help and advice given by Inspectors and Directors-General is altogether favourable, and I would not wish to be without such assistance.

18817. With regard to one particular item of their work, Mr. Slacke stated that a Director-General would consider whether work was being carried out on proper lines; supposing in the opinion of the Director-General the work was not being carried out on proper lines, would you agree that he should report to the Governor of India to that effect?—He is bound to report to the Governor of India.

18818. What is the action in the case, say, of the management of a farm—is the Government of India to interfere with the discretion of the Local Government in such a matter?—I am not sure that it is part of the province of the Government of India to go into the details of the management of a farm: they would advice, and in some cases it is very hard to distinguish between details and principle.

18819. Suppose the Government of India were to write and say "Our Inspector-General says such and such a farm is not well managed" and the Local Government wrote back and said "We disagree, it is well managed," would the correspondence cease there?—I think so in the case of an experimental station. But I can hardly conceive that the Local Government would not adopt the advice of the greatest expert in India with regard to the management of a farm.

18820. Are you in agreement with Mr. Slacke that curtailment of the right of appeal would be a doubtful proceeding?—I see no necessity for it; so far as regards statutory appeal, there is very little to the Goverment of India.

18821. With regard to questions of revenue and so forth, are you in agreement with him that any curtailment of appeals would be unwise?—There is very little that goes to the Government of India in the way of appeal in revenue matters. I have never seen any harm come from the existence of such powers of appeal as there are.

18822. Do you also agree that transfers of officers are too frequent?—Yes, certainly.

18823. And that the knowledge of the vernacular is too limited?—Yes, it is too limited.

18824. And that the time during which an officer ought to be kept in a district should be at least three years?—I think that is very desirable.

18825. Would you put any limit, ordinarily, on the stay of an officer in a district?—I would not put an absolute limit. I have known an officer stay for 12 years in a district and do much good there, but five years is about as reasonable a period as can be fixed.

18826. Would that apply not only to Collectors but Commissioners?—I would apply it to officers generally.

18827. Do you also think that the staff of officers is insufficient?—I have never served in a district in Bengal which has had a staff at all adequate for the work.

18828. Should any increase be in the higher or in the lower Services?—In both—in both the Imperial and the Provincial Services.

18829. Do you wish to see an increase in the number of Joint-Magistrates?—Yes.

18830. In what rank of the lower Services should the increase be?—There should be an increase of Deputy Collectors.

18831. You are not in favour of Advisory or Administrative Councils?—Not for District Officers at all events.

18832. Or for Divisional Officers?—That is a matter more open to discussion. The District Officer has to act more promptly: he is a Magistrate, and his functions are largely executive, while the Commissioner's functions are more administrative, and he has more time to act. I think the work of a district, so far as it can be made over to a Council, is sufficiently provided for in our Local Self-government and Municipal Acts, that is to say, much work has already been made over to District Boards and municipalities.

18833. Do Commissioners at the present moment consult the residents in their division?—Certainly.

18834. Do District Officers do the same thing?—It would be very exceptional to find that a District Officer had cut himself off from discussion with the people who ought to be consulted in his district with regard to any measure in which he was going to take important action.

18835. Is sufficient care now taken with regard to the selection and promotion of officers in the province generally?—Great care is taken so far as the weakness of the staff permits in making selection of officers, not only for particular appointments, but for particular districts.

18836. Do you agree with your colleague who said that the weakness of the staff necessitated not so much the passing over of an officer not sufficiently qualified, as his promotion to a less troublesome district?—I agree that the result of the paucity of the staff compels you to send a man to a less important district, though you do not refuse him the appointment altogether.

18837. And all the evils consequent upon frequent transfers then follow?—It aggravates the position.

18838. You would like to see something done in the way of giving powers to village communities?—Yes, I think it is the hope of the future. We have not much left in Bengal now in the shape of a village community in the sense of an indigenous institution. I think there must be new development in that way.

18839. What size should such villages or groups of villages be?—It is exceedingly difficult to say, because if you increase the size of a community you lose the local knowledge which is so often useful. Experiments have been made with big unions. In big unions you have more choice of good men, while in favour of little unions it is to be said that you get the men who know about all the local affairs. The general feeling, perhaps, in the province is in favour of 10 chaukidari beats, representing, perhaps, about 5,000 people for a union.

18840. With a community of that size might you make an experiment in the way of self-government in regard to local matters?—I should be prepared to make experiments on a much smaller scale than that if there were the funds and the means of organization.

18141. With what size village would you make a beginning?—In a district like Hooghly where the people are advanced you might find in a village of 500 or 1,000 some intelligent persons who would be quite competent to look after the sanitation and perform minor magisterial duties, while on the other hand in Chota Nagpur and Bihar you might not find them in a village of 5,000.

18842. Are you prepared to see an attempt made to revive village autonomy within the limits you suggest?—I would prefer to say "develop village administration" rather than "revive village autonomy"; it is doubtful whether we ever had autonomy in villages over a great part of Bengal.

18843. (*Sir Steyning Edgerley.*) With regard to the general Act of delegation, do you say that there is no great need for an Act as between the Government of Bengal and the Government of India?—Not in revenue matters; there are not many statutory powers of the Government of India in revenue matters, or so many as to require a delegating Act as between the Government of India and the Goverment of Bengal.

18844. Supposing such an Act applied to all departments, would it then be useful?—Such an Act would be useful if you mean generally as between the Government and its officers. The Government of Bengal and the Board of Revenue have almost plenary powers under Statute in regard to revenue matters.

18845. Then you limit your remarks to revenue matters?—Yes.

18846. But there are a great many matters outside revenue, in which you think such an Act would be useful as regards the whole sphere of administration of Local Governments generally?—I think it probably would be useful.

18847. Could it be sufficiently safeguarded in the way Mr. Slacke suggested?—I understand that Mr. Slacke said that he would allow the Government of India to decide after hearing public opinion—that was his solution.

18848. An invitation by notification of objections and the sanction of the Government of India to the proposed delegation after consideration of the objections if unimportant, and if there was a large amount of objection, then recourse to special legislation. Would that be a reasonable solution?—I think so.

18849. And would an Act, similarly safeguarded, *mutatis mutandis*, between the Government of Bengal and its subordinates, be useful?—I think so with reference to the statutory powers existing. I do not say that this is the best way of delegation, because I think the best way is to provide for delegation in the Act dealing with the subject. There are, however, so many Acts under which officers exercise powers that without a general delegating Act there might be almost interminable discussion in the Legislative Council as to what powers should be delegated to Executive Officers; I think in any new Acts we ought to provide who should delegate and to whom.

18850. As regards Inspectors-General, if they report to the Government of India and the Government of India takes action, are you not coming very close to direct administration by the Government of India on the advice of the Inspector-General?—That would be so if the Local Government had not full opportunity of replying to anything the Inspector-General had to say in the way of criticism and advice, or if the Government of India interfered over much in details.

18851. When the Inspector-General tours and forms conclusions as regards any matter in connection with the administration of provincial Governments, what is your objection to allowing him simply to report to the Local Government?—That would be very desirable indeed. My experience is that Inspectors and Directors-General have taken the Local Government fully into their confidence as to what they are going to say to the Government of India in respect to the faults they have found, and where they would advise amendment.

18852. But why should the Inspector-General report at all to the Government of India in a matter for which the Local Government is responsible; why not leave the Local Government to deal with the Government of India?—It is very desirable that the Local Government should be informed; but one reason for the existence of Inspectors-General is to keep the Government of India also informed, and without their experts they might fall behind.

18853. Do you mean that it is to increase the efficiency of the control of the Government of India?—Certainly, and also their knowledge.

18854. Would you agree that the first function of these expert advisers is to increase everybody's knowledge?—Certainly.

18855. And if they improve the knowledge of the Local Government with regard to the technical factors of any problem, might not the Local Government usefully be left to deal with the whole problem?—Yes, often that would be the desirable solution.

18856. If an officer goes for a few weeks to a province and only reports to the Government of India, he might make mistakes; and if the Government of India took action the result would be a long correspondence, the object being merely to convince the Government of India that he had misunderstood local factors of the problem?—Yes.

18857. Would not all that be saved if the officer might report to the Local Government?—I think the Local Government would be quite content if he reported to them without his being fettered in any way as to giving full information to the Government of India. There is, of course, a risk of misunderstanding.

18858. Otherwise, apart from that risk, are these officers useful?—Most useful; I have had experience of the visits of the Inspector-General of Education and the Director-General of Agriculture, and other officers.

18859. Have you noticed any tendency on the part of local officers to look to Inspectors-General as the Heads of their Departments?—They are bound to look to the Director-General of Education, for instance, as the Head of a Department. They must treat his recommendations with proper respect.

18860. Of course they would treat the opinion of any expert with respect, especially that of a person with such wide experience, but evidence has been given that the Sanitary Commissioner of a Local Government had written past his Government to the Sanitary Commissioner to the Government of India with regard to matters of pay and prospects which had nothing to do with expert advice as to sanitation—what would you say with regard to that?—That might have been injudicious.

18861. Similarly, I believe, there has been an instance in the United Provinces with reference to the Director-General of Agriculture; have you seen any tendency of that kind in Bengal?—I have not seen any such tendency.

18862. Should it be repressed if it exists?—I think it should be repressed if the local officer in any way gives the Local Government the go-by.

18863. You are considerably impressed by the inadequacy of the staff, both Indian and European?—Very much so.

18864. As to the European staff, would you say that that is dangerously weak, politically?—I find it difficult to answer that question. We have always governed India with a comparatively small staff.

18865. Would you say, looking to the result arising from the inadequacy of the staff, that, in a great measure, the staff is dangerously weak?—I think one might go so far as to say that great inefficiency might cause such discontent as to give a handle to political agitation.

18866. Is the power of a District Officer suffering owing to the tendency of modern administration to specialise?—If you refer to influence in his district, it is not what it was 20 or 30 years ago, but I do not mean to say that it is undesirable or an evil that his power should have waned.

18867. Is that an evil?—I have not noticed any evil results. Much depends upon the personal character of the officer—a strong District Officer has still great power for good or evil in his district.

18868. Is the European element in other Services too weak, taking, for instances, the Civil Surgeon and the Educational Officer and so on?—Those Services generally are not strong enough; I am not prepared to say that there should be a greater percentage of Europeans either in the Medical or the Public Works Department, but they are numerically weak Services.

18869. Could that weakness be remedied sufficiently by recruitment in this country?—I could not say with regard to those two Services; they are both numerically weak.

18870. (*Mr. Meyer.*) In Eastern Bengal the Deputy Collectors, who used to deal with excise in conjunction with other duties, are about to be replaced by a regular excise staff of superintendents: is that so in Bengal also?—We are now formulating our proposals, and there is much divergence of opinion in Bengal as to whether a close Service should be formed for excise administration, or whether we should continue to do the work by recruiting from the general line.

18871. The objection to that was that the men were constantly changing?—And that the Excise Service gets the bad bargains.

18872. Assuming that the excise superintendents are constituted, it is not intended to diminish the control of the Collector over general excise administration?—By no means.

18873. It has been laid down by the recent Excise Committee that the excise superintendent or the chief excise officer of the district should stand very much in relation to the Collector as the District Superintendent now does?—Yes, no one in Bengal wishes to diminish the responsibility and duties and powers of the Collector in the matter of excise.

18874. In matters of excise administration does the Collector come direct under the Excise Commissioner?—Yes.

18875. But it is laid down that the Divisional Commissioner shall be consulted on all questions of policy which affect the well-being of the people generally?—It is emphatically laid down in the orders of the Bengal Government that there is to be no change of policy, or important discussion upon any excise question on which the Commissioner of the division should not be consulted.

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18876. Does that give the Divisional Commissioner sufficient control with regard to excise matters?—It does.

18877. With regard to the Government of India and the Secretary of State having to be addressed as to allowances for overtime and attendance, and so on, would the need for reference disappear with a larger margin to the Local Governments in regard to powers of sanction?—That is so.

18878. In the Board of Revenue, is the necessity for one member consulting his colleagues, when it comes to possibly over-ruling a Commissioner on an appeal, laid down by Statutes or by departmental order?—It is laid down by Statute. There is a distinction between an exercise of the Board's statutory and executive powers. In exercising its statutory powers on appeal one member of the Board must not over-rule the Commissioner, and must not pass a final order without the concurrence of his colleague.

18879. But in the exercise of his administrative functions he may?—He may and he does.

18880. What you call statutory functions are mainly appeals under the Revenue Law of the province?—Exactly.

18881. But you could over-rule a Commissioner in a matter of excise policy, and so forth without consultation?—Yes.

18882. And in matters which are regulated by separate Acts do you over-rule a Commissioner on your own single responsibility?—A Commissioner has been over-ruled by a single member on applications made under certain Acts; but my practice is to consult my colleague before over-ruling.

18883. But you need not do it?—There is occasionally some doubt about the matter.

18884. As a matter of fact, has a Commissioner never been over-ruled unless the two members of the Board agreed?—It is very rare for a Commissioner to be over-ruled in the matter of an application under an Act on the strength of one member's decision only.

18885. To take a question such as the dismissal of a head-clerk; if the man appeals to the Board would a single member over-rule a Commissioner and reinstate him?—That is permissible; but in practice the members often consult one another.

18886. Do you agree with Mr. Slacke that the system of noting, as between the members of the Board and the Government, introduced by Sir Andrew Fraser, has proved successful?—Generally speaking, it has been very advantageous.

18887. Do you also agree with him that it must inevitably tend to merge the Board's offices in the Secretariat?—Yes, to a large extent, but not entirely; because the Board in many cases is the final tribunal, and the Board must have under existing conditions a separate status from that of the Local Government. It is as much a separate tribunal as the High Court is.

18888. But that would not affect its clerks working along with the Government office clerks?—No.

18889. Is it not inevitable, under this system, that the Board need not have a separate clerical establishment, but that there might still be a Board's Secretary?—To a very large extent. The proposal that the Board's Secretary should be made a Deputy Secretary to Government was not allowed; it was held that the functions were to a large extent separate.

18890. With regard to a general delegation Act, you heard Mr. Slacke's distinction as to ordinary administrative matters and matters which affect the liberty of the subject, and that he was against any general Act giving a general power to the Local Government or anybody else; he wanted a delegation Act with specific schedules or sections showing what powers might be delegated. Do you follow him in that distinction?—I think it would be very hard to draw the line. Nearly all administrative action touches the liberty of the subject in one way or another.

18891. It is a little like detail and principle?—Yes.

18892. But still, if you could draw a distinction, would you make one, or would you stick to the general proposition that a delegation Act is better?—I am not sure that the distinction is quite sound.

18893. Do you agree with Mr. Slacke that Commissioners should not have separate Public Works budgets, but that the provincial Government should have charge of the budget and that it should be distributed amongst the Commissioners?—I have never seen any need for the change.

18894. Do you agree with him that there is no necessity to break up the Service of Sub-Deputy Collectors and give the Commissioners powers to appoint Sub-Deputies?—We have practically come to the appointment of Sub-Deputies by Commissioners, because they are appointed on the nomination of Commissioners by the Local Government.

18895. That being so, might you not go a step further and recognise the position and leave appointments to Commissioners?—I think the Service is too important.

18896. In practice are Commissioners' nominations nearly always accepted?—Some Commissioners' nominations are accepted.

18897. Do you mean that sometimes the recommendation of Comissioner A. is accepted, but not the recommendation of Commissioner B.?—Yes.

18898. Do you agree that Commissioners should have the power of posting Deputy Collectors and junior Civilians below the rank of Collectors within their divisions?—The time may have come for allowing Commissioners to post Deputy Collectors and junior Civilians as they post Sub-Deputy Collectors, but the question is one of staff. When the staff was very inadequate, the Chief Secretary had to make the best he could of it, and the power could not be delegated, but with the strengthening of the staff it might be possible to make the work over to Commissioners.

18899. And if so would it be desirable?—Yes.

18900. Do you agree that subject to the concurrence of the District Judge, the Commissioner might be entrusted with the investment of officials with magisterial powers?—I do.

18901. And that he might take the place of the Local Government in land acquisition matters?—That is a more difficult proposal, because the taking of a very petty piece of land for a local authority, or for a public purpose, might raise a question of principle just as much as the taking of a large area. I should prefer to examine the question carefully. Some right of appeal would have to be given if any authority short of government sanctioned an acquisition.

18902. Do you agree that the Commissioner should take over, speaking generally, such outside control as has to be exercised over District Boards and municipalities?—Yes; the last word should ordinarily rest with the Commissioner.

18903. From the Government point of view, would you think the Commissioner alone would be sufficient?—I think it is reasonable that a public body should have the right of having a matter put before the Government.

18904. Would you leave the ordinary action of the Commissioner with a power of appeal from him to the Local Government?—That is how the Act leaves it; in many cases the Commissioner has power of control against which no doubt District Boards and municipalities could appeal, and they do appeal.

18905. You say that the influence of the Commissioner is as strong as he likes to make it in all matters; and you have said that you do not see the object of giving a Commissioner power with regard to Public Works—how do you propose to strengthen his influence?—I did not understand that I was asked to advise as to the Commissioner taking a larger part in Public Works administration, but as to whether it would be advisable or not that the Commissioner should have a separate budget for his division. It is desirable that the Commissioner should see the Public Works budgets of his Superintending Engineers.

18906. Mr. Slacke said he did see them?—A Commissioner can see anything he likes, but it would be unofficial; it is not an official rule that the Superintending Engineer shall submit his budget to the the Commissioner of the division.

18907. Should it be made an official obligation on the Superintending Engineer to submit the budget?—Yes, I should like to see that laid down.

18908. Do you accept Public Works and railways from your general statement that the Commissioner's

influence is as strong as he likes to make it?—I am thinking of a case where the Commissioner of Patna and all his District Officers were unable to make any headway in their protest against the administration of a local railway and particularly in regard to a matter of drainage in which they thought the public interests were suffering.

18909. Do you agree with Mr. Slacke's answers to my questions regarding district organization?—Yes, but I should like to add that often the Sub-Divisional Officer performs very useful revenue functions, such, for instance, as the giving of agricultural loans, the management of Government estates, the recovery of public demands, and so on.

18910. Mr. Slacke said that, subject to certain work being done at Government headquarters, he was in favour of a greater amount of territorial jurisdiction in the way of revenue matters and that there should be more Sub-Divisional Officers employed in revenue work; is that your view also?—There is disadvantage, as well as advantage, in concentration of work. If you have revenue work concentrated at headquarters in the hands of an officer who thoroughly understands it, it may be that the public gains by the work being more efficiently done; if you distributed it to sub-divisions you would undoubtedly have to increase the staff largely, and you would prevent that specialization of magisterial and revenue work which is going on and which is likely to come about more and more.

18911. On the other hand, you would save travelling for long distances?—I attach great importance to that in the case of certain parts of the province where there are numerous peasant proprietors; the peasant proprietors in Behar would undoubtedly see considerable advantage in a decentralization of work whereby they would be able to register their titles and pay their revenue at the sub-divisions.

18912. We were told with regard to the collection of land revenue that the zamindar preferred to pay his revenue at headquarters where he had his agents; would that apply in the case of small proprietors?—It would not apply to small proprietors.

18913. And you have a good many of them in Bihar?—Yes, we have scores and thousands of them.

18914. There is also an advantage in having your officers scattered more about the district where they would be in touch with local conditions?—That would be a great advantage.

18915. Might not those advantages outweigh the efficiency which you get by specialization at headquarters?—I think they would, but it would all cost a great deal of money, and a large increase of staff and new buildings.

18916. Apart from the cost, would you approve of it?—Yes.

18917. Might you not diminish the cost very largely by utilising your tahsildars and converting your Sub-Deputy Collectors into local officers with a circle jurisdiction within each sub-division?—Of course we should fully utilise the Sub-Deputy Collectors.

18918. At the present time your Sub-Deputy Collectors are all either at the district headquarters or sub-divisional headquarters?—Yes, but they do a great deal of touring besides.

18919. Might not an increase of establishment be largely met from the Sub-Deputy class?—Not largely; they would not count largely against the additional cost, but they would, of course, be utilised.

18920. Do you also agree that it would be very desirable to reduce the Collector's work so as to enable him to tour from four to five months in the year?—Most desirable, but many Collectors do tour from four to five months in Bengal.

18921. But you must have a minimum limit, which would enable you to deal with the people who do not like touring?—Yes.

18922. I understood from Mr. Slacke that, if the circumstances allowed it, he would like the three months raised to four or four and a half months; would you be in favour of that?—In a large district that is not an unreasonable period for a Collector to spend away from his headquarters.

18923. And that the touring period of Sub-Divisional Officers should be similarly increased?—Yes; there is no objection to raising the number of days of tour if the Sub-Divisional Magistrate could get help at his headquarters to get through his cases.

18924. Do you not think it would be as well to encourage Sub-Divisional Magistrates to try cases *in situ*?—They try many of their cases in camp, and some *in situ*.

18925. But they try a good many at headquarters. If they toured more might not they deal with more cases locally?—Yes, certainly: it is always an advantage to try a case on the spot.

18926. As to village panchayats, you and Mr. Slacke are somewhat at variance. Mr. Slacke said he would not entrust powers to single villages with regard to petty civil and criminal cases because of the existence of factions; do you agree with that?—It all depends on the men you can get.

18927. Could you get men you could trust as single panchayats?—We have many Honorary Magistrates who sit singly, and dispose of a large amount of work in the province.

18928. I am speaking more of petty cases which might be given preferably to a panchayat?—There is an enormous amount of work to be done in that direction, but it means organisation; it means having officers to go about and make themselves thoroughly acquainted with the people of a locality, and find out who are the proper people to exercise those functions there.

18929. Is the existence of factions likely to prejudice that generally?—That must count in many villages.

18930. Therefore, from your point of view, would it be a question of fact whether in each particular village the factions were such as to make it desirable to give local autonomy to that village or not?—Factions need not seriously interfere with giving powers to local residents as to sanitation and as to certain police matters.

18931. I was speaking rather with regard to the disposal of petty civil and criminal matters?—That might be more difficult.

18932. Speaking generally, if you could get a village fairly free from faction, would it be better to give powers to the panchayat of that village alone, or to a group of villages?—I believe in dealing with small areas rather than large ones.

18933. And the smaller the better, for those purposes?—I think so.

18934. You approve of the existence of Inspectors-General, and you admit that the control of the Government of India is necessary in matters of general policy?—Yes; I agree that their control is necessary.

18935. And that Inspectors-General are the means of bringing to the notice of the Government of India such questions as they think the Government of India should be apprised of?—Yes.

18936. Do Inspectors-General, as a matter of fact, interfere in details; would one, for instance, come and say to you, "You have not enough cows in this particular dairy"?—Yes, certainly, where anything was wrong.

18937. That, however, would not be a matter in which the Government of India were primarily concerned?—Surely not.

18938. On the other hand, if he found that the farms all over the province were being run on a wasteful system, it would be his duty to bring it to the notice of the Government of India?—Yes.

18939. Therefore, might he not confine himself, in regard to details, to bringing the matters to the notice of the Local Government?—It depends on how much the Government of India want to know.

18940. Might it not possibly be a satisfactory solution that he should send a detailed report to the Local Government, mentioning anything in the matter of detail which he thought might be remedied, and that the Local Government should report such matters as they thought the Government of India might want to know about generally?—He should tell us all he has to say; what the Government of India want to know is for them to determine.

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18941. Would you be satisfied if the Government of India told him not to trouble about details but to discuss them with the Government of Bengal?—That would be common sense.

18942. You have mentioned various matters which had been delayed owing to discussion between the Government of Bengal and the Government of India, but is it not useful that there should be delay sometimes in legislation?—Yes, very useful.

18943. Some three years ago did not the Government of Bengal send up a new Excise Bill to the Government of India?—I think we first sent up proposals for amendment of the Bengal Excise Act more than ten years ago.

18944. But the Bill was recast by various Lieutenant-Governors, and the present Lieutenant-Governor sent it up in 1904?—Yes.

18945. And the Government of India sent it back with some criticism?—They did, and very much improved it.

18946. Then, finally, the Excise Committee said they considered the Bill a bad one and advised the Bengal Government to go on entirely different lines?—And we have now recast it on the lines suggested by the Excise Committee; but I am not at all sure that it would not have been better to have had an imperfect Act 10 years ago rather than to wait 10 years for a better Act.

18947. Has the rule to which you refer with regard to appeals stopped a good deal of work?—I do not think so; it was not my experience that appeal work was excessive before we revised our rules.

18948. (*Mr. Hitchens.*) Is the principle with regard to provincial administration, that in administrative matters the province has as free a hand as possible?—That is a principle to be generally accepted.

18949. But it has to be qualified in certain ways, and one of those ways is that it is desirable to have uniformity as between one province and another?—Yes.

18950. With regard to travelling allowance, would you say that possibly some uniformity was desirable?—Certainly, on the whole, with exceptions arising out of the fact that travelling is more expensive in some districts than in others.

18951. Is the general principle of travelling allowance that you should reimburse the officer concerned his out-of-pocket expenses for travelling?—It is the first principle of travelling allowance in India that it must not be made a source of gain, but that it must cover all proper expenses of travelling.

18952. Having laid that principle down, do you think that a major province with a Lieutenant-Governor or a province with a Governor-in-Council is incapable, with the advice of all the officers under him, of devising a scheme which would carry that out reasonably?—I think it is well within the capacity of a Local Government to devise such a scheme.

18953. If such a Government is told to prepare a scheme whereby an officer is to be reimbursed his out-of-pocket expenses, would it be able to do it?—Yes.

18954. Therefore is there any necessity for any further uniformity as between one province and another?—I think differences would develop very quickly, but that you might leave each Local Government to decide.

18955. Would it matter much if there were one scale of travelling allowance in Baluchistan and another in Burma, for instance?—Probably it would not matter.

18956. Would it matter if you had one scale in Lower Bengal and another in Eastern Bengal?—I suppose there would always be a tendency to level up; there would be discontent in any province if there was some notable difference as compared with the condition of things just over the border.

18957. Then one of two things in that case must happen; either one Government has made much too low a travelling allowance, or the other too high a one?—Yes.

18958. Would you be in favour of letting each province fix its own allowances subject to a general principle?—Yes.

18959. Would you say the same with regard to a local allowance?—I think that in the case of the higher officers I would leave that with the Government of India.

18960. What is the object of a local allowance?—It is to compensate for living in a particular place, or for particular disadvantages, such as an unhealthy station, or duty, or for specially arduous work.

18961. Which should be the authority to say what the extra expense of living in a particular place is—the Local Government or the Government of India?—Undoubtedly the Local Government has most knowledge of the facts.

18962. Given that you can trust your Local Administration, is it not enough to say that a local allowance should merely cover the extra cost of living, and would they not have the common sense and integrity to carry that out reasonably?—You would have much greater variety quickly developing in the matter of the grant of local allowances.

18963. Supposing all cases of the kind were reported to the Government of India for their information, so that they could see what was going on; and if it was found there was a great divergence they were to call together a small committee to consider the matter; would that not meet the difficulty?—It would meet the difficulty to a large extent.

18964. It would avoid any rigidity which might arise from the tendency which you indicate, to hesitate to appeal in certain matters to the Government of India?—Yes.

18965. On the whole, is that feeling of hesitation a good one or a bad one?—I think it is on the whole good.

18966. One must admit that mistakes are made by every department, and what one wants to get at is the best principal; is it best to select as good a man as you can get for a provincial Government and be prepared to trust his judgment, or is it best to hedge him round with conditions so that he cannot exercise that judgment?—I plead for more power for the Lieutenant-Governor in such matters.

18967. You say that a Commissioner should have more power with regard to Public Works, but what powers would you give him?—I would not give him a separate budget for his division with the last word; he should get from the Superintending Engineer the budget for the division and make on it his remarks and suggestions for the orders of Government.

18968. I understand that you are not in favour of Advisory Councils for District Officers or Commissioners?—I think there is more to be said in favour of Advisory Councils for the Commissioner under the present circumstances than for such Councils for the District Officer.

18969. Is there enough work for these bodies to do, assuming that they do not deal with matters which to-day come before District Boards and the Boards below them?—There is plenty of work, but it is not work which should at present be made over to an Advisory Council; it is much better that one man should do it without being compelled to call an Advisory Council to help him to make up his mind.

18970. Would there be enough work for such a Council meeting, say, once a month, in the division?—Yes, there is work enough.

18971. (*Mr. Dutt*). With regard to what you said as to receiving help from Directors-General, to what did you particularly refer?—In regard to new ideas and the practice prevailing in other provinces which would be brought to the notice of the Director in this province

18972. Has that helped the Bengal Government to shape, say, its educational policy to some extent?—I think so.

18973. Have you received any assistance from any other officer besides the Director-General of Education?—Yes, from the Inspector-General of Agriculture and the Agricultural Chemist; I have had a great deal of assistance from them.

18974. You said that you would like a general Act of delegation with certain safeguards, and you explained that the safeguards would be that when

any power was delegated there should be a Gazette notification of the delegation, and in case of opposition the case should be left to the Government of India to decide—am I correct?—That is one way of safeguarding the exercise of power. It has also been suggested that you might allow the Legislative Council to decide with regard to the delegation of powers.

18975. Would you do it by bringing in an amending Act?—The Legislative Council might be empowered to sit and consider the question of delegation.

18976. Would it be within its province to consider it unless it came before them in the shape of a Bill?—They might be formerly empowered; it could be provided in a delegating Act that the question of delegation should be considered by the Legislative Council sitting in committee.

18977. Would the safeguards which you suggest be any simpler in operation than the bringing in of an amending Act and passing it in the usual way?—There are so many Acts under which statutory powers are exercised that to deal with each subject, Act by Act, would mean an enormous amount of legislation.

18978. Could they not be grouped in a schedule and the whole thing passed in one Act?—I think there is much to be said in favour of a schedule.

18979. Would that not be a simpler way of providing the safeguards which you have suggested?—The simpler way undoubtedly would be the shorter cut, and it might be that a schedule would be a way of achieving the end more satisfactory to the public generally.

18980. So that on the whole you would prefer the latter course?—I should like to hear both proposals discussed.

18981. You said that under present arrangements some portions of the work of the Board of Revenue are likely to merge in the Bengal Secretariat?—I cannot foresee what is going to happen, but the tendency is towards amalgamation.

18982. Would that be a desirable result?—Yes.

18983. The Board of Revenue is to some extent a separate and independent body?—Yes.

18984. Would it be desirable that some portion of the work of that independent body should merge in the Bengal Secretariat?—I do not think it is desirable that important work at present done by the members should in future be done by Secretaries.

18985. That work you would keep separate?—There should be safeguards.

18986. At any rate, if the work of the Board of Revenue, or a portion of it, did disappear, would you suggest that the members of the Board should perform other functions and become colleagues of the Lieutenant-Governor, not only for the purposes of revenue administration but with respect to all kinds of administration?—It is advisable that they should be consulted so far as they have time to spare from their revenue duties, and in fact it is the practice in Bengal to consult them outside their revenue work.

18987. But that is only done occasionally?—It is only done occasionally.

18988. Would you like it to be made a rule that they should be consulted in all important matters?—No, I would not make it a rule.

18989. Or that they should become members of the Lieutenant-Governor's Executive Council?—I would leave that to the discretion of the Lieutenant-Governor.

18990. Is there any portion of the District Officer's work in which the advice of a formally constituted Council would be valuable to him?—Outside the District Board and the municipal authority, I would not say that there is no matter in which an Advisory Council could not give useful advice; an Advisory Council properly constituted could often give valuable advice.

18991. So that to that extent you have no objection to the formation of an Advisory Council?—There might be, and I think there would be, counterbalancing disadvantages in those branches of the work in which the District Officer at present acts without the help of the District Board and Municipal Commissioners.

18992. Would the idea be to leave it to the discretion of the District Officer in matters where prompt action was necessary, but in matters which could wait and in which in the opinion of some of the leading people it was desirable, a meeting might be convened?—I would not bind him to convene an Advisory Council.

18993. And you would not nominate certain people as members of an Advisory Council?—Not at present; that would excite expectation and hopes which could not be fulfilled.

18994. Then would you leave the District Officer to consult people as he does at present?—Yes.

18995. If such a Council were formed would it make district administration a little more popular?—To a certain extent, yes.

18996. But you do not want to undertake it now?—No.

18997. You say that there are certain villages in which it is possible to create some sort of a panchayat and to impose some work upon them at once?—I hope there are many such villages.

18998. That depends on the advancement of the people?—Yes.

18999. In some places you would find it difficult to carry out such a scheme?—Yes.

19000. In places where matters were more advanced would it be advisable to take that work in hand now and to organise village panchayats?—Yes, the Bengal Government is now taking action in that direction.

19001. (*Sir Frederic Lely.*) You speak with approval of the specialisation of departments; you are not one of those persons who think that departmentalism is one of the deteriorating influences of the present day Government?—On the whole, no; I think that departments have at times done harm, but on the whole departmentalism has not been an evil in Bengal.

19002. You would admit that they represent a tendency which should be checked?—It should be very carefully watched.

19003. The one man who is above departments and who is also in actual touch with the condition of things is the Commissioner?—Yes.

19004. And he also is generally a man of greater experience than the Head of a Department. Therefore, would it not be a good thing to give him a certain amount of power to bring everything into line and to exercise control over outside departments?—The Commissioner in Bengal has much power of this kind.

19005. But this power consists only in the shape of being able to give an opinion?—He can bring any defects to the notice of Government. He sees budgets and estimates and annual reports.

19006. I am speaking now of education, excise, and medical work?—He sees them all; all the education budgets go to him from the inspector of schools; there is no important matter with regard to education upon which the Commissioner is not consulted and upon which it is not his duty to express an opinion; he is accustomed to visit schools of all kinds, and to interfere if anything appears to him to be wrong.

19007. Generally, has he any authority other than purely consultative?—He has power to object; he could not at once deal with a defect because he would have to write to the Inspector or Director of Public Instruction with regard to an educational matter; he could not pass orders at once correcting anything that was wrong unless in a case of friction between two departments, and then probably he would at once pass an order putting things right, for instance, between a District Magistrate and an education authority.

19008. Has he power to enforce his views?—No, I would not go so far as to say that.

19009. Has he sufficient power to induce him to take an interest in such matters as excise and education and their general effect on the welfare of the people?—I think so.

19010. (*Chairman.*) You say that he has not power to enforce his views, but would a strong expression of his views to any official concerned result generally in the attitude which he took up being adopted?—It would practically result in action being suspended, and the matter being referred to the Government by the

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Head of the Department or by the Commissioner himself: that is to say, if the Commissioner were in earnest he would take care that that would be done.

19011. (*Sir Frederic Lely.*) You say it would "practically" result—do you mean generally it would result?—Yes, generally.

19012. Are railway administrative matters of the utmost importance in Bengal?—Yes, and the drainage question is of great importance.

19013. Would it be too much to say that drainage is even more important than irrigation in Bengal?—It is quite within the mark to say that.

19014. Supposing it is alleged that a railway has blocked the waterway, and that the country has become waterlogged, and that a village, or more than one village, has been deprived of its supply, what steps would be taken to enquire into and remedy it?—It would first come to the notice of the District Officer, and he would make representations to the local railway official, who might, or might not, be sympathetic and take action; but if no action were taken, then the District Officer would represent the state of things to the Commissioner of the division, who perhaps would write to a higher railway official.

19015. Has the Commissioner no power to order a railway company to take action?—He has no power to give orders to railway authorities; he would probably refer the matter to Government or to the Consulting Engineers, if the Agent or Manager of a railway would not take such action as he considered reasonable.

19016. In such an important matter as that ought not the Commissioner to have power to order an enquiry at once?—I think that the Commissioner of a division ought to have that power.

19017. But, as a matter of fact, he has none?—He would have the power to direct the Public Works Superintending Engineer or the Inspector of Local Works to make enquiries, but he would have no power to direct the railway authorities to take any part in those enquiries. Of course he might order an enquiry independently of the railway authorities, but that would be undesirable. Even if an enquiry is held, the civil officers and the railway authorities might, perhaps, still be at issue, and then the matter would go to the Bengal Government, and finally the Bengal Government would represent the state of things to the Government of India, who would send down one of their Consulting Engineers to the place.

19018. Would all that take place before an enquiry was even set on foot, so far as the railway authorities were concerned, unless they were sympathetic?—Yes.

19019. And meanwhile probably the people would be dying of malaria and their crops would be ruined? Yes.

19020. Has the Railway Board no authority to intervene in a matter like that and summarily dispose of it?—The Railway Board has come into existence since I was a District Officer, and I do not know how far they have power to shorten matters.

19021. Should a District Officer have no connection with Public Works?—Public Works in Bengal means buildings and probably occasionally a provincial road; in Orissa it also means irrigation works.

19022. The Public Works Department, as to works, is in an entirely isolated position?—Not entirely; as Commissioner of Patna I have been in close touch with the Superintending Engineer, and files would go from my office to his and from his office to mine, so that we have been closely in touch with regard to any important matters going on; but the position is perhaps more isolated than it should be.

19023. Your connection with the Public Works officials was possibly more in the way of personal friendship?—To a great extent one gets over any defect in official rules by demi-official correspondence.

19024. What means of travelling has an officer in most of the districts in Bengal, and what means has he of conveying his kit about?—His kit must go in a bullock cart except where it can go by train.

19025. Is there any difficulty in getting carts?—Yes, it is becoming more difficult.

19026. Has it been found that some gentle coercion has to be used sometimes to obtain them?—Yes, I should say a good deal.

19027. Is that felt to be a considerable burden on the people?—Yes, even when they are paid the full and proper rates.

19028. Which is sometimes doubtful?—An officer must give his personal attention to paying for his transport or the people may not be paid.

19029. On the whole, then, a touring officer is not an unmitigated blessing to the people?—He is not.

19030. It is not enough to pass an order that a District Officer must be away from his house so many days in the year, but if he is to be of any advantage to the people, it should be arranged that he should only live in central camps and avoid small villages; are rules of that kind necessary?—The difficulty is not so acute that we need pass orders that a camping officer should only go to central camps; that would be a great discouragement to efficient camping, and I would let an officer go where he thought proper.

19031. If camping is attended with certain evils would it not be better to limit the touring to such time as would bring an officer into contact with every part of his district once a year?—That would be desirable.

19032. All persons have not the gift of tongues, but everyone can learn a language if he takes the trouble? Not always so as to be able to speak intelligibly to the people.

19033. Are some Englishmen as bad as that?—I knew an officer who was a learned scholar and wrote grammars of Indian languages, but who at the end of his service could not converse in such a way that the village people could understand him.

19034. Beyond requiring a man to pass an examination, does Government take any measures whatever to encourage or to urge men to learn the language?—Apart from examinations and apart from degrees of honour, which are examinations, the fact that a man can speak a language fluently and make a speech if necessary in it, would weigh to some extent in the question of appointment to a particular district or division; it would be borne in mind that he was a good linguist.

19035. Would it be so very much out of the ordinary that the fact could not escape notice?—I am afraid it is a little out of the ordinary for a European officer to be able to make a set speech in Bengali or Hindustani in this province.

19036. Ordinarily a man would not fail by acquiring a good knowledge of the language, to get on better with the Government?—I think it is recognised that a man who can speak one or more of the languages of the province is more useful than a man who cannot.

19037. But is it known to Government that he can?—I think so; it should be known to the Chief Secretary.

19038. In the course of 10 years you were employed in eight districts?—Yes, that is about right.

19039. Were any transfers made at your own request?—I do not think I have ever been transferred at my own request.

19040. (*Chairman.*) What is your opinion generally as to the administration of sub-divisions; it has been stated that in order to bring the Government officials more into contact with the people in Bengal the sub-divisions should be made smaller, while other people say it would be better to appoint a subordinate officer to one or more thanas to act as a go-between between the Sub-Divisional Officer and the people; which course would you think most advisable?—I should begin by strengthening the sub-divisional administration. I would have more sub-divisions, and increase the officers at sub-divisions before making smaller circles.

19041. Are the railway difficulties to which you have referred of frequent occurrence?—It is eight years since I left district work, but I can remember the time when all the District Officers in Bihar were dissatisfied with the work of the railway, and when it was necessary for the Government of India to send its Consulting Engineer in order to settle a *modus vivendi* with the railway authorities.

19042. Was that during a period of rapid railway construction?—Yes, railway construction was being pushed forward rapidly at the time.

19043. And that having ceased, have the cases also ceased?—There is still a good deal of misunderstanding between Railway Officers and Civil Officers with regard to the acquisition of land; the Railway Officers take possession before the Civil Officers think that they are legally justified in doing so.

19044. Is it sometimes the case that an officer may receive a reward for acquiring a knowledge of a language, and that then he may be moved to a fresh district at once and never return to the district the language of which he had received a reward for learning?—We have two main languages, and it would be unlikely that an officer, having taken a degree of proficiency in a Bengal district, would be moved to Bihar and remain there for the rest of his service and never return to Bengal. Of course, it might happen that after taking a degree he might be removed to a district where the language in which he had become proficient might not be spoken.

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29 *Jan.*, 1908.

19045. There are a good many outlying districts. Are rewards given for learning the languages in them?—Yes.

(*The witness withdrew.*)

Adjourned.

THIRTY-SIXTH DAY.

CALCUTTA, *Friday*, 31*st January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

KHAN BAHADUR MAULVI SARFARAZ HOSEIN KHAN was called and examined.

19046. (*Chairman.*) You are the Vice-Chairman of the Patna municipality?—Yes.

Khan Bahadur Maulvi Sarfaraz Hosein Khan.

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The tendency of the Imperial Secretariat is to consider matters too much from a purely departmental standpoint, and the Government of India is too impersonal and too much dominated by considerations of revenue.

It is desirable to allow provincial Governments to develop their administrations on their own lines, adopting at their discretion such suggestions of reform brought to their notice from other provinces as may suit the requirements of their own provinces.

I do not advocate any curtailment of the right of appeal, nor is it desirable that the appeals, when preferred, should be accompanied by a certificate from the authority passing the order appealed against. There should be no right of appeal in cases of officers drawing salaries below Rs. 200 per mensem.

Commissioners and Collectors should control to a greater extent than at present the expenditure in their divisions and districts by allowing the Commissioners an allotment by provincial grants by percentage, and by authorizing them to part with a certain percentage of this allotment in favour of the Collectors of the districts subordinate to them.

The influence of the Commissioner is sufficiently strong in matters other than land revenue, and due weight is given to his views in matters connected with the police and the administration of criminal justice, though such is not the case in matters connected with excise, agriculture, and the administration of civil justice.

Executive officers, specially the non-Indian officers, have not sufficient opportunities for personal contact with the people. The existing obstacles are overwork and difference in social customs. To remove these obstacles I should suggest a reduction in the Executive Officer's work and the diffusion of cheap and popular education among the people.

The transfers of officers are unnecessarily frequent. They can be reduced if the Commissioners and the Collectors were given a voice in the matter.

Municipalities should have elected Chairmen, and their present functions might be suitably extended.

I am in favour of the creation of Administrative Councils to assist Divisional and District Officers, the Divisional Councils to consist of District Officers and one representative selected from each district, and the District Councils of Sub-Divisional Officers and one representative from every sub-division. The term of office of the Councillors to be three years. Their responsibilities should be in respect of finances, schemes of sanitation, and matters generally affecting the welfare of the people.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities.

It is desirable to give village communities greater powers in the disposal of local affairs relating to revenue and police, petty criminal cases, and sanitary and educational matters.

19047. Is Patna a very large and important city?—It is rather an old city than a wealthy one. Its population is over 150,000.

19048. You do not advocate any curtailment of the right of appeal, but you suggest that officers drawing less than Rs. 200 per mensem should have no right of appeal; will you tell us what you mean?—I think the Lieutenant-Governor has sufficient experience and a sufficiently high position to be able to have control of officers drawing less than Rs. 200.

19049. Would you give municipal servants any right of appeal beyond the municipality itself?—The responsible officers such as the Secretary should have the existing right of appeal, but the subordinates should only have the right of appeal up to the Chairman of the municipality.

19050. Would the stoppage of appeal at that point create discontent?—I think not.

19051. Have you had any other knowledge of Government beyond that of being Vice-Chairman of the municipality?—No, I have been Vice-Chairman for ten years.

19052. Are the Executive Officers of Government at all difficult of access?—I think so.

19053. Is it equally difficult for the native population to have access to Indian Collectors or Deputy-Collectors?—I have no personal knowledge, but I think it is.

19054. Both on the side of Indians and Europeans is there a desire to have closer intercourse?—Yes. The principal obstacles in the way are social customs.

19055. Are they an insurmountable barrier?—Not insurmountable, but it will be so long as the caste system—the *purdah* system and so on—continues. That is likely to last a long time.

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19056. Is the Chairman of the Patna municipality appointed or elected?—He is appointed. The present practice in Bengal varies.

19057. In a large municipality like Patna might the municipality elect its own Chairman?—Not for the present; given the education of the people the Chairman should be elected, but Patna city is at present not so advanced as to get on without control.

19058. Is the Vice-Chairman elected?—Yes, I was elected.

19059. What are your duties as Vice-Chairman?—To prepare the budget in consultation with the Chairman. Under the Municipal Act all the executive powers are vested in the Chairman, and the Vice-Chairman has no original powers; the Chairman delegates his powers to the Vice-Chairman. The budget is first submitted to the Finance Committee; it is passed, and then it goes to the General Meeting.

19060. How long before the General Meeting do the members of the municipality see the budget?—Copies of the budget are circulated along with the notice for the meeting; it has previously been examined by the Finance Committee; after that it is put up before the General Meeting and finally sanctioned.

19061. Is there much discussion on the budget?—No, because the people are not very advanced; they do not take much interest.

19062. You have other committees?—Yes, a Sanitary Committee, and so on; the Committee work is generally done by the Vice-Chairman. He acts as Chairman of the various sub-committees.

19063. Is that a good system?—Yes; I do not think it is necessary to have different Chairmen for these sub-committees because there is a danger of friction between the different Chairmen.

19064. Where does the income of the municipality come from?—Tax on holdings, animals, vehicles, ferries, pounds, and so on.

19065. Does Government contribute to the municipality?—Only in the case of plague.

19066. In the matter of education?—No. When we ask for a grant the Government nearly always give us it; for instance, on the last occasion there was a deficit of Rs. 22,000 and we asked Government for a contribution, and Rs. 17,000 was granted to us.

19067, Do you raise your own loans?—No; we have borrowed from Government on two or three occasions.

19068. Does that system work well?—Yes.

19069. You say that the functions of the municipalities might be suitably extended; in what direction?—In the financial direction; I think the municipality should have more control over its finances. In primary education the Government asks us to contribute so much. In just the same way the Government asks us to contribute so much to hospitals and so on, on which account we have freedom of action in controlling our finances. With reference to the lighting of streets and so forth, we have, however, a freedom of action.

19070. Does Government lay down that upon lighting and education you must spend so much?—On education, but not on lighting.

19071. Does it leave you free to spend that as you like?—Not on education.

19072. What you want is not only freedom as to detail but as to the whole expenditure?—Yes; in Patna we have to pay Rs. 12,000 towards dispensaries and Rs. 3,000 go to primary education. We had only left some Rs. 20,000 for roads. We could not do anything with Rs. 20,000, and the first duty of the municipality is to have the lighting properly done and the drains properly cleaned.

19073. Did Government order you to spend so much on sanitation?—Upon dispensaries; it did not say anything about sanitation.

19074. Is it within your power to raise a greater amount of revenue?—The municipality has only the power of enhancing taxation, but on account of the condition of the people we cannot do it.

19075. Would it have made you unpopular to raise greater taxes?—Yes.

19076. Did you want to spend less upon education in order that you might spend more on roads?—Roads must be the first consideration.

19077. Who controls the primary schools in Patna?—The District Magistrate.

19078. Has the municipality nothing to do with them?—It makes a grant of Rs. 3,000 to the inspector of schools; that is all. That is spent upon the pay of teachers and scholarships, and so on.

19079. Is there a committee of the municipality which goes round the schools?—No; I go round at times when I have time—very seldom. My chief point is this: the roads, drains, and lighting, and all things connected with local sanitation, should be the first consideration.

19080. You have nothing to do with the middle schools or secondary schools?—No.

19081. With regard to education, is more power wanted by municipalities?—No.

19082. When you say that their functions should be extended, is it in order that you might be able to spend your money as you like?—Yes.

19083. Have you any knowledge of the interior of the district?—Not much. I sometimes go and see the place where I have property, but beyond that I have not much knowledge of the *mufassal*.

19084. You tell us that there might be an Administrative Council to assist the District Officer; have you ever seen the work of a District Officer?—Especially in matters of sanitation I wish that the people should have more voice.

19085. You are speaking not so much of the work of a District Officer as the general principles which you think ought to be applied?—Quite so.

19086. (*Sir Frederic Lely.*) Why do you say that the Commissioner ought to have more authority in matters connected with excise?—Because I do not find him having any voice in the matter. I think he should have a voice.

19087. Are you aware of any particular injury which has been caused to the people, or to the Government, by his not having sufficient voice?—I cannot say that I am.

19088. You say that the municipality should have an elected Chairman; would you give Government any power of approval of the appointment of the Chairman?—Not necessarily.

19089. Do you make that statement with reservations?—Yes. In some cases I think that Government should retain the power of approval.

19090. Should the budget be sent up for the sanction of Government?—I do not think so.

19091. Suppose the municipality wished to undertake some large work costing Rs. 50,000, or a lakh of rupees, should Government exercise any control in that matter or should it be left entirely to the discretion of the municipality?—It greatly depends on the character of the municipality.

19092. I am speaking of the best class of municipalities; are there municipalities which might be trusted with that discretion?—If the people are well advanced. I cannot say that there are any such.

19093. Your municipality of Patna is an average municipality; would you give a municipality like Patna the power to grant pensions?—No.

19094. Would you give them power to levy a new tax without the sanction of Government?—No.

19095. Would you have the members of the municipality entirely elected?—Speaking from my experience of Patna, I would not.

19096. Supposing the municipality neglected its duty or committed any serious default, would you give Government power to intervene and suspend it, or to order it to do its duty?—Yes.

19097. Then, generally, you think that very substantial control should still be exercised by Government even in the better class of municipalities?—At present I have already said that, theoretically, they should be as free as possible.

19098. But with a view to the further education of the people, is any further extension of the powers of the municipality possible now?—Yes.

19099. You do not wish to add to what you have said already?—No. For instance, in the Act it says that the Chairman is to have all the powers unless he

delegates his powers to the Vice-Chairman. When Chairmen are nominated, something should be put in the Act to show that, as a rule, they should delegate the powers; it should not entirely depend on their will.

19100. I understand that the municipality of Patna has incurred two loans; what was their amount?—The first loan was 3 lakhs; then there was another loan of, approximately, Rs. 50,000. We are repaying them in instalments by a sinking fund; it will take some 16 or 18 years to clear the loans off. I do not remember the total term of the loans. I do not think it was such as to hamper us.

19101. (*Mr. Dutt.*) What is the annul income of your municipality?—Rs. 1,50,000. After paying all expenses we have a balance of about Rs. 12,000 left.

19102. Is not Patna the biggest town in Bengal, next to Calcutta, and much above the average municipality in income and population?—Yes.

19103. There is a section in the Act by which a municipality can impose certain taxes with the sanction of the Government. Have you imposed all those taxes in Patna?—No, there have been no additional taxes.

19104. How many members, besides yourself, have you got on the Finance Committee?—I think four; they are all non-officials.

19105. Is the main duty of the Finance Committee to prepare the budget?—Yes, and estimates of the cost of drains, culverts, and so on. When an estimate is made it is put up first before the Finance Committee; then it goes to the General Meeting.

19106. What was the purpose of your loans of 3 lakhs and Rs. 50,000?—They were for the construction and flushing of drains. The scheme is not quite complete.

19107. You say that the district Administrative Council should consist of the Sub-Divisional Officers and of one representative from each sub-division; in that case would it be possible for it to sit and work regularly at the headquarters of the district?—There would be some difficulty.

19108. If you wanted to have a working Council at the headquarters of a district, you would have to modify your proposals so that the members could come once a week or once a month to do the work at headquarters?—That is so.

19109. In Bihar are the chaukidari unions in working order?—I have no personal knowledge; I speak from general knowledge.

19110. (*Mr. Hichens.*) When you send your budget up to the Divisional Commissioner, does he make many alterations in it?—Not many.

19111. Can you think of may instances where he has made alterations which you objected to?—There was one with regard to the appointment of Secretary. That was not an alteration in the budget.

19112. You say that you have got to spend Rs. 3,000 on education; who puts that into the budget?—I put it in as a lump sum. The budget is made by the school authorities, and comes to me through the Magistrate; under the orders of the Government so much per cent. of the municipal revenues must be given to education.

19113. Is that in the Act?—I think not; it is an executive order; every year the school authorities submit the budget to me and I put down that sum.

19114. (*Mr. Meyer.*) What is the procedure as to the appointment of the municipal servants?—The Chairman appoints. Up to Rs. 50 a month the Chairman can himself appoint; beyond that the power is with the Municipal Commissioners as a body.

19115. Does the power of punishment and dismissal rest with the body that appoints?—With regard to appointments and dismissals, within a certain amount the Chairman has the power; beyond that Municipal Commissioners have the power.

19116. If a man on Rs. 30 is to be punished, is the punishment inflicted by the Chairman or by the Council collectively?—The Chairman can suspend all officers.

19117. But the dismissal would rest with the Council?—Yes, up to a limit; I cannot give you the exact amount; I think the Chairman cannot appoint above Rs. 50, and he cannot dismiss above Rs. 20. The limits are not the same.

19118. Is the Chairman of the Patna municipality the Collector?—Yes.

19119. You say it is desirable to allow Commissioners and Collectors to control to a greater extent than at present the expenditures in their divisions and districts by allowing the Commissioners an allotment by provincial grants by percentage. What do you mean by that?—I have no personal knowledge of it, but from my general knowledge the District Officer should have a certain amount allotted to him and have complete freedom with regard to that.

19120. But what do you mean by "percentage"?—I have not gone into the details.

19121. You mean that the Local Government should take the provincial revenue raised in a division and say, "We will take a certain amount of revenue for headquarters, but the rest shall be left to the Collector to deal with"?—Yes.

19122. How do you propose that the Commissioners shall intervene in details of civil justice?—I do not propose it. I simply state the facts.

19123. You say, "Transfers can be reduced if the Divisional Commissioners and Collectors were given a voice in the matter." Do you mean that the Commissioner should transfer Deputy Collectors within his division?—He may transfer, or at least have a voice in the matter.

19124. You have spoken about the pressure put upon your municipality to devote money to education and dispensaries, and so forth; is there any general rule that a municipality must give a percentage of its revenue to these matters, or is it what the Divisional Commissioner thinks appropiate?—I am not quite sure about that; I think there is no general rule. It is under the orders of the Government, not the orders of the Commissioner.

19125. I understand your complaint is that you are made to spend more on dispensaries and schools, and so on, than you think you should do; does that arise from the Commissioner's alterations of your budget? It is not that; under the orders of the Government we have to spend so much on primary education and so much on dispensaries; upon those orders we frame the budget.

19126. Are those general orders in the Municipal Act?—I think they are in the general orders. They apply not merely to Patna but to every municipality in the province.

19127. What power have you with regard to the re-allotment of expenditure from one head to another within the year; can you transfer from one major head to another?—Not without the sanction of the Commissioner.

19128. Can you transfer between sub-heads within one major head?—I think we have to go to the Commissioner even then.

19129. Is it necessary that you should go up for that sanction?—I think so.

19130. Do you pass many bye-laws?—Not many. They go to Government.

19131. Might the Commissioner deal with them finally?—I think so.

19132. Would you be in favour generally of giving powers into the hands of the Commissioner with regard to the normal work of the municipality?—It is a question of details; in some instances I would give the Commissioner power of control.

19133. Have you had much experience of village Communities?—No, I speak from general knowledge.

19134. Would you give greater powers to all village Communities or only to selected village Communities?—Only to selected village Communities.

19135. In your part of the country, are there many small proprietors holding estates, say, that pay an assessment to Government individually of less than Rs. 50?—There are many such.

19136. Do they pay their land revenue at the district headquarters?—Yes.

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19137. Would they prefer if they could settle their payments locally?—They would like it, but the big zamindars would not like it.

19138. (*Sir. Steyning Edgerley.*) Has the Chairman delegated to you all his powers?—All excepting the power of appointment and dismissal, and as to contracts above Rs. 100 ; the chairman keeps the general powers of supervision.

19139. Otherwise, you are practically Chairman, subject to those limitations?—Subject to those limitations ; of course, it depends upon the individual Chairman how much he interferes.

19140. Why should the Commissioner sanction re-appropriations within the budget?—So that he should have full knowledge of matters and that the Municipal Commissioners may not make mistakes.

19141. You do not think they are fit to be trusted to re-appropriate within the budget?—It is not a question of trusting ; they would make mistakes. I am speaking of Patna.

19142. Would they not make fewer mistakes as they learnt?—It is not a very serious question.

(*The witness withdrew.*)

Adjourned.

THIRTY-EIGHTH DAY—(*continued*).

CALCUTTA, *Monday*, *3rd February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, ESQ., M.P., Under-Secretary of State for India, *Chairman.*

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, ESQ., C.I.E.
W. S. MEYER, ESQ., C.I.E.
W. L. HICHENS, ESQ.

BABU AMBICA CHARAN MAZUMDAR was called and examined.

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19143. (*Chairman.*) What is your profession?—I am a pleader and a landholder. I reside at Faridpur. I have been Chairman of the Faridpur municipality for 16 years ; I was a member of the Faridpur District Board for about 17 years ; before that I was Vice-Chairman of the District Road Cess Committee, and I was a member of the Bengal Legislative Council.

No larger powers, relating to either financial or administrative policy, should be given to provincial Governments, particularly to that of Bengal, nor should the control exercised over them by the Supreme Government be either removed or relaxed. The Government of the country is bureaucratic in its character, and so long as the people have little or no voice in the administration, the decentralization of Local Governments, however agreeable it may be for the ease and convenience with which affairs may be carried on in the provinces, can never be good for the people. Decentralization ought to begin from the bottom and not from the top, so as to afford a proper training both for the people as well as the officials and furnish a popular and substantial basis for independent local administrations, and the District Boards and the municipalities ought to form the ground-work in any such scheme. Speaking of the Governments of Bengal and Eastern Bengal and Assam, their financial policy should be subject to the control of the Imperial Government so long as these Governments are not constituted on a popular representative basis. It is hardly possible to effect a complete separation between the imperial and the provincial finances. It may be possible to make over certain sources of revenues with their improvements entirely to Local Governments and to mark out others as wholly imperial. But even in these cases the policy of the Local Governments should be laid down and controlled by the Imperial Government.

It is not desirable to invest Local Governments with power to borrow in the market. Whatever advantage it may secure to them is likely to be lost in the heavier rate of interest.

There should be a pecuniary limit to the power of the provincial Governments in creating new appointments which may not exceed Rs. 100. But all new appointments above that and all enhancement of salaries should be subject to the sanction of the Imperial Government.

The general lines of policy laid down by the Government of India should be applied to local conditions by that Government only, and when so applied the Local Government concerned may be required to see that the policy is properly carried out. The enlargement of the powers of Local Governments in this direction has not been productive of happy results in either Bengal or Eastern Bengal and Assam. If the Governments in Bengal can be made to conform in their constitution to the Government in Bombay a general Act of Delegation, such as Act V. of 1868 in regard to the Commissioner in Sindh, may with advantage be availed of to relieve the Local Government of much of the administrative details now imposed upon it.

I do not understand how the Directors and Inspectors-General recently created under the Government of India are necessary adjuncts to the administration. If they are to exist and become useful the Local Governments ought to be relieved of the departments for which they are created.

I am not aware of a single instance in which any popular measure of reform has been initiated by the Local Government of Bengal. On the contrary, instances are not wanting where retrogade measures have had their origin in that Government. All important administrative reforms have generally emanated from the Government of India.

I am not at all in favour of curtailing the right of appeal either in respect of administrative action or against orders affecting officers of Government personally. It would not be desirable either to limit the number of such appeals or to make them contingent upon certificates granted by officers whose orders may be appealed against. Any curtailment of this right of appeal will take away one of the safeguards and attractions of the Public Service.

The triple authority of the Board of Revenue, the Commissioner and the Collector is unnecessary. In Bombay and Madras there are only two. The office of the Commissioners in Bengal is very much like a post-office, and it may safely be dispensed with, his functions being distributed between the Board and the Collector. The financial and administrative powers of Collectors might be advantageously enlarged by authorising them to sanction temporary settlements up to a rental of Rs. 1,000 instead of Rs. 500 as at present ; to sanction suspension and abatement of land revenue of temporarily settled estates on account of such irremediable circumstances as diluvion, etc. ; to suspend realisation of agricultural and other loans in seasons of drought, scarcity or other extraordinary calamity, and to remit or write off irrecoverable loans up to a certain limit. The Commissioners are primarily Revenue Officers and a good deal of complication has already been introduced by vesting them with some sort of supervision over judicial and other matters. They should be relieved of these burdens.

Collectors should be empowered to transfer from one head to another in their sanctioned budget estimates, and to employ temporary hands on urgent occasions as at the time of the *kists*. I am not in favour of allowing the delegation of powers vested in Local Governments to Commissioners of divisions or other subordinate authorities.

The new Court of Wards Act has already armed the Courts with extraordinary powers, and these powers are distributed between the Collector, the

Commissioner and the Board of Revenue. No estates of any disqualified proprietor other than a minor should be either taken over or retained for management by any Court of Wards until the matter is fully heard and finally decided by the Board of Revenue as a judicial proceeding like resumption and settlement proceedings.

The influence of provincial Governments is distinctly in the direction of excessive rigidity and uniformity. Some circulars go so far as to prescribe hard and fast rules as to the exact number of nibs, nib-holders, pencils, blotting papers, knives, scissors, etc., to be allowed per man; while the returns do not exclude even separate statements for the number of snakes and pigs killed in a year, together with the necessary explanation for their decrease or increase. With the exception of the Accounts Department most of the business should be simplified. Some of the circulars dealing with petty details may be conveniently withdrawn and some of the returns cut down. The District Officers should be given greater time and facilities, and required more to attend to the real improvement of the districts with reference to their local conditions and requirements.

Local Governments in an elaborate system of administration like ours cannot but be impersonal. The tours of Lieutenant-Governors are mostly given to the inspection of offices and the reception of candidates either for appointment or for promotions. They have seldom any opportunity, or probably even any inclination, for mixing with the people or of ascertaining the views of the public. Public opinion is generally discounted and any condescension to non-official views is regarded as a sign of weakness. There is too much of contempt on the one hand and too much distrust on the other. The Local Governments are, of course, too much dominated by considerations of revenue.

The influence of the Commissioner in matters appertaining to departments other than land revenue, if not strong, is sufficiently obstructive. I think he should be completely relieved of all connection with other departments.

Executive Officers seldom avail themselves of the opportunities they possess for coming in contact with the people. They make tours no doubt; but their camping-places are nearly the same every year and are generally the sub-divisional headquarters and the police-stations. They are generally exclusive and are too much surrounded by the police and the officials. European officers do not possess sufficient knowledge of the vernacular and do not care to study the manners and customs of the people. The Sub-Divisional Officers, in their tours, are merely moving Criminal Courts, carrying with them whole retinues of parties to cases, their witnesses and legal advisers, from one quarter to another and generally at enormous expense and inconceivable inconvenience to all but the officers themselves.

The Deputy Magistrates and Deputy Collectors are very hardworked. In some cases, I have known them working even up to 8 P.M. They are sometimes pressed to work also on holidays. Their number ought to be increased.

It is very undesirable that junior officers of a few years' standing should be placed in charge of districts. Both the Collector as well as the District Judge should be officers of at least ten years' experience and training in the service.

No hard-and-fast rule can be laid down for the transfers of Executive Officers. The ordinary rule of three years ought to be quite enough.

The Presidency Municipalities should be made essentially representative and popular institutions. The best intellects in the country, as well as the strongest public opinion, are available in the Presidency towns, and these should be largely availed of where the interest of the people are directly and so largely concerned. The district municipalities, which are practically the only self-governing bodies in the province, have had sufficient trial for more than 22 years, and they should now be freed from their leading strings. Their budgets are too much interfered with by the Commissioners, whose sanction is necessary even for the pettiest expenditure. These restrictions should be removed, and with only such supervision as may be necessary by the Sanitary Board and the Account Department of Government, they should be allowed to work with complete freedom and independence. The number of municipalities should also be increased. There are still many towns and important centres of business where there are no municipalities. The establishment of municipalities is the only effective remedy against the growing insanitation and mortality in the country. In 1886 there were 138 municipalities in Bengal, and the total number of municipalities in 1905 was not more than 161, and it is remarkable that while in 1886 only 26 municipalities had their Chairmen appointed by Government, the number of such municipalities rose to 52 in 1905. The Sanitary Board established by Government exists practically for these municipalities, and considerable advantage may be secured by further developing these institutions. They should also be strengthened like the District Boards by grants from the provincial revenues.

The District Boards should also be non-officialised and given extended powers and freedom of action. It is more than 20 years since District Boards were established in Bengal, and although the law provides for non-official Chairmen being elected for them, not a single Board has yet been allowed to exercise this privilege. Out of a total number of 105 Local Boards in Bengal no less than 53 have been gradually officialised by making Sub-Divisional Officers *ex-officio* members and thereby thrusting them as Chairmen upon these Local Boards. Then the rules, or model rules as they are called, dictated by Government, have made large encroachments upon the policy of the Local Self-Government Act, and made the District Engineer completely independent of the non-official Vice-Chairmen whose position, if not reduced to that of a clerk, has certainly been rendered in many cases quite unattractive. These Boards cannot incur the pettiest expenditure without the sanction of the Commissioner, and they are unable to execute any work, the estimate for which exceeds Rs. 500, without his sanction. The District Boards have gradually sunk to the level of a department of the Collector and the Commissioner. The Road Cess which is the principal source of their revenue is not wholly available to them, more than 20 per cent. being deducted for collection charges over which they have neither any check nor control. District Boards are entitled to a fair share of the Public Works Cess for famine relief, sanitation and other works of public utility. The Local Boards have of late been very much condemned for want of capacity and efficiency; but it seems not to be remembered that very little power and very little resources are given to them for the display of their energies. Their pettiest estimates are subject to the approval by the District Engineer and the sanction of the Local Examiner of Works before any work can be undertaken. Their allotments from the District Board are miserable, and they have absolutely no freedom of action. No wonder that the interest of the people in the election of these Boards should be found to be flagging, and the Government of Bengal frankly admitted in 1904–05 that "this lack of interest is no doubt due in part to the limited powers and resources of the Local Boards." The function of these bodies should be extended, their powers and resources increased, and freedom of action given to them ungrudgingly.

If Advisory Councils could be formed on an elective basis, they would certainly be a substantial step towards the improvement of the administration, and in order to serve their purpose, they should be as widely representative in character as possible. The District Boards, the municipalities, the professions, the landholders and the cultivators of certain status should all have their representatives in the District Councils. As regards the District Boards and the municipalities, it is the non-official members who should form the electorate for the District Councils and the non-official members of these Councils the electorate for the Divisional Councils. At least two-thirds of the members of these Councils should be elected. Famine, agricultural loans, sanitation, departmental education, appointment of panchayats, assessment of chaukidari tax, establishment of stills or liquor-shops, location of police-stations, improvements of agriculture and the destruction of wild animals may be mentioned among the subjects upon which these Councils may prove useful adjuncts to the administration. Their collective deliberations should carry with them certain weight and responsibility. I am, however, strongly opposed to these Councils unless they are formed on elective principles.

Nothing could be more objectionable than to invest District Boards with powers of supervision or control over municipalities of any description. Their treatment

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of the Local Boards is an object-lesson which should never be lost sight of, and to allow these official Boards to extend their influence to municipalities would be to swallow them also.

Village communities in Bengal have practically died out. Attempts should be made to develop the village unions, the statutory provision for which stands almost a dead letter so far as most of the districts are concerned. I would not allow these bodies any power of disposal of petty criminal and civil cases until they are sufficiently strong.

19144. You think that no estate of a person other than a minor should be taken over by the Court of Wards until the matter has been decided by the Board of Revenue as a judicial proceeding. Is there some difference in taking it over without a judicial proceeding?—Yes; these estates are mostly taken over by the Board without giving a full hearing to the parties concerned, and it often leads to much inconvenience and injustice. It is particularly so under the new Act that has been passed by the Bengal Council, which has armed the Court of Wards with immense authority, not only to take over estates, but also to retain estates after the disqualification has ceased.

19145. You mean the disqualification of age or bankruptcy?—Anything. The parties should have a full hearing as in a judicial proceeding as to the taking over of estates.

19146. We have had evidence to the effect that greater freedom should be given to the Collector or the Deputy Collector and the Commissioner in the management of Court of Ward estates; are you in agreement with that?—I am not. I do not think the management of estates by Court of Wards has proved beneficial in many cases.

19147. But if the management of the Court of Wards is to continue, should not the chief officer in the district have greater freedom in dealing with the estate administratively?—No.

19148. Every small expenditure ought still to go up to the Board of Revenue?—Yes.

19149. You tell us that, with the exception of the Accounts Department, most of the business of the Government should be simplified; why do you except the Accounts Department?—Because the accounts have to be strictly scrutinised, and the Accountant-General ought to have a strict hand over the expenditure; the account rules should not be relaxed.

19150. You think they are adequate and should not be dispensed with?—Just so.

19151. What duration of time ought officers to stay in their districts?—Not more than three years; no hard-and-fast rule can be laid down; sometimes it may be necessary to change officers, and sometimes it would be advisable to allow them to continue; it must depend on how the officer manages the district; if he manages it properly it will be to the interests of the district to keep him; if he does not manage properly, the sooner he is relieved the better.

19152. Should he stay longer than three years?—If necessary, say, up to five years. Not longer, because there may be personal likes and dislikes, and so forth.

19153. Have municipalities as full powers as they can usefully employ?—They should have a much greater freedom than they have. The municipalities have shown very good results in the last twenty years, and greater powers and greater freedom should be given to them, as regards their budget, and also in connection with certain matters of improvement. At present everything that they do has to be sanctioned by the Commissioner, and even the Collector is authorised in certain cases to interfere in their work; they ought to be free from this control.

19154. As Chairman of the Faridpur municipality, have you been very much hampered by the action of the Commissioner or the Collector?—Yes, as regards the budget; I have not been very much interfered with by the Collector, but the Commissioner's interference with the budget has been sometimes found an obstacle. Suppose, for instance, a man has to be granted a grain compensation allowance of eight annas a month, or any petty charge of that sort, that must be sanctioned by the Commissioner. The Commissioner interferes too largely with the minor details of the budget.

19155. With regard to the larger heads of the budget, say, the allotment for education or sanitation or roads, should the municipality have a perfectly free hand?—There would be no harm in giving them such freedom.

19156. Does Government make any contribution to the expenses of the municipality of Faridpur?—Not usually, but sometimes when an application is made for a grant, it is given for some special object.

19157. Apart from extraordinary expenditure you have to find the money entirely yourselves?—Yes.

19158. Suppose all Government control over the budget was withdrawn, would the municipality be prepared to accept full responsibility for its actions?—I think so.

19159. Suppose, for instance, the municipality became very extravagant?—There would be sufficient check as to that; there would be the check of the Examiner of Accounts, and that ought to be sufficient: he ought to examine the accounts to prevent defalcation or embezzlement.

19160. But apart from defalcation or embezzlement, suppose there was such extravagance that the municipality became bankrupt; should the Government have no liability in that respect?—In extreme cases they might have.

19161. If the Government is to have no control over borrowing, why should there be any liability on that account?—There is a provision in the law that if a municipality mismanages, its powers may be withdrawn: that is sufficient.

19162. How would the authorities have the knowledge that the municipality was overspending?—There is the annual report and the Sanitary Commissioner who examines their work.

19163. He does not examine the accounts?—Yes, he sometimes sees the accounts so far as sanitary matters are concerned.

19164. But you want to withdraw all the accounts from Government control?—No, I want the inspection of the Sanitary Commissioner; he exists for the municipality; if the Sanitary Commissioner and the Examiner of Local Fund Accounts remain, they can exercise all necessary check on the municipalities.

19165. The examination of accounts now is only to see that such money as the municipality requires is expended?—Not only that; the Examiner is also allowed to take objections to expenditure which is not under the proper heads and so forth; he would be entitled to see to that.

19166. Would you keep the check of the Examiner upon the amount expended?—To the extent of the budget; if the expenditure exceeded the budget he would be entitled to make an objection as he always does.

19167. You would not allow any objection to the amount spent within the budget?—No, and that is not necessary.

19168. Do you desire that there should be a complete separation between the Collector and the District Board?—Not a complete separation at the present moment. The Chairman of the District Board might be a non-official gentleman now, the Collector having some sort of supervision over the District Board just to see that they do not go wrong at the beginning.

19169. How would he obtain that supervision?—The Collector would receive reports from the Chairman of the District Board, and he would scrutinise their work.

19170. What would be the good of his scrutinising their work if he had no check upon them?—Certain powers might be given to him just to direct their work.

19171. Suppose they refused to accept his directions?—But the Legislature can make it compulsory upon them. Even now in the case of the municipalities there is a provision that the Magistrate may interfere in certain actions of the municipality; in the same way the Magistrate might be empowered to interfere in certain respects with the District Boards.

19172. You want to see the Collector taken away from the Chairmanship of the Board, but to retain his full control over it?—Not his full control over it, but sufficient supervision over it—of course, some control also with it.

19173. Control when he thought they were going wrong?—Quite so.

19174. Does he exercise much more than that now?—Yes, he practically rules the District Board now.

19175. Does not the Vice-Chairman of the District Board prepare the budget?—Yes, but he is merely a clerk, if he is a non-official.

19176. Is he paid for it?—No.

19177. Will a man become merely a clerk without pay?—Certainly; if he had some responsible powers given to him it would be different.

19178. You desire us to think that at the present moment a non-official, unpaid, who acts as a Vice-Chairman, and who in many cases has large powers delegated to him by the Chairman, is a mere clerk?—I doubt if there are many cases where a non-official Vice-Chairman has large powers delegated to him; it is only in cases where the Vice-Chairman happens to be an official that the Chairman delegates his powers. In the case of a non-official Vice-Chairman there is seldom any such delegation by the Chairman. The Act provides bye-laws and rules to be framed by the Board itself, but the Government has chosen to frame a set of rules called model rules which have practically superseded the Act itself.

19179. We are talking about the Vice-Chairman; do you mean to say that the powers which have been delegated to him by the Chairman are not real ones but only sham ones?—Certainly, that is what I say.

19180. So that when a Vice-Chairman tells us that he prepares the budget, he does not prepare it really—he is only acting as a clerk?—I should think so.

19181. (*Sir Steyning Edgerley.*) You think that the Local Boards ought to have more powers and more resources. What powers might be added?—They ought to be given freedom of action with regard to their works; all their works are now subject to the previous sanction of the District Engineer.

19182. You do not mean a larger sphere of action, but more power within the sphere of action which they already have?—Yes.

19183. And more money for the same objects?—Yes.

19184. You do not approve of any delegation at all from the Government of India to the Local Government at present?—I do not.

19185. You say "If the Government of Bengal can be made to conform in their constitution to the Government in Bombay, a general act of delegation, such as Act V. of 1868 in regard to the Commissioner in Sind, may with advantage be availed of." Does that mean that you do not like the form of Government in Bengal?—That is exactly what I mean; it seems to me that the form of Government in Bengal ought to be changed, if any reform is to be introduced.

19186. Do you mean that there is a lack of continuity?—Yes.

19187. In fact, you do not feel the same confidence as you would in a Council Government?—That is so.

19188. (*Mr. Meyer.*) Are not some of the municipalities in Bengal really of a very petty description?—Yes, but the number of municipalities is very small.

19189. Should these petty municipalities have the same sort of powers and confidence entrusted to them as are given to the larger municipalities?—All these municipalities have not got all the powers provided by the Act; it is only parts of the Act that are introduced in certain municipalities; the inferior ones have only limited functions.

19190. When you say that the municipalities should have larger powers in regard to their budgets and so on, do you mean municipalities of the larger towns or every municipality?—I spoke of every municipality.

19191. Have you to go up to the Commissioner to re-appropriate between one head and another, and under the same major head?—We have to go up with regard to everything.

19192. Even from one class of medical expenditure to another class of medical expenditure?—Yes, that has to be reported for special sanction.

19193. You say you want some further powers for the Sanitary Commissioner. All the Sanitary Commissioner is concerned about is whether the town is clean, and whether the drains are effective and so forth?—That constitutes the bulk of the work of the municipality.

19194. He is not concerned with the amount of money; all he wants is a good drainage scheme?—He is concerned with the amount of money in this way; when he finds that a town is not in good condition so far as sanitation is concerned he makes remarks and sometimes instructs the municipality to make larger allotments; sometimes he suggests certain improvements which will necessitate larger allotments in the budget.

19195. If the Government lends you money to carry out a drainage scheme, is it not interested in seeing that you are managing your affairs economically, so that you may pay back the loan?—The Government does not practically do anything; in raising the loan the Commissioners have simply to make an application; it goes through the Collector, and the Government takes a statement just to see whether there is sufficient security for the loan or not. If it finds that there is sufficient security, the loan is granted.

19196. That is because the Commissioner now scrutinizes the budget; suppose he did not scrutinize the budget, would the Government have equal faith in the solvency of the municipality?—I do not see why it should not; municipalities have been on trial for more than 20 years now, and there is not a single case in which they have not been shown to be trustworthy.

19197. You say that Sub-Divisional Officers have been made *ex-officio* members of the Local Boards; are they made Chairmen?—It happens in this way; the *ex-officio* member of a Local Board necessarily becomes the Chairman, because of his position, and nobody would venture to throw him out.

19198. Do you think that once he gets into the Board, the other members are so frightened of him that they will not turn him out?—Certainly they are.

19199. (*Mr. Hichens.*) You are not in favour of granting larger powers either financial or administrative to the provincial Governments at the present time. What is your reason for that?—There is want of sympathy and consequent want of confidence, and this is the root cause of the strained relations between the Government and the people.

19200. Have you any other reasons why you think it would not be advisable to grant larger powers to the provincial Governments?—My view is that the partition should be modified, repressive measures withdrawn, and confidence restored. Further the heads of the administration should not be recruited from the Civil Service. If, without effecting these improvements, greater powers were given to the Local Government, it would be very unpopular.

19201. You think there should be control from above, unless there is more control from below?—Yes.

19202. Your opinion is that unless Advisory Councils are to be elected you would rather have none at all?—That is so. Unless elected, they would be simply not only useless, but they might be positively harmful. The Advisory Councillors, who were to be recruited for example from a darbar list and so forth, would be persons whom the Collectors might like, they would not be representative men, and they would not have the courage to voice forth representative opinions.

19203. You mean that people selected or nominated would not really carry the confidence of the people?—No.

19204. And there would be no security that the advice that they were giving was the advice which the people would like them to give?—Selection and nomination have always proved in this country to be a failure; because selections are made mostly from men who are somewhat in favour with the local authorities. Proper representative men never go in by selection or nomination by Government.

19205. Otherwise, assuming they were not all to be elected, you think it would be better to give the Collector discretion to consult everybody he chose?—That would be practically useless; he would only choose to consult those about him; that would not be going down to the representative men at all.

19206. If there were an Advisory Council, would the people from a distance come frequently to the meetings?—I think they would; if their voice had weight and carried with it some responsibility, they would attend the meetings, but if they are to be treated as nothing, then they will not be tempted at all to do so.

19207. You want to give further power to the District Board; is that also conditional on their being entirely elected?—At least two-thirds of the members of the District Board ought to be elected.

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19208. You would be satisfied with that?—Yes, for the present.

19209 (*Mr. Dutt.*) You are acquainted with the provisions of Act V. of 1878, with regard to Sind?—Yes.

19210. That would empower the Bengal Government to delegate to subordinate officers any powers now vested in the Government by law.—I mean delegation of powers in certain tracts. As the Government of Bombay has delegated certain functions to the Commissioner in Sind, so, if the Government of Bengal could be made to conform to the Government of Bombay with a Governor in Council, then, say, in Orissa or Chota Nagpur or Assam, there might be Commissioners like the Commissioners in Sind, and powers might be delegated to them.

19211. You do not want a general power of delegation?—Certainly not.

19212. You would only empower the Bengal Government to delegate its powers to the Commissioners of certain backward tracts?—Yes.

19213. That is not a general Act of delegation; a general Act of delegation means an Act which would empower the Bengal Government to delegate any of its powers to any of its subordinate officers?—In that case I misunderstood it. I mean, powers of delegation as given to the Commissioner in Sind by that Act, to be given by the Government of Bengal to certain backward tracts.

19214. Is it not desirable that the annual budget of each municipality should be sanctioned by some other authority than the Municipal Commissioners?—Of course. It might go to the Commissioner, but he ought to see only the major heads.

19215. You do not object to the budget going to the Commissioner for his sanction?—No, but he should not interfere with the minor details and so forth.

19216. What would be the good of the Commissioner sanctioning a budget if he had no power to interfere with the items?—It would have a salutary effect in the way of a check, because of the very idea that the budget would go before a person who might express censure. He might be able to refer it to Government, or to talk about the items of the budget in the annual report; that would have a salutary effect as a check.

19217. You would not give the Commissioner power to make any alteration in the budget before sanctioning it?—I would give him power to object to the major heads, not the minor heads. He should not directly alter the budget, but he might return the budget to allow the municipality an opportunity of reconsidering it.

19218. Suppose they did not accept the Divisional Commissioner's alterations?—In that case, the matter ought to go up to Government.

19219. Except in the matter of the budget, in which you say that very often small items have been altered, have you had, generally speaking, a free hand in your municipality?—Generally speaking, I have.

19220. While your Vice-Chairman is also a non-official man?—Yes. I have found no friction. I have worked with an official Vice-Chairman, as well as a non-official Vice-Chairman, and I have found no friction.

19221. Are the resources of the municipality generally sufficient for the current expenditure of the municipality?—Extremely insufficient.

19222. How would you remedy it?—The municipality might be strengthened by grants from the provincial revenues, as the District Boards are.

19223. Should such contributions be general, or for specific objects, such as sanitary improvements and so forth?—It would be better to leave it to the Commissioners to decide in what way they would spend their money.

19224. But should not the Government give grants for specific objects?—Certainly, but it would be much better if the Government drew the attention of the Commissioners to the particular objects they thought it desirable to attend to, and then left it to the Commissioners

19225. You say that District Boards are unable to execute any work the estimate for which exceeds Rs. 500; is that according to a recent order?—Yes, according to certain rules which were made five years ago, formerly it was not so. Previously district Boards could execute works up to Rs. 1,500 without the sanction of the Divisional Commissioner; that is the order of progress through which we have passed during the last 20 years of local-self-government.

19226. Does that hamper you in your work?—Most certainly it hampers us.

19227. You say the Road Cess is the principal source of income of the District Boards, and that more than 20 per cent. is deducted for collection charges; are you quite sure of the amount?—I think that is fairly correct. Speaking for my own district, the Road Cess amounts to about Rs. 90,000, and every year an allotment slip goes from the Cess Deputy Collector, showing that so much is available for the purposes of the District Board and that amount does not exceed Rs. 70,000.

19228. But you are not quite sure of the percentage that is deducted?—I think it must be something from 15 to 20 per cent.

19229. Are you sure you do not include in that the cost of establishment?—Certainly, the Deputy Collectors and everything.

19230. Do you not include in that the cost of the District Board establishment?—No; formerly under the District Road Cess Committee, which was in existence before the Local Self-Government Act was introduced, the collections were in the hands of the Committee; a number of peons were maintained for collection purposes. Now collections are taken away altogether from the hands of the Board, and the Road Cess and Public Works Cess are both collected by one Deputy-Collector; Government make a deduction for the Road Cess collection charges, and then give the Board an allotment of so much every year.

19231. You cannot tell me the exact percentage?—No.

19232. You think that if a fair share of the Public Works Cess was added to the income of the District Board, they would be more useful bodies and could undertake useful work?—Certainly. One of the objects for which the Public Works Cess was imposed was really for famine, and the District Boards are now required to provide for famine relief, so that they are legitimately entitled to it.

19233. Would you be satisfied if two-thirds of the members of the Advisory Councils were elected and one-third nominated?—Yes.

19234. With regard to village unions, you think that if they were put on a proper basis and better men were selected they would be useful to the country. Would you allow them power to deal with small civil and criminal cases?—Not at present; they are not fit for it. At present I would simply entrust them with powers in regard to sanitation and such like matters.

19235. (*Sir Frederic Lely.*) Would you allow the municipality power to levy new taxes without the consent of the Government?—No.

19236. Would you require the sanction of a superior authority for the granting of pensions?—Yes.

19237. You wish municipalities to elect their own Chairman? Would you make that subject to the confirmation of Government?—I do not see why it should be.

19238. Under the present law, the approval of Government is required; would you maintain that?—As a matter of fact Government confirms every nomination that is made. It is not a very large matter; if the Government thinks that, for the sake of safety, the election should be subject to its confirmation, I do not see any objection to it.

19239. Would you give the Government or the Commissioner power to order the municipality to perform its duties in any matter in which it had made default?—The Government might have that power, but I would object to the Commissioner having it.

19240. On what ground do you say that?—The tendency of the Commissioner to interfere with municipal work has been very obstructive. The people have greater confidence in Government than in the Commissioners; they have greater confidence in the Government of India than in the Local Governments.

19241. Have you any special reason for saying that, or is it only the result of your experience?—It is the result of my experience: the higher you mount the purer the atmosphere; there is greater freedom from local prejudices, the higher you go.

19242. Then generally, you would retain a great deal of control, but you would vest it in higher authorities?—Just so.

(*The witness withdrew.*)

APPENDICES.

I. Memorandum showing the organisation of the Government of Bengal, filed by the Hon. Mr. E. A. Gait, Chief Secretary.

II. Letter from the Chief Secretary to the Government of Bengal, to the Secretary to the Royal Commission on Decentralization No. 1550, dated the 16th March 1908, with enclosures.

APPENDIX I.

Memorandum showing the organisation of the Government of Bengal.

Filed by the Hon. Mr. E. A. Gait, Chief Secretary.

Bengal Government.—The Head of the Government of Bengal is the Lieutenant-Governor. He is assisted in the discharge of his duties by five Secretaries, who are in charge of the following Departments :—

(1) Chief Secretary ... Political (including Police), Appointment and Revenue Departments.

(2) Judicial Secretary ... Judicial and General (including Education) Departments.

(3) Financial Secretary ... Financial and Municipal Departments.

(4) Public Works Secretary ... Roads and Buildings.

(5) Public Works Secretary ... Irrigation, Marine and Railways.

The two Public Works Secretaries also have administrative duties as Chief Engineers. There is an Under-Secretary in each Department.

Cases of a routine nature are disposed of by the Under-Secretaries in the different departments. Other relatively unimportant cases where the proper course is clear, are disposed of by the Secretaries. It is, however, a rule of business that all communications to and from the Government of India, all circulars and other instructions of a general nature, and all cases in which it is proposed to pass orders contrary to the recommendations of a Commissioner of a Division or the Head of a Department must be submitted for the orders of the Lieutenant-Governor.

The Bengal Government has a Legislative Council constituted under a proclamation, dated the 18th January, 1862, by the Governor-General in Council, which extended to this province the provisions of the India Councils Act, 1861. The number of Members of Council was originally twelve, but it has been raised to twenty under the India Councils Act, 1892. By regulations made under the Act, it has been provided that, of the twenty members, not more than ten shall be officials. Of the non-official members seven are nominated by the Lieutenant-Governor on the recommendation of certain local bodies and associations, and three at his own discretion.

The Board of Revenue.—The control of all matters connected with the collection of revenue and the administration of the land is vested in the Board of Revenue, which was constituted by Regulation III of 1822. There are two members, one of whom deals with land revenue, survey and settlements, land registration, the management of wards' estates, the collection of cesses, &c.; and the other with miscellaneous revenue, including excise, opium, income-tax, salt, customs and the like. Each member is vested with the full powers of the Board in respect of his own department. In all revenue matters, the Board constitutes the final Court of appeal, or of revision in cases where an appeal is not allowed. The Board refer to Government all matters of general importance as well as those requiring its sanction according to law or practice. New circular orders of any importance are submitted for the approval of Government before they are issued.

Heads of Departments.—It may be stated generally that it is the duty of the Head of a Department by inspection and otherwise to see that the work of his department is properly and efficiently carried out. It is also his duty to initiate reforms, but all important changes and general circulars require the previous approval of Government. The following are the Heads of the Department in Bengal with a brief note on the powers and duties of each :—

The Inspector General of Police is the Head of the Police Department outside Calcutta. Under him are three Deputy-Inspectors-General for the three ranges into which the province is divided for police purposes. A fourth Deputy-Inspector-General is in charge of the Railway Police and the Criminal Investigation Department.

The Commissioner of Police is the Head of the Police in the city of Calcutta, and is independent of the Inspector-General of Police.

The Director of Public Instruction is the chief controlling officer of the Education Department. Below him are the divisional inspectors of schools, one for each division. There is a Deputy Inspector for each district, who is assisted by a sub-inspector in each sub-division.

The Inspector-General of Civil Hospitals is in charge of the Medical Department. Under him are the Civil Surgeons in the different districts and the officers in charge of the big medical institutions in Calcutta.

The Sanitary Commissioner, with two Deputy Sanitary Commissioners, is responsible for advising Government and local bodies in all matters concerning sanitation. Their functions are purely advisory.

The Commissioner of Excise is in immediate charge of excise matters and, in that capacity issues orders direct to Collectors. If, however, he differs from the Commissioner of a division, he is required to refer the matter to the Board of Revenue.

The Inspector-General of Prisons exercises general control over, and supervision of, all prisons situated in the province.

The Director of Land Records is in charge of all large settlements throughout the province. Petty settlements are dealt with by the District Officers themselves.

Director of Agriculture.—This is a new appointment. It is the duty of the Director to encourage agriculture by giving advice, disseminating information and supplying seed for new crops. Various agricultural farms are under his control.

The Inspector-General of Registration is in charge of the Registration Department. He is assisted by two Inspectors of Registration.

The Conservator of Forests is the head of the Forest Department. The management of all reserved forests is carried out by him with a staff of Deputy and Assistant Conservators and other subordinates. In respect of protected forests, his functions are more of an advisory nature. The direct control over these forests vests in the District Officer.

Commissioners of Divisions.—For administrative purposes, Bengal is divided into six divisions, each of which is superintended by a Commissioner. The largest of these divisions is that of Patna with a population of 15½ millions.

The work of Commissioners is both administrative and judicial. In almost all matters especially in the Revenue Department, they exercise a general superintendence and control over the proceedings of District Officers. They exercise this control, partly by means of returns and the necessity which exists of obtaining their sanction in various matters, and partly by periodic inspections and local tours. Where they have not authority to dispose of matters themselves, they refer them for the orders of higher authority. All reports called for by Government or the Board are obtained through them, and in submitting the District Officers' reports, it is their duty to sift, check, and collate them, to amplify, where necessary and to furnish their own views.

The judicial work of Commissioners consists in hearing appeals from the decisions of subordinate officers in cases relating to settlements, partitions, certificate sales, and other cases of a revenue nature, in the exercise of powers vested in them by law. They also hear appeals of an executive nature, *e.g.*, from ministerial and police officers against dismissal or other punishments. In certain divisions, they have to perform political, civil and criminal work.

In revenue matters, except famine and forests, the Commissioners are subject to the orders of the Board of Revenue. In other matters, they deal with the Government direct.

Apart from their special duties, the Commissioners are recognized as the local representatives of Government. They are expected to intervene in all matters where prompt action is needed, even when they have no concern with them in the ordinary course of their duties, *e.g.*, in a dispute between two Departments, or where the conduct of an officer is likely to cause scandal. The amount of work a Commissioner has to do depends largely on his activity and his methods, and on the time he has been in his division.

District Officers.—Under the Commissioner is the District Officer. There are 34 districts in Bengal. The largest is Darbhanga with a population of close upon three millions. As Magistrate of the District, the District Officer is required to supervise the work of all the subordinate Magistrates. He seldom tries cases himself, and his judicial work is confined almost entirely to the hearing of applications for revision and of appeals in petty cases disposed of by Magistrates of the second or third class. He exercises the *quasi*-executive powers vested in him under the Criminal Procedure Code, and he is responsible for peace and good order in his district.

In the Non-Regulation districts, the District Officer still possesses the powers of a Subordinate Judge, but, except in one district, whole time Subordinate Judges have now been appointed, and the District Officer seldom does any civil judicial work himself, other than work of a purely routine nature.

The District Magistrate is Head of the Police. In this capacity, he exercises control over the investigation of important cases before they come to trial. The Superintendent of Police is required to obtain his approval to all orders of an important nature, except such as relate solely to discipline and other technical subjects; and correspondence between the Superintendent of Police and the Deputy Inspector General passes through him. Appeals against orders of dismissal and punishment lie to him.

In his capacity of Collector the District Officer deals with all revenue matter affecting his district, including the collection of the land revenue, settlements, the partition of estates, the assessment of income-tax, excise, stamps, treasury, &c., &c.

The District Officer is *ex-officio* Registrar and *ex-officio* Chairman of the District Board. In the latter capacity, he has control over primary education and is charged with the execution and administration of all local Public Works. He is also sometimes Chairman of the municipality at his district headquarters.

APPENDIX II.

No. 1550, dated Calcutta, the 16th March, 1908.

From—E. A. GAIT, Esq., C.I.E., I.C.S., Chief Secretary to the Government of Bengal, Revenue Department,
To—The Secretary to the Royal Commission on Decentralization.

I AM directed to submit, for the consideration of the Royal Commission on Decentralization, the following expression of the views of this Government as to practical measures of devolution which it is prepared to recommend in the direction of—(*a*) giving larger powers to the Local Government itself, and (*b*) similarly enlarging the powers of the Board of Revenue, the Heads of Departments, and Commissioners and Collectors; and as regards the desirability of giving larger powers to District Boards and municipalities.

2. In regard to the powers of the Local Government itself, the most important direction in which the principle of devolution can be given effect to is, no doubt, that of financial control. The details of this control are contained chiefly in the several codes issued under the authority of the Government of India, such as the Civil Service Regulations, Civil Account Code, Public Works Department Code, &c. While this Government fully realises the paramount importance of rigid scrutiny and strict control of all proposals for increase of recurring expenditure, there are many respects in which the existing Regulations are too rigid. As matters stand, the Head of the Local Government may incur an expenditure up to 10 lakhs of rupees on a particular work; but he is prohibited from spending a single extra rupee on salaries or allowances, where this raises the charge beyond a certain small limit, or from deviating a hair's breadth from some general rule, such as that prohibiting the deputation to foreign service of an officer of less than 10 years' standing. The rule in question is, of course, a good one; but cases often occur in which exceptions have to be made; and it is, I am to submit, absurd that in all such cases a reference has to be made to the Government of India.

3. Sir Andrew Fraser is in full sympathy with the views put forward by Sir S. Edgerley at the meeting of the Supreme Council held on the 27th March last, viz., that all Local Governments should have wider discretion themselves to dispose of all particular cases either of an infringement by past action of financial rules of control, or of cases that do not involve a new principle of administration or sanction to fresh expenditure beyond such limits as may be imposed from time to time, provided that in financial matters the head Accounts Officer of the province concurs in the proposed disposal as reasonable, and as being such as his experience leads him to consider would be likely to be sanctioned by the Government of India. Periodical statements of all such cases should be submitted to the Government of India in the Financial Department.

4. In the interests of good administration it is essential that everything possible should be done to restore the local officers to the position which they held before the days of telegraphs and returns, when they were far less burdened with routine work, their powers were less restricted, and the people were accustomed to regard their orders as finally disposing of the questions coming before them. The system of administration which has grown up gradually in recent years makes it necessary for a District Officer to devote so much of his time to correspondence, registers and returns, all of which are in English, that he has no longer the leisure to master the local dialects or go about amongst the people as his predecessors did. The result is that he and the people have, to a great extent, got out of touch, and the old conditions of mutual confidence and liking have largely disappeared. The Lieutenant-Governor fears that the average District Officer of to-day knows less of the real life of the people—of their character, interests, and aspirations—than did his predecessors of half a century back.

5. The evil has been accentuated by the more frequent transfers of recent years. These are due partly to the shortening of the journey to Europe, and partly to the growth of special departments, such as the Settlement Department, for which officers have to be carefully selected. It is also due in this province (as will be pointed out immediately) to the staff being inadequate. The objection to frequent transfers are manifold. Nothing tends to reduce the authority of the Head of the district, or to diminish his interest in it, more than the knowledge that his term of office there is not likely to last more than a very limited time. He

never gets to know the zamindars or to acquire any influence with them. Such influence can be acquired only by means of long-continued intercourse. As matters stand, it is scarcely worth a *mufassal* zamindar's while to cultivate good relations with his Collector. For by the time he has got to know him, the Collector is too often transferred and is replaced by a new officer, with whom the process has to be begun over again. Neither is it possible for a District Officer to exercise the same influence for good that his predecessors did. His wishes and orders will receive apparent acquiescence so long as he is on the spot, but the moment he is transferred, they will be disregarded and forgotten. This happens not only in respect of semi-private matters, such as the relations between a zamindar and his raiyats, but also in respect of the working of the District Boards and municipalities, and even in the Collector's own office. Much power thus falls into the hands of, and is abused by, the subordinate staff. Cases constantly come to notice in which improvements effected by one officer are abandoned and forgotten within a very short time, owing to transfers. The effect is equally bad on the training of officers. A man may throw himself with zest into the work of a district where he has a reasonable expectation of staying for a number of years. But he will not do so if his tenure of office there is likely to be short ; and, in any case, it is not possible for him to learn all that he should learn before, under existing circumstances, the time comes for another transfer. The loss of efficiency resulting from transfers is accentuated in this province by the fact that the current vernacular differs greatly in different parts of the province. Apart from the three main languages, Bengali, Hindi, and Uriya, there is a considerable number of dialects, and, on the Chota Nagpur plateau, non-Aryan aboriginal languages. It is impossible, in many districts, merely with a knowledge of the book language, to converse freely with the villagers.

6. It is, perhaps, unnecessary to enlarge any further on the evils attendant on frequent transfers. These evils are admitted. The difficulty is to find a remedy. One undoubted cause of difficulty is the weakness of the existing staff and the practical disappearance of the Joint-Magistrate. When an officer is wanted for any special appointment, it often happens that his removal from a district necessitates one or two consequential transfers. Much good might be done if the number of Joint-Magistrates were increased. Their presence in a district would, in any case, serve to preserve continuity ; and, if it were recognised that the Joint would ordinarily succeed his Collector when the latter is transferred, he would already be in possession of valuable experience before the time came for assuming charge of the district. Proposals have already been submitted to the Government of India for increasing the number of Joint-Magistrates in Bengal. Another direction in which the evil might be mitigated would be by extending the principle underlying the Resolution of the Government of India, No. 224–240, dated the 25th January, 1901, regarding transfers. It should be left ordinarily to Government to decide on the time when an officer proceeds on, and returns from, leave. The tendency at present is for all officers to go on leave about the month of April and to return at the beginning of the cold weather. Except where there are special circumstances, they should be required to time their departure and arrival so as to enable them to be relieved or posted as may seem most desirable in the interests of good administration.

7. In dealing with this question of decentralization, it is necessary to start with some definite principle. The present system of control is largely one of control by means of periodical or special returns and reports. It is impossible to effect a really extensive measure of decentralization unless some radical change is made in this system. It seems to Sir Andrew Fraser that it should be recognised that the work of Commissioners and District Officers should be watched and controlled by personal inspection on the spot rather than by the perusal of reports and returns at headquarters. Reports and returns are apt to be misleading ; and they often fail to give an adequate idea of the work to which they relate. It should be our aim to allow the local officers to work more on their own responsibility than they do at present. If this principle were recognised, many of the reports and returns which are now called for might be abolished. In particular, the Lieutenant-Governor would be inclined to do away with the whole series of annual reports, replacing them by one general administration report, such as was formerly prepared. In regard to special subjects such as excise, education, the working of District Boards, and the like, the present reports should be replaced by statistics reduced to the smallest possible dimension, which should be accompanied by a brief note similar to the notes now submitted with the registration returns for two years out of three. On the other hand, it would be necessary for controlling officers to devote more time than they now do to local inspection and to improve the present system of inspection.

8. If the principle referred to in the last paragraph were recognized, it would be necessary, at the same time to give full power to the Local Government to pass over officers regarded by it as unfit to hold the appointment of Commissioner or Collector, as the case might be, without being called upon to give detailed reasons for its decision. It would be absolutely necessary that the officers entrusted with these important duties should be in every way fully qualified to perform them, and that they should be men in whom the Local Government is able to repose its confidence. If, therefore, a Local Government is of opinion that a particular officer is not suited for a Commissionership, or for the charge of a district, the expression of that opinion should be sufficient without any detailed reasons being required. The matter is one which should be decided by an officer's general reputation rather than the question whether he has or has not committed specific indiscretions. An inferior officer often succeeds in rubbing along without doing anything calling for serious animadversion, while officers who, in general are thoroughly capable and entirely reliable, are apt at times to do things which lay them open to censure. In this connection, I am to invite attention to the following remarks made by the Famine Commissioners of 1878–1880 on page 101 of their report :—

"The only certain way of avoiding the risk of administrative failure with consequent discredit to Government and probable calamity to the people in time of difficulty is to adopt proved capacity as the sole qualification for official advancement."

The Commissioners recommend a system by which those members of the service whose unfitness for further promotion had been adequately established might be compelled to leave it on such terms of pension as would reconcile them to retirement at an earlier period than that prescribed by the ordinary rules. Sir Andrew Fraser is of opinion that this matter merits the fullest and most sympathetic consideration at the hands of the Royal Commission.

9. Another matter which deserves careful consideration is the question of language qualifications. As noted above, the present generation of civilians are, generally speaking, less familiar with the language of the people than were their predecessors in the days when work was lighter and the bulk of it was conducted in the vernacular. The Lieutenant-Governor has already under consideration the question of taking steps to remedy this defect, but the matter is one deserving of special mention in the present connection. In Sir Andrew Fraser's opinion, a man ought not to be placed in charge of a district who is unable to converse freely with the people. Moreover, in districts of Bengal where there is great diversity of language, arrangements should be made, so far as possible, to prevent transfers between different language areas.

10. If the measures proposed above are taken, a very great improvement in district administration might be anticipated. Officers would remain longer in their districts. They would have greater powers and more influence with the people ; they would be better qualified to meet and talk with them, and they would be less burdened with routine work, not only because a great part of such work might be entrusted to the Joint-Magistrate, whom it is proposed to revive as a general feature of district administration, but, also, because the bulk of this routine work would be enormously reduced.

11. There is, however, another direction in which the Lieutenant-Governor thinks that the present opportunity may be taken to introduce a beneficial reform. Soon after his appointment as Lieutenant-Governor, Sir Andrew Fraser introduced a system of placing allotments at the disposal of Commissioners of divisions from which they might make grants on the spot for purposes of a public nature, or to remedy small defects brought to their notice at time of inspection, thereby avoiding much correspondence and delay. During each of the last three years, each Commissioner has received as average allotment of about ten thousand rupees for the above purpose. This measure has worked very satisfactorily. It has reduced correspondence regarding small matters, and it has added to the prestige of the Commissioners. His Honour thinks that the same system might well be extended to District Officers. The position of these officers in financial matters is at present somewhat anomalous. They have wide and important powers to punish and correct, and many responsibilities towards the people committed to their care, but they have no fund from which they can make even a small grant to individuals in distress or to any institution that they visit. The Lieutenant-Governor thinks that it would be an excellent thing if a small grant of, say, two thousand rupees a year were placed at the disposal of each District Officer for expenditure by him as he may think fit subject to no control on the part of the audit officer beyond the receipt of the payee and a certificate signed by the District Officer that the money had been spent in the public interest.

12. There has for many years past been a marked tendency towards "departmentalism." This is, no doubt, a natural result of administrative development and a desire for greater efficiency and uniformity in special branches of Government. There are numerous matters of a more or less technical nature in which the supervision of a Departmental Head with special experience is desirable ; but the result of the above tendency has frequently been to dissociate the work of these special departments from the control of the local officers, and to establish separate staffs in each district who do not always realize the importance of working in concord. The proper person to correct evils that may arise from this condition of things is the Commissioner of the division. It should be definitely understood that this officer has authority to take cognizance of any irregularities, disputes or other matters calling for remedy that may come to his notice, and either deal with them himself or advise the departmental authorities as to how they should be dealt with.

13. Sir Andrew Fraser has long been of opinion that more might be done in many provinces to bring the Heads of Departments into closer touch with the Government. It is too often the practice for proposals sent up by them to be examined at length in the Secretariat, noted on, adversely criticised, and either negatived altogether or sent back for further consideration, without any personal communication between the Head of the Department and the Secretary dealing with the case. It would be far better in all cases, that the Head of the Department and the Secretary should meet and discuss the question personally, either after the proposals have been sent in officially, or, better still, before they are finally drawn up. This procedure would often remove misunderstanding ; and it might often be of assistance to the Departmental Head in maturing his proposals. It would, moreover, avoid delay. The Lieutenant-Governor would also lay great stress on the importance of the Head of a Government being accessible at all times to the Heads of the different Departments. They should be encouraged to come and see him and discuss with him personally important questions affecting the departments of which they are in charge. It should, of course, be clearly understood that this personal discussion does not supersede, or render unnecessary, a regular official reference through the ordinary channel. The Head of the Government would not pass definite orders until the scheme had been examined and criticized by his responsible Secretariat adviser.

14. There can be no doubt that much benefit is to be derived from personal discussion, not only with Heads of Departments, but also with other officers of standing ; and it was the recognition of this fact which led Sir Andrew Fraser, on his appointment as Lieutenant-Governor to inaugurate a system of annual conferences of Commissioners. These conferences, which are presided over by the senior member of the Board of Revenue and are attended by the Heads of Departments interested in the subjects discussed, have proved of great use in this province. Many important subjects have thus been threshed out. Amongst other matters, the question of devolution has received considerable attention ; and numerous delegations of powers have been made in consequence.

15. The last matter to which Sir Andrew Fraser desires to draw special attention is the importance which he attaches to Commissioners and District Officers conversing freely with Indian gentlemen and consulting them in regard to administrative problems, especially such as involve considerations of a social, religious or racial character, or in the disposal of which local knowledge is of special value. Such intercourse is beneficial, not only because of its direct results in ensuring adequate consideration of the subject at issue from the point of view of the people themselves but also because of the sympathy and confidence which it cannot fail to engender between the rulers and the ruled. The Lieutenant-Governor is convinced that much of the present "unrest" and mutual misunderstanding is due to the absence of anything like free intercourse between officials and non-officials, and that it would to a great extent be removed if the system here advocated were adopted. Many good officers do seek the advice and help of Indian gentlemen, but the Lieutenant-Governor would like to see the practice established on a firm and recognised basis. It does not seem desirable at present to establish district or divisional "Advisory Councils." For the purpose in view, the best arrangement would be to consult the gentlemen whose names are entered in the Darbar List of the different districts, or such of them as are shown by the notes of previous District Officers to be worthy of this mark of confidence.

16. As regards the desirability of giving large powers to District and Local Boards and municipalities, I am to say that these Bodies should be employed as fully as possible ; but it must be left to experience to say, from time to time, what advance can be made in this respect. It is in the districts, in the work of Local Boards and municipalities, that Government first requires the co-operation of the people ; and it is there that real education in self-government must be given. It is the men who do work in the interior who are best fitted to take a worthy place in the Provincial and Imperial Councils. The difficulty that has hitherto been experienced has been to secure as members of these bodies truly representative persons. This difficulty has been less realized in regard to District Boards. In respect of the latter, with a view to securing due representation of the people, election has been largely supplemented by nomination. But if the people themselves took real interest in Local Self-Government, there would be little difficulty in securing true representation by election. As such interest develops, it becomes possible to give more and more power to local bodies. On the other hand, the grant of such powers increases the interests ; so that a wise devolution by Government of power to these bodies and the growing interest on the part of the people act and react on one another. On the other hand, it would be most dangerous to local interest to give power rashly and prematurely. It is safe to say that as much power as can be given should be given, for the co-operation of the people is of great importance ; but how this principle should be applied must be left to the teaching of experience.

17. I am to enclose herewith two lists of matters in respect of which the Lieutenant-Governor thinks that additional powers should be delegated to the Local Government and officers and Heads of Departments subordinate to it. List I. contains proposals for the delegation of powers which require the sanction of either the Government of India, or the Secretary of State for India, whether the delegation be from the Government of India, or the Secretary of State for India, to the Local Government, or from the Local Government to a subordinate authority. List II. contains all other proposals for delegation, arranged

under the same four heads, which can be made without reference to higher authority.

18. In connection with the above lists I am to point out that it is impossible at one time to foresee all questions that may arise, and there must be many other directions in which the principle of decentralization can be advanced. New questions, moreover, will come up as conditions change; and every year new suggestions may present themselves. It is important that a system should be devised by which the general principles of decentralization that may now be determined upon shall continue to be given effect to in future years. It would be well, as was suggested by Sir Steyning Edgerley, if a general Act were passed empowering the Government of India and the Local Governments to delegate their statutory powers to such subordinate officers as may seem proper from time to time.

19. With reference to List I., it will be noticed that in several cases the delegation of further powers to the Local Government will depend upon whether wider powers are to be given to my Government of India. The Lieutenant-Governor assumes that the question of increasing the powers of the Supreme Government in respect of financial control will also come within the scope of the Royal Commission's enquiries.

20. The question of delegating larger powers to the Board of Revenue, Commissioners and District Officers has already been under consideration in this province. When Sir Andrew Fraser came to Bengal this question was one of the first that occupied his attention, and a large measure of delegation has already been effected.

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LIST I.

PROPOSALS FOR DELEGATION OF POWERS TO THE LOCAL GOVERNMENT, BOARD OF REVENUE, COMMISSIONERS OF DIVISIONS AND HEADS OF DEPARTMENTS.

(a)—The amendment of existing Laws either of the Imperial or Provincial Councils.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Acquisition of land	Political (Police), Revenue, Medical, Local Self-Government, General.	Sections 4, 6 and 17 of Act I of 1894.	Local Government ...	Commissioners of Divisions ...	Powers under sections 4 and 6 may be delegated to Commissioners except where for other reasons the sanction of Government is required, *e.g.*, where the total cost of the scheme requires the sanction of Government (*i.e.*, when over Rs. 5,000 for any Government work, Rs. 10,000 for any municipal work, and Rs. 25,000 for any District Board work). Powers under section 17 (1) and (2) may also be delegated to Commissioners.
Annulment of sale of estates ...	Revenue	Act XI of 1859, section 26 ...	Ditto ...	Board of Revenue	Power may be delegated to the Board of Revenue. The Local Government always accepts the Board's proposals.
Vesting with powers under section 3, Act I of 1894.	Appointment	Act I of 1894, section 3 ...	Ditto ...	Commissioners of Divisions ...	Power may be delegated to Commissioners, subject to report to Government.
Application for licenses from masters of vessels.	General (Emigration)...	Sections 54 and 56 of Act XXI of 1883, and Rule 124 of the Rules under it.	Ditto ...	Protector of Emigrants, Calcutta	The Protector of Emigrants may be authorised to grant such licenses when, after the survey required, the vessel is found to conform to the conditions laid down in the rules.
Powers under the law	Judicial	Section 7, Regulation VII of 1799.	Ditto ...	District Judges	Power may be delegated to District Judges to dispose of where the value of the property does not exceed Rs. 500.
Deportation of European Vagrants	Ditto	European Vagrancy Act of 1874.	Ditto ...	Commissioner of Police, Calcutta	Power may be delegated to the Commissioner of Police, giving him an annual grant for the purpose of deportation. The Commissioner's recommendation is always accepted.
Appointment of Honorary Magistrates.	Ditto	Section 14, Criminal Procedure Code.	Ditto ...	Commissioners of Divisions ...	May not Commissioners be authorised by law to appoint Honorary Magistrates with third class powers?
Investment of powers of Honorary Magistrates.	Ditto	Section 14 (1), Criminal Procedure Code.	Ditto ...	Ditto ...	May not Commissioners be authorised to grant third class powers?
Re-appointment of Honorary Magistrates.	Ditto	Section 14, Criminal Procedure Code, and Government order No. 1931J, dated 20th March 1903.	Ditto ...	Ditto.	
Removal to, and detention in, asylums of criminal lunatics.	Ditto	Sections 466 (2) and 471, Criminal Procedure Code.	Ditto ...	District Magistrate or Sessions Court Concerned.	
Reports as to state of mind of criminal lunatics.	Ditto	Section 472, Criminal Procedure Code.	Ditto ...	Ditto.	
Release of criminal lunatics ...	Ditto	Sections 474 and 475, Criminal Procedure Code.	Ditto ...	Ditto.	

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Removal of criminal lunatics to jails.	Judicial	Section 30 (2) of the Prisoners Act III of 1900.	Local Government ...	Superintendent of the Asylum.	
Removal of insane prisoners from jail to Lunatic Asylum.	Ditto	Section 30 (1) of Act III of 1900.	Ditto ...	Inspector-General of Prisons.	
Transfer and exchange of Ministerial officers of Civil Courts.	Ditto	Section 34 (1), Act XII of 1887.	Ditto ...	District Judges	Power may be delegated to District Judges in cases where arrangement can be made between themselves.
Appointment of Marriage Registrars and Registrars of Births and Deaths.	Appointment	Act XV of 1872 and Act VI of 1886.	Ditto ...	Inspector-General of Registration	Power may be delegated under the law to the Inspector-General of Registration, subject to report to Government.
Appointments to Bengal Council	Ditto	Section 45, Indian Councils Act, 1861.	Government of India	Local Government	May be disposed of by the Local Government.
Power to assign to any Municipality the functions and powers in respect to the granting, withholding and withdrawal of licenses for the sale of excisable articles.	Separate Revenue Branch (Excise).	Section 84 of Act VII of 1878.	Ditto ...	Ditto.	
Power to appoint Income-tax Deputy Collectors and to vest them with the powers of a Collector under the Income-tax Act.	Separate Revenue Branch (Income-tax).	Section 40 of the Income-tax Act, II of 1886.	Local Government . .	Board of Revenue.	
To grant refund of Customs duty	Separate Revenue Branch (Customs).	Section 191 of the Sea Customs Act, VIII of 1878.	Ditto ...	Ditto.	
Extension of parts of sections of Bengal Municipal Act.	Municipal	Sections 220 and 241, Bengal Municipal Act, III of 1884.	Ditto ...	Commissioners of Divisions ...	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Appointment of Commissioners of Municipalities.	Ditto	Sections 14, 16 and 27A, Bengal Municipal Act, III of 1884.	Ditto ...	Ditto ...	Ditto ditto.
Approval of election of Chairman	Ditto	Section 59 (*a*), Bengal Municipal Act, III of 1884.	Ditto ...	Ditto ...	Ditto ditto.
Revision of and exemption from assessment.	Ditto	Sections 111A and 86 and 98, Act III of 1884.	Ditto ...	Ditto ...	May be delegated to Commissioners.
Comfirmation of bye-laws ...	Ditto	Sections 351, Act III of 1884	Ditto ...	Ditto ...	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Carts and carriage registration and levy of fees.	Ditto	Sections 86 (*a*), 131 and 142, Act III of 1884.	Ditto ...	Ditto ...	May be delegated to Commissioners.
Appointment of subordinates on pay of Rs. 200 and upwards.	Ditto	Section 61, Act III of 1884	Ditto ...	Ditto ...	May be delegated to Commissioners as in the case of District Boards.
Investment of Municipal Funds	Ditto	Section 83, Act III of 1884	Ditto ...	Ditto ...	May be delegated to Commissioners.
Lighting with gas	Ditto	Section 308, Act III of 1884	Ditto ...	Ditto ...	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Rules of business	Ditto	Section 351A, Act III of 1884.	Ditto ...	Ditto ...	

Grant of allowances to Chairmen and Vice-Chairmen of Municipalities.	Ditto	Section 59 (*c*) of the Bengal Municipal Act, III of 1884.	Ditto ...	Ditto ...	The power of the Local Government may be delegated to Commissioners.
Appointment, resignation and election of members of District and Local Boards.	Local Self-Government	Sections 7, 10, 11, 15, 17, and 19, Act III (B.C.) of 1885.	Ditto ...	Ditto ...	May be delegated to Commissioners as proposed in the draft Bill now under consideration.
Appointment and election of Chairmen of Local Boards.	Ditto	Section 25, Act III (B.C.) of 1885.	Ditto ...	Ditto ...	

(*b*) *The relaxation of rules having the force of law.*

Survey of emigrant vessels ...	General (Emigration)...	Rule 121 of Rules under Act XXI of 1883.	Local Government ...	Protector of Emigrants, Calcutta.	Submission of these statements may be discontinued.
Submission to Local Governments of bonds executed by masters of emigrant vessels licensed to convey emigrants to the Colonies.	Ditto ...	Rule 122 of Rules under Act XXI of 1883.	Ditto ...	Ditto ...	These bonds may be preserved in the office of the Protector of Emigrants.
Submission of way-bills of steamers conveying emigrants.	Ditto ...	Rule 195 of Rules under Act VI of 1901.	Ditto ...	Ditto ...	Submission of these statements may be discontinued.
Report on returned emigrant vessel.	Ditto ...	Rule 203 of Rules under Act XXI of 1883.	Ditto ...	Ditto ...	These reports need not be submitted to Government except in cases of any report of special interest or importance.
Submission of statements showing the disposal of estates of emigrants who died during the voyage from the Colonies.	Ditto ...	Rule 207 of Rules under Act XXI of 1883.	Ditto ...	Ditto ...	Submission of these statements may be discontinued.
Exemption from operation of certain sections of the Arms Act.	Political (Police) ...	Rules under the Indian Arms Act.	Ditto ...	Commissioners	In case of personal exemption in respect of successors to persons previously exempted, power may be delegated to Commissioners.

(*c*) *The relaxation of existing Code issued under the authority of the Government of India.*

Grant of certain allowances from District and Local Board Funds.	Local Self-Government.	Article 72 (*a*), Civil Service Regulations.	Local Government ...	Commissioners of Divisions ...	May be delegated to Commissioners up to Rs. 500 per annum in any one case.
Grant of honorarium	Separate Revenue, Political (Police), Medical, Revenue, Marine.	Articles 72C, and 70, Civil Service Regulations.	Secretary of State and Government of India.	Local Government	Larger powers may be given to the Local Government, say, up to Rs. 500, under Imperial and Rs. 1,000 under Provincial. It should be for the Local Government to decide whether such an honorarium is or is not a "recurring" honorarium or fee.
Acceptance of fees	Public Works Department (Establishment), Education.	Article 74, Civil Service Regulations.	Government of India	Ditto ...	The Local Government may be empowered to sanction up to Rs. 1,000.
.....	.....	Public Works Department Code, Volume I, 1143.	Ditto ...	Ditto ...	The Local Government should have power to sanction up to Rs. 2,500 in each case.
House, local and other allowances.	Political (Police), General.	Article 76 (1), Civil Service Regulations.	Ditto ...	Ditto ...	The Local Government should have larger powers under this article, say, up to a limit (of pay and allowance) of Rs. 6,000 a year.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Temporary appointment and deputations.	Separate Revenue, Revenue, Appointment, Public Works Department (Establishment).	Article 78, Civil Service Regulations.	Government of India	Local Government	Power may be given to the Local Government to depute in all cases if the pay or pay and allowances do not exceed Rs. 500 per mensem, and up to 12 months if they exceed that amount, subject to the provisions of Article 77A, Civil Service Regulations.
Deputation of officers	Separate Revenue, Revenue, General (Education).	Ditto ...	Local Government ...	Board of Revenue, Commissioners of Divisions and Heads of Departments.	Powers may be delegated to Board, Commissioners and Heads of Departments up to a limit of six months in respect of officers whose pay and allowances do not exceed Rs. 250 per mensem.
.....	Appointment (Medical)	Articles 77 to 79 of the Civil Service Regulations.	Ditto ...	Commissioners of Divisions and Inspector-General of Civil Hospitals.	Power may be delegated to Commissioners in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government. Power may also be delegated to Inspector-General of Civil Hospitals.
Charge allowance	Separate Revenue, Appointment, General (Education).	Articles 161 and 95, Civil Service Regulations.	Ditto ...	Commissioners, Heads of Departments, District Officers, and Board of Revenue.	"Power may be delegated to, Commissioners, Board of Revenue, and District officers to grant according to the rules and regulations."
To sanction extension of joining time under article 180, Civil Service Regulations, up to a maximum of 30 days.	Separate Revenue ...	Article 180, Civil Service Regulations.	Ditto ...	Board of Revenue	Power to extend up to 30 days may be delegated to Board of Revenue, subject to the conditions of the Civil Service Regulations.
Counting of temporary service towards pension.	Public Works Department (Establishment).	Article 368, Civil Service Regulations.	Government of India	Local Government	The power of the Government of India under the article as well as under Articles 422 and 434 may be delegated to Local Government.
To sanction condonation of interruptions and deficiencies in service when the pay of the officer at the date of retirement does not exceed Rs. 50 per mensem.	Finance	Article 422 (*ii*). and Article 423 (2), Civil Service Regulations.	Local Government ...	Commissioners	Power of the Local Government may be delegated to Commissioner to condone in respect of officers whose pay at date of retirement does not exceed Rs. 50.
Re-employment of pensioners ...	Local Self-Government	Article 521, Civil Service Regulations.	Ditto ...	Ditto	The power of the Local Government may be delegated to Commissioners.
Employment of pensioners ...	Finance, Separate Revenue, Local Self-Government, Revenue.	Article 524, Civil Service Regulations.	Ditto ...	Commissioners of Divisions and Heads of Departments.	The power of the Local Government may be delegated to Commissioners and Heads of Departments.
Deputation to foreign service of an officer not having 10 years' qualifying service.	Appointment, Political, Revenue.	Article 753 (*iii*), Civil Service Regulations.	Government of India	Local Government	Power may be delegated to the Local Government to relax the rule where it considers necessary.
Grant of travelling allowances to District Board employés.	Local Self-Government	Article 814, Civil Service Regulations.	Local Government ...	Commissioners	Power to dispose of all such cases may be delegated to Commissioners.

Leave of officers	Revenue, General (Registration), Political (Police).	Articles 825 and 841, Civil Service Regulations.	Ditto ...	Board of Revenue, Commissioners of Divisions, and Heads of Departments.	May be delegated to the Board, and Commissioners and Heads of Departments in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government.
	Appointment.—				
.....	(1) Deputy Magistrates	Articles 841 (*a*) and 825 of the Civil Service Regulations.	Ditto ...	Commissioners of Divisions	Power may be delegated to Commissioners, subject to the above proviso.
.....	(2) Provincial Judicial officers.	Ditto ...	Ditto ...	High Court	Power may be delegated to the High Court, subject to report of the Accountant-General, Bengal.
.....	(3) Provincial Educational officers.	Ditto ...	Ditto ...	Director of Public Instruction ...	Power may be delegated to the Director of Public Instruction, subject to the above proviso.
.....	(4) Police officers, Assistant and Deputy Superintendents.	Ditto ...	Ditto ...	Inspector-General of Police ...	Power may be delegated to the Inspector-General of Police, subject to the above proviso.
.....	(5) Chaplains of the Church of England.	Articles 846 and 849, Civil Service Regulations.	Ditto ...	Lord Bishop	Power may be delegated to the Lord Bishop, and subject to the report of the Accountant-General, Bengal, and, if Gazette notification is necessary, report to Government.
Sanction to pension admissible under the rules to officers whose pay does not exceed Rs. 50 at date of retirement.	Finance	Article 918, Civil Service Regulations.	Ditto ...	Commissioners	Under the orders of the Government of India, No. 998Ex., dated the 20th February 1906, power has been delegated in cases in which pay does not exceed Rs. 20 per mensem only. Power may be given to Commissioners to sanction pension in cases of subordinates whose pay does not exceed Rs. 50 at date of retirement.
Further power to sanction special pensions and gratuities under Article 924, Civil Service Regulations.	Ditto	Article 924, Civil Service Regulations.	Secretary of State and Government of India.	Government of India and Local Government.	Further power should be given to the Government of India, and thence delegated to the Local Government.
Travelling allowances, carriage conveyance and horse allowances.	Marine, General, Public Works, Medical, Revenue.	Various articles of Part XI of Civil Service Regulations.	Government of India	Local Government	The powers now vested in the Government of India may be given to Local Governments. The Local Government may also be authorised to grant actual expenses in particular cases in which the travelling allowance admissible under Regulations does not cover those expenses.
Exemption from ten days' rule ...	Finance, Medical, General (Education).	Article 1056, Civil Service Regulations.	Local Government ...	Heads of Departments and Commissioners.	Power may be given to Commissioners and Heads of Departments, subject to the proviso, clause (*a*) to grant exemption.
Investigation of claims to arrears of pay.	Finance, Political (Police), Registration, Judicial.	Article 5 (*c*), Civil Account Code.	Ditto ...	Commissioners, Heads of Departments, and District Judges.	Power may be delegated to Commissioners, Heads of Departments, and District Judges to order investigation and payment in case of arrears not more than five years old.
Employment of *daftaris* in the Registration Office.	General (Registration)	Article 57, Civil Account Code.	Ditto ...	Head of Department	Power should be delegated to the Head of the Department up to a limit of Rs. 20 per mensem.
Employment of petty establishment in circuit-houses.	General (Miscellaneous).	Ditto ...	Ditto ...	Commissioner	Power may be delegated to Commissioners to sanction menial establishment for circuit-houses up to a limit of Rs. 20 per mensem and subject to budget provision.
Entertainment of temporary establishment.	Finance, Financial (Miscellaneous), Separate Revenue, General (Education), Political, Revenue, Judicial, Political (Police Chaukidari), Registration.	Ditto ... (or Article 78, Civil Service Regulations).	Ditto ...	Board of Revenue, Commissioners of Divisions, Collectors, Heads of Departments, and District Judges.	Power may be delegated to the Board of Revenue in respect of temporary establishment up to Rs. 250 per mensem for one year, and to Commissioners, Collectors and Heads of Departments and District Judges up to Rs. 100 per mensem for one year, subject to budget provision.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Supply of liveries and warm clothing to messengers in Imperial establishment.	Finance	Article 98 (*i*), Civil Account Code.	Government of India	Local Government	Sanction to an appointment should carry with it power to grant liveries, warm clothing, according to scale to be fixed by Government.
Local purchase of articles of European manufacture.	Separate Revenue, Financial (Miscellaneous), Medical (Medical and Sanitation), Revenue.	Article 98 (*k*), Civil Account Code.	Local Government ...	Board of Revenue, Commissioners of Divisions, Heads of Departments, and Collectors.	Subject to the condition stated in the articles and to budget provision, power may be delegated to Commissioners and Heads of Departments up to Rs. 250 and to Collectors up to Rs. 100 in each case.
.....	Local Self-Government, Judicial (Jail), Public Works (Roads and Buildings).	Ditto ...	Ditto ...	Superintending Engineers ...	Power to purchase may be delegated to Superintending Engineers up to Rs. 2,500 and to Executive Engineers up to Rs. 500 in any one case.
Rents, rates and taxes	Separate Revenue, Political (Police), Revenue, General (Miscellaneous), Judicial.	Article 98 (*m*), (*n*) and (*o*), Civil Account Code.	Ditto ...	Commissioners and Heads of Departments.	Power may be delegated to Commissioners and Heads of Departments to sanction rent up to Rs. 500 per year, and rates and taxes up to Rs. 200 per year, subject to certificate from Executive Engineer.
Local purchase of Chubb's lock ...	Finance	Article 98 (*t*), Civil Account Code.	Government of India	Local Government, Commissioners, and Heads of Departments.	Power to purchase may be delegated to Local Government, Commissioners and Heads of Departments.
Supply of bicycles	Judicial	Article 98, Civil Account Code, and Government order No. 1511J.—D., dated 9th June 1904.	Local Government ...	Commissioners of Divisions ...	Power may be delegated to Commissioners to purchase, subject to budget provision and rules.
Grant of building advance ...	General (Miscellaneous)	Article 136, Civil Account Code.	Ditto ...	Commissioners, Heads of Departments, and District Judges.	Power may be delegated to Commissioners, Heads of Departments, and District Judges.
House allowance	General	Article 277 (*c*), Civil Account Code.	Government of India	Local Government	The power of the Government of India ought to be delegated to the Local Government in this respect, say in the case of officers with salary not exceeding Rs. 500 per mensem.
Special sanction to irregular expenditure up to Rs. 2,500.	Finance	Article 278A, Civil Account Code.	Ditto ...	Ditto	The power of the Local Government may be increased, say, up to Rs. 2,500, whether Provincial or Imperial, and in such cases it should not be open to the Audit office to question the discretion of the Local Government in applying this article.
Writing off of irrecoverable amounts.	Political (Police), Revenue, Judicial, Public Works Department (Roads and Buildings).	Article 279, Civil Account Code.	Local Government ...	Commissioners and Heads of Department.	Power may be delegated to Commissioners and Heads of Departments up to Rs. 500 in the case of Imperial and Rs. 1,000 in the case of Provincial.
	...	Paragraph 371, Public Works Department Code, Volume I.	Ditto ...	Superintending Engineers ...	May be delegated to Superintending Engineers up to Rs. 500 in respect of Provincial funds.
Remission of leave allowances and salary overdrawn, subject to the report of the Accountant-General, Bengal.	Finance	Articles 279A and 801B, Civil Account Code.	Ditto ...	Commissioners and Heads of Departments.	The power of the Local Government may be delegated to Commissioners and Heads of Departments to grant remission, subject to the report of the Accountant-General, Bengal.

Transfer from one budget subhead to another under the same major head.	Political (Police) ...	Article 295, Civil Account Code.	Ditto ...	Heads of Departments	Power to transfer from one sub-head to another in the same Department's budget may be delegated to Heads of Departments.
Power to sanction expenditure in excess of the total provincial grant, provided the provincial balance is not reduced.	Finance	Article 295, Civil Account Code.	Government of India	Local Government	The Local Government may be authorized to sanction expenditure in excess of the total Provincial Budget grant, provided the Provincial balance as estimated in the Financial statement be not reduced. Although such reference be rare, the Local Government should have this power.
Appointment of Europeans to posts reserved for natives of India.	Financial (Miscellaneous), Irrigation, General, Marine.	Article 773, Civil Account Code.	Ditto ...	Ditto	Power under this article may be delegated to the Local Government in cases in which professional or technical qualifications are required.
Transmission of mortgage deeds to Inspector-General of Registration.	General (Miscellaneous)	Paragraph 209, B. T. Manual	Local Government ...	Commissioners, Heads of Departments and District Judges.	May be transmitted by the sanctioning authority.
Construction of iron records racks	Registration	B. T. Manual	Ditto ...	Heads of Departments	Power may be delegated to the Head of the Department, subject to the budget limit and subject to a standard plan.
Acceptance of contracts	Public Works Department (Roads and Buildings).	Public Works Department Code, paragraph 900.	Ditto ...	Ditto	May be delegated to Superintending Engineers up to Rs. 50,000 under Imperial, and Rs. 50,000 for buildings, and Rs. 1,00,000 for roads under Provincial. Power may also be delegated to Executive Engineers up to Rs. 5,000, and in case of selected officers up to Rs. 10,000.
Sanction to execution of contribution works.	Ditto ...	Public Works Department Code, paragraph 1011.	Ditto ...	Commissioners of Divisions and Heads of Departments.	Power may be delegated to Commissioners and Heads of Departments up to the same limits to which they have been given power to grant administrative approval in the case of non-contribution works.
Selling or dismantling of permanent public buildings constructed from imperial funds.	Irrigation	Public Works Department Code, Volume I, paragraph 1057.	Government of India	Local Government	This rule should be modified, so as to give a discretion to the Local Government.
Sanction to expenditure on residences in excess of admissible outlay.	Political (Police), Public Works Department, Revenue.	Public Works Department Code, Rule 1066.	Ditto ...	Ditto	See note to clause IV. The amount in case of Provincial funds may well be raised to Rs. 20,000. In clause I 8 per cent. should be changed to 10 per cent. It would be more satisfactory if the rule were entirely recast, either (1) prescribing a maximum accommodation for certain classes of officers drawing between certain rates of pay, or (2) omitting (*a*) the cost of the site from the calculations (a maximum area of site might be laid down), and omitting (*b*) the cost of foundations which vary greatly according to the soil. It is a question, in fact, whether the Local Government should not be given full discretion in these questions.
Reappropriation within provincial allotments for works in progress.	Public Works Department.	Paragraph 2107 (*e*) of Public Works Department Code, Volume II.	Local Government ...	Superintending Engineers ...	May be delegated to Superintending Engineers up to unlimited amounts.
Reappropriation within imperial grants.	Public Works Department (Accounts).	Paragraph 2107 (*g*) of Public Works Department Code, Volume II.	Government of India	Local Government	Transfers from Indian to English grant may be delegated to the Local Government subject to a quarterly statement.
Sanction to expenditure debitable to capital after the closing of construction estimate of an irrigation project.	Irrigation	Public Works Department Code, Volume II, paragraph 2155.	Ditto ...	Ditto	The Local Government should have full power of sanction under this article so far as Provincial funds are concerned and subject to the submission of an annual statement of such cases.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed Delegation— From whom.	Proposed Delegation— To whom.	Recommendations.
1	2	3	4	5	6
Sanction to detailed plans and estimates—increase of Imperial and Provincial.	Public Works Department.	Public Works Department Code, paragraph 2167.	Local Government ...	Superintending Engineers ...	Power may be delegated to Superintending Engineers up to Rs. 50,000 under Imperial and Rs. 50,000 for buildings and Rs. 1,00,000 for roads under Provincial and to Executive Engineers up to Rs. 2,500 under, either Imperial or Provincial (*vide* Mr. Jacob's letter No. 1352E., dated 15th November 1907).
		(d) The relaxation of orders of the Secretary of State or the Government of India which are still in force.			
Quarterly return of memorials withheld.	General (Miscellaneous).	Home Department orders of various dates.	.....	.....	May perhaps be made annual.
Appointment of Settlement and Assistant Settlement Officers.	Ditto	Finance and Commerce Despatch No. 254, dated 3rd September 1895, paragraph 8 (3). In Government of India, Revenue and Agricultural Department letter No. 1384—171-4, dated 28th September 1904, the Local Government was authorized to create for any term all settlement appointments carrying a pay *plus* settlement allowance not exceeding Rs. 250 a month.	Government of India	Local Government	When the cost is met from Provincial revenues, power might be delegated to the Local Government up to a limit, if necessary, say, for one year at a time.
Journal of Indian Art (mostly asking that the names of subscribers may be struck off the list).	Ditto	Government of India, Revenue and Agricultural Department, Circular No. 17Ex., dated 4th February 1884.	Ditto ...	Ditto ...	The Local Government might dispose of such cases in direct communication with the publishers instead of having to address the Government of India on each occasion.
Grant of mining leases in Orissa Feudatory States.	Political	Executive orders of India, Foreign Department, Nos. 81-1 of 8th January 1891, and 2872I.A. of 6th October 1899.	Ditto ...	Ditto	The power may be vested in the Local Government, subject to the proviso that the terms be in accordance with the rules for the grant of such leases in Government Estates (section 8, Waste Lands Manual).
Grant of Oudh and Mysore pensions.	Ditto	Practice	Ditto ...	Ditto ...	Power may be delegated to Local Government as in the case of Nizamat pensions, *vide* Government of India, Foreign Department, No. 103G., dated the 18th January 1900.
Appointment of officers of the Provincial Service to act in listed posts.	Appointment	Home Department No. 2159, dated 2nd November 1892, and No. 347, dated 15th May 1901.	Ditto ...	Ditto ...	Power may be delegated to the Local Government in respect of officiating appointments not exceeding six months.

Rewards for High Proficiency and Degree of Honour Examinations in languages.	Ditto	Home Department Notification No. 708, dated 27th October 1905.	Ditto ...	Ditto ...	Local Government may be authorised to sanction payment.
Works affecting Calcutta Maidan and Hastings.	Public Works Department.	Home Department letter No. 39, dated 29th January 1903, and Military Department letter No. 1925M.W., dated 8th August 1899.	Ditto ...	Ditto ...	May powers not be delegated to the Local Government in so far as existing roadways are concerned, *e.g.*, laying of tram lines, cables, etc., where no "buildings" are concerned and no encroachment otherwise on the Maidan involved?
Repairs to launches and boats ...	Police	Rule 2 (*g*) (IV), Chapter XVII, Police Code, Volume I.	Local Government ...	Inspector-General of Police ...	May be delegated to Inspector-General of Police, subject to budget provision.
Grant of exploring and prospecting licenses in Orissa Feudatory States.	Political	Feudatory States Manual, Chapter X, paragraph 8. (Executive orders of India, Foreign Department, Nos. 81-1 of 8th January 1891, and 2872I.A. of 6th October 1899.)	Ditto ...	Commissioner of Orissa	Power may be delegated to Commissioner, provided that copy be submitted to Local Government, and that any right conferred by prospecting license to apply for a mining lease be subject to approval of Local Government.
Withholding of memorials in managed States.	Ditto	Feudatory States Manual, Volume II, Appendix III, page 4, paragraph 6. (Foreign Department Memorial Rules.)	Ditto ...	Ditto ...	May be delegated to Commissioner.
Purchase and sale of property by Government servants.	Appointment	Government Servants' Conduct Rules.	Ditto ...	Commissioners of Divisions ...	Power to authorise may be delegated to Commissioners in case of all officers subordinate to them.
Examination in tribal languages	Ditto	Appendix VI, Departmental Examination Rules.	Ditto ..	Ditto ...	Power of sanction may be delegated to Commissioners.
Promotions and postings—					
(1) Provincial Educational officers.	Ditto	Government of India, Home Department Resolution No. $\frac{35 \text{ Public}}{1701\text{-}1718 \text{ Mis.}}$, dated the 8th November 1893.	Ditto ...	Director of Public instruction ...	The Local Government is competent to delegate the power of sanctioning promotions and postings, but the sanction of the Government of India is necessary to the delegation of the power of gazetting them. Such sanction may be given.
(2) Police officers—Assistant and Deputy superintendents.	Ditto	Ditto ...	Ditto ...	Inspector-General of Police ...	Ditto ditto.
(3) Postings of Chaplains ...	Ditto	Ditto ...	Ditto ...	Lord Bishop	At present the Lord Bishop sanctions these postings, and the Local Government gazettes them. The delegation to the Lord Bishop of the power of gazetting may be sanctioned.
Deportation of convicts to Port Blair.	Judicial	Rule 682, Jail Code, and executive instructions.	Ditto ...	Inspector-General of Prisons	Can this not be delegated to Inspector-General of Prisons? It seems unnecessary that these cases should come up to the Local Government.
Power to sanction compassionate gratuity from the compassionate gratuity fund of which a portion is to be allotted to each Local Government.	Finance	Finance and Commerce Department Resolution No. 754P., dated 10th February 1902.	Ditto ...	Ditto ...	A portion of the grant held by the Government of India may be allotted to each Local Government for expenditure.
Power to sanction withdrawal of money from Opium Department Provident Fund.	Opium Branch ...	Finance and Commerce Department Resolution No. 3824, dated 18th August 1899.	Ditto ...	Board of Revenue.	

PROPOSALS MADE BY THE BOARD OF REVENUE, L. P.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Apportionment of cost when disputed.	Establishment	Section 17, Bengal Act II of 1882.	Local Government ...	Commissioner.	
Removal of houses, trees, etc.	Ditto ...	Section 19, Bengal Act II of 1882.	Ditto ...	Ditto.	
Fixing of dates of instalments and rate of interest.	Ditto ...	Section 61, Bengal Act II of 1882.	Ditto ...	Board.	
Appointment of officers to exercise power under the Act.	Ditto ...	Section 5 of Bengal Act III of 1876.	Ditto ...	Commissioner.	
To sanction removal of incorrect entries from Register B.	Ditto ...	Section 36, Bengal Act VII of 1876.	Board	Ditto.	
Sanction to expenditure in respect of an officer who has been reinstated after suspension with salary over Rs. 250 and over a period of six months.	Ditto ...	Rule 21, Section VIII, Chapter III, page 71 of the Board's Rules, 1902. Article 193 (*b*), Civil Service Regulations.	Local Government ...	Board.	
Transfer to Collector of execution of decrees of immovable property.	Certificate procedure ...	Section 320 of Act XIV of 1882, page 81 of the Certificate Manual, 1904.	India	Local Government.	
Disposal of claims by zamindars for compensation for injury done by troops passing through their estates.	Miscellaneous	Section 5, Regulation XI of 1806.	Local Government ...	Commissioner.	
Disposal of appeals against the order of the Registrar, Co-operative Credit Societies, Bengal, to dissolve or to refuse to dissolve a Society.	Ditto ...	Section 23 (2) of Act X of 1904.	Ditto ...	Board.	
Confirmation of the order of cancelling the registration of a Society.	Ditto ...	Section 23 (3) of Act X of 1904.	Ditto ...	Do.	
Disposal of escheat cases	Ditto ...	Section VII, Regulation XIX of 1810.	Ditto ...	Do.	
When Collector is in doubt as to jurisdiction in respect of *patni* sales.	Sales	Section 2, Act VI of 1853 ...	Ditto ...	Do.	
Fixing the number of process serving peons in Revenue Courts.	Suits and Process ...	Court-fees Act VII of 1870, section 23.	Ditto ...	Do.	
Claims of illegitimate heirs to escheats.	Miscellaneous	Rule 10, Section VII, Chapter VII of the Board's Rules, 1902.	India	Local Government.	
Disposal of escheat cases of illegitimate European claimants.	Ditto ...	Rule 11, Section VII, Chapter VII of the Board's Rules, 1902.	Do. ...	Ditto.	

A Government servant not to attend public meetings or receive complimentary entertainments in honour without previous sanction of the Government of India.	Ditto ...	Rule 3 of the Government Servants' Conduct Rules, 1904.	Do. ...	Ditto.
Order for valuation or revaluation.	Cess	Section 12, Bengal Cess Act, IX of 1880.	Local Government ...	Board.
Order for partial revaluation ...	Do. ...	Section 15, Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Extension of section 46 (1) to a district in respect of keeping a separate account of cess.	Do. ...	Section 46 (1), Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Division of profits (mines or quarries) between two or more districts.	Do. ...	Section 83, Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Conferring powers of Collector on others.	Do. ...	Section 100, Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Apportionment of costs of joint work between two districts.	Do. ...	Section 111, Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Appointment of members of District Road Committee.	Do. ...	Section 112, Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Removal of a member	Do. ...	Section 114, Bengal Cess Act, IX of 1880.	Ditto ...	Do.
Fixing date of payment of instalment of cess for revenue-free estate or rent-paying tenure.	Do. ...	Section 42 (2) and (3), Bengal Cess Act, IX of 1880.	Ditto ...	Commissioner.
Fixing date of payment of instalment of cess for rent-free lands.	Do. ...	Section 57, Bengal Cess Act, IX of 1880.	Ditto ...	Ditto.
Fixing instalment of cesses payable by a revenue-free holder.	Do. ...	Section 88 of the Bengal Cess Act, IX of 1880.	Ditto ...	Ditto.
Accepting resignation of a member of District Road Committee.	Do. ...	Section 113 of the Bengal Cess Act, IX of 1880.	Ditto ...	Ditto.
Fixing fees for certified copies of extracts from the proceedings of every meeting.	Do. ...	Section 127 of the Bengal Cess Act, IX of 1880.	Ditto ...	Ditto.
Authorization of special settlement in special cases.	Survey and Settlement	Section 112 (1) of the Bengal Tenancy Act, VIII of 1885.	India Government ...	Local Government
Confirmation of the above proceedings.	Ditto ...	Section 112 (3) of the Bengal Tenancy Act, VIII of 1885.	Ditto ...	Ditto.
Inception of settlements lasting for more than 12 months, the cost (or a portion of it) being met from Government money.	Ditto ...	Rule 3 (1) (i), page 13 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto (with some reservation as to area).
Confirmation of settlements of a district or *pargana*.	Ditto ...	Rule 5 (V), page 118 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto (so far as settlements of *parganas* are concerned).
Appointment of "Collector" ...	Ditto ...	Section (3) (16) of Bengal Tenancy Act, VIII of 1885.	Local Government ...	Board.
Appointment of "Revenue Officers."	Ditto ...	Section 3 (17) of Bengal Tenancy Act, VIII of 1885.	Ditto ...	Do.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Prescription of forms notices ...	Survey and Settlement	Section 3 (15) of Bengal Tenancy Act, VIII of 1885.	Local Government ...	Board.	
Authorize officers to receive application for commutation of rent.	Ditto ...	Section 40 (2) of Bengal Tenancy Act, VIII of 1885.	Ditto ...	Do.	
Sanction to payment of rent by money-order.	Ditto ...	Proviso to section 54 (2) of Bengal Tenancy Act, VIII of 1885.	Ditto ...	Do.	
Prescription or modification of rent receipt form.	Ditto ...	Section 56 (3) of Bengal Tenancy Act, VIII of 1885.	Ditto ...	Do.	
Prescription and modification of account forms.	Ditto ...	Section 57 (2) of Bengal Tenancy Act, VIII of 1885.	Ditto ...	Do.	
Appointment of officer to register improvement.	Ditto ...	Section 80 (1) of Bengal Tenancy Act, VIII of 1885.	Ditto ...	Do.	
Prescription of form of rent receipts.	Ditto ...	Section 12 (1) of the Chota Nagpur Tenancy Act, I (B.C.) of 1879.	Ditto ...	Do.	
Appointment of Deputy Collector to exercise the powers of Deputy Commissioner.	Ditto ...	Section 133 of the Chota Nagpur Tenancy Act, I (B.C.) of 1879.	Ditto ...	Do.	
Sanction to mining operations within fifty yards of any railway, reservoir, canal or other public works.	Waste Land	Clause 4, Part III of Model Mining Form R, Waste Lands Manual.	Government of India	Local Government.	
Ditto ditto ...	Ditto ...	Clause 4, Part III of Mica Mining Lease Form, Appendix I of Waste Lands Manual.	Ditto ...	Ditto.	
Sanction to remission of land revenue in respect of lands alienated under Government of India's Resolution No. 1—143, dated the 6th February 1872.	Ditto ...	Rule 4, Section VI, Government Estates Manual, 1902.	Ditto ...	Ditto.	
To sanction the grant of land as a site for the construction of Government schools, hospitals, dispensaries or other public works at the cost of recognised local funds when the value of the grant does not exceed Rs. 3,000.	Ditto ...	Paragraph 9 of Government of India's Resolution No. 1—143, dated the 6th February 1872 (*vide* Government Estates Manual, page 49).	Local Government ...	Board.	
To sanction the grant of land for any other public purposes, or to a private individual for services to be performed to the State when the value does not exceed Rs. 500.	Ditto ...	Ditto ...	Ditto ...	Do.	

To sanction the sale of Government estate by private contract.	Government Estates ...	Rule 9, Section IV, Government Estates Manual.	Local Government ...	Board.
To confirm, modify or revise the order of the Collector as regards rejection of claims or objections, or his proceedings in connection with the sale or other disposition of the land.	Waste Lands	Section 5, Act XXIII (I.C.) of 1863 (*vide* page 2 of the Waste Lands Manual).	Board of Revenue ...	Commissioners of Divisions.
To declare, on their own application, proprietors of estates disqualified to manage their own property.	Wards	Section 6 (*e*), Bengal Act IX of 1879.	Local Government ...	Board of Revenue.
When a property has been partitioned off and formed into two separate estates, to sanction the division of land revenue and of cesses for which the original estate was liable between the two separate estates.	Do. ...	Section 19, Bengal Act IX of 1879.	Ditto ...	Ditto.
To determine, on application made by the Collector, the Civil Court to which the Collector should apply in case of physical defect or infirmity of a proprietor in jurisdiction of High Court.	Do. ...	Section 33, Bengal Act IX of 1879.	Ditto ...	Ditto.
To allow wards to adopt or to give permission to adopt.	Do. ...	Section 61, Bengal Act IX of 1879.	Ditto ...	Ditto.
When the property of which the sale has been ordered, is situated in more than one district, to determine which of the Collectors shall exercise the powers and duties conferred by sections 321 to 325.	Do. ...	Section 325B, Act XIV of 1882.	Ditto ...	Ditto.
To sanction the protection of an encumbered estate under Act VI of 1876.	Do. ...	Section 2, Act VI of 1876 ...	Ditto ...	Ditto.
To decide the cost attributable to any Government establishment employed in the supervision or management of an estate.	Do. ...	Section 8, Act X of 1892 ...	Ditto ...	Ditto.
To pass orders on representations made in regard to the appointment of manager for an estate attached at the instance of the Civil Court.	Do. ...	Section 3 (2), Regulation V of 1827, page 173 of the Wards Manual.	*Vide* column 6 ...	*Vide* column 6
To approve the security to be taken from any manager and from his subordinate officers (for Chota Nagpur only).	Do. ...	Rule 1 (VI) under Act VI of 1876 (*vide* Wards' Manual, page 201).	Local Government ...	Board.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
To appoint officers specially to perform the functions of a Collector under the Land Acquisition Act.	Land Acquisition ...	Section 3 (*c*) of Act I of 1894.	Local Government ...	Board of Revenue.	
To direct the Collector to take summary possession before award of any waste or arable portion of land declared for acquisition.	Ditto ...	Section 17 (1) of Act I of 1894.	Ditto ...	Ditto.	
To authorise the Collector to make, instead of awarding money compensation in respect of any land declared for acquisition, any arrangement with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land revenue on other lands held under the same title, or in such other way as may be equitable, having regard to the interest of the parties concerned.	Ditto ...	Section 31 (3) of Act I of 1894.	Ditto ...	Ditto.	
To direct the Collector to procure the temporary occupation and use of any waste or arable land needed for a public purpose or for a company.	Ditto ...	Section 35 (1) of Act I of 1894.	Ditto ...	Ditto.	
To withdraw, if necessary, from the acquisition of any land of which possession has not been taken.	Ditto ...	Section 48 (1) of Act I of 1894.	Ditto ...	Ditto.	
To order the acquisition of the whole of the land, of which the land first sought to be acquired forms a part, in case the claim for severance is considered unreasonable or excessive.	Ditto ...	Section 49 (2) of Act I of 1894.	Ditto ...	Ditto.	
To make rules consistent with the Land Acquisition Act for the guidance of officers in all matters connected with its enforcement, and from time to time to alter and add to the rules so made.	Ditto ...	Section 55 (1) of Act I of 1894.	Ditto ...	Ditto.	

To authorise, if necessary, any particular Land Acquisition Officer to make all or any of his payments by cheques, provided no inconvenience is caused thereby to the payees.	Ditto ...	Paragraph 10 of Appendix C to the Civil Account Code, Volume I.	Ditto ...	Ditto.
To direct the salary of Partition Deputy Collector, and cost of special establishment be recovered as part of costs of partition.	Butwara	Section 41 of Act V (B.C.) of 1897.	Ditto ...	Ditto.
To sanction formation of Estates Partition Funds.	Ditto ...	Section 42 of Act V (B.C.) of 1897.	Ditto ...	Ditto.
To make a new allotment of land revenue on partitioned estates in case of fraud or error.	Ditto ...	Section 102 of Act V (B.C.) of 1897.	Ditto ...	Ditto.
To require proprietors of under-assessed estates to make refund to proprietors of over-assessed estates.	Ditto ...	Section 103 of Act V (B.C.) of 1897.	Ditto ...	Ditto.
To vest Collectors or Deputy Collectors with settlement powers.	Ditto ...	Section 110 of Act V (B.C.) of 1897.	Ditto ...	Ditto.
To direct any of the Deputy Commissioners to make perfect partitions in the district of Sambalpur.	Ditto ...	Section 136D, clause (2) of the Central Provinces Land Revenue Act, XVIII of 1881.	Ditto ...	Ditto.
To prescribe the form of applications for perfect partition in the district of Sambalpur.	Ditto ...	Section 136T of the Central Provinces Land Revenue Act, XVIII of 1881.	Ditto ...	Ditto.
To make rules regarding partition proceedings in the district of Sambalpur.	Ditto ...	Section 136V of the Central Provinces Land Revenue Act, XVIII of 1881.	Ditto ...	Ditto.
To sanction appointment of special establishments.	Ditto ...	Section 36 of Act V (B.C.) of 1897.	Board of Revenue ...	Commissioners of Divisions.
To prescribe the distance from Calcutta within which a European distillery may be licensed by the Collector of Calcutta.	Excise	Section 7, Act VII (B.C.) of 1878.	Local Government ...	Board of Revenue.
To grant rewards not exceeding Rs. 200 in Excise cases.	Do. ...	Section 78, Act VII (B.C.) of 1878.	Board of Revenue ...	Commissioner of Excise.
To appropriate a portion of the fine levied under the Excise Act for rewarding informers or compensating injured persons.	Do. ...	Section 79, Act VII (B.C.) of 1878.	Ditto ...	Ditto.
To sanction Rules relating to warehouses for opium.	Do. ...	Section 8, Act I of 1878 ...	Government of India	Local Government.
To sanction rules relating to disposal of confiscated articles.	Do. ...	Section 13, Act I of 1878 ...	Ditto ...	Ditto.
To authorise any officer to receive applications from an Opium farmer for the recovery of the amount due to him by his licensee.	Do. ...	Section 24, Act I of 1878 ...	Local Government ...	Board of Revenue.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
To sanction the prescription of forms and conditions of licenses, permits and other documents under the Opium Act.	Excise	Rule 21 of Opium Rules ...	Local Government ...	Board of Revenue.	
To determine the manner of disposal of confiscated opium declared fit for use.	Do. ...	Rule 23 (2) of the Opium Rules.	Board of Revenue ...	Commissioner of Excise.	
To prescribe the manner in which confiscated *kaffa* shall be dealt with.	Do. ...	Rule 23 (3) of the Opium Rules.	Ditto ...	Ditto.	
To sanction special rewards in opium cases.	Do. ...	Rule 24 (2) of the Opium Rules.	Ditto ...	Ditto.	
To issue orders for determining the value of confiscated opium.	Do. ...	Rule 25 of the Opium Rules	Ditto ...	Ditto.	
To fix period within which goods are to be landed when no period is specified in the bill-of-lading of such goods.	Customs	Section 83, Act VIII of 1878	Government ...	Board.	
To remit duties on warehoused goods lost or destroyed by unavoidable accident or delay.	Do. ...	Section 122 of the Sea Customs Act, 1878.	Board of Revenue ...	Collector of Customs.	
To authorise import of spirit without payment of Excise duty when the spirit is to be delivered into a warehouse appointed in this behalf.	Do. ...	Section 148, Sea Customs Act, VIII of 1878.	Local Government ...	Board.	
To appoint godown for deposit of spirit under bond for Excise duty.	Do. ...	Ditto ...	Ditto ...	Do.	
To authorise import of spirit manufactured in British India without payment of differential duty when it is deposited in a warehouse appointed in this behalf.	Do. ...	Section 151, Sea Customs Act, VIII of 1878.	Government ...	Do.	
To limit in case of an officer performing the duties of a Customs Collector his power of adjudication of confiscations and penalties.	Do. ...	Section 182 proviso, Sea Customs Act, VIII of 1878.	Ditto ...	Do.	
To appoint an officer to be Collector for purpose of the Indian Stamp Act.	Stamps	Indian Stamp Act, 1899, section 2 (9).	Local Government ...	Do.	
To authorise officers other than the Collector to sanction prosecution under the Indian Stamp Act.	Do. ...	Indian Stamp Act, 1899, section 70 (1).	Ditto ...	Do.	

To make rules relating to the supply and sale of stamps.	Do.	...	Indian Stamp Act, 1899, section 74, and Court-fees Act, 1870, sections 27 and 34.	Ditto ...	Do.
To cause Act to be translated and sold cheaply.	Do.	...	Indian Stamp Act, section 78	Ditto ...	Do.
To fix the limits of rewards payable by Collectors.	Do.	...	Rule 19 of Government of India rules, Section I, Part II of the Stamp Manual.	Ditto ...	Do.
To establish local depôts where there is no treasury.	Do.	...	Stamp Manual, Part III, Section I, rule 8 of Government of India rules.	Ditto ...	Do.
To fix the supply of stamps to be kept in stock at local or branch depôts.	Do.	...	Stamp Manual, Part III, Section I, rules 9 and 32 of Government of India rules.	Ditto ...	Do.
To issue orders regarding detailed counting of stamps in local depôts.	Do.	...	Stamp Manual, Part III, Section I, rule 13 of Government of India rules.	Ditto ...	Do.
To direct what officer shall be an *ex-officio* vendor.	Do.	...	Stamp Manual, Part III, Section I, rule 16 of Government of India rules.	Ditto ...	Do.
To fix the period for which a supply sufficient should be kept under single lock by the *ex-officio* vendor at a local or branch depôt.	Do.	...	Stamp Manual, Part III, Section I, rules 17 and 34 of Government of India rules.	Ditto ...	Do.
To direct in what language the single lock register should be maintained.	Do.	...	Stamp Manual, Part III, Section I, rule 18 of Government of India rules.	Ditto ...	Do.
To limit sales of stamps to the public by *ex-officio* and licensed vendors.	Do.	...	Stamp Manual, Part III, Section I, rule 21 of Government of India rules.	Ditto ...	Do.
To allow refunds or renewals of spoiled or useless non-judicial stamps, or the re-purchase of stamps not required, when the application for refund or renewal has been made after one year from the date of purchase of stamp or one year from the date on which the stamp has been spoilt or rendered useless.	Do.	...	Finance and Commerce Department Resolution No. 125, dated the 14th January 1881.	Government of India	Local Government
To make rules for the custody, supply and sale of stamps and stamped papers of all descriptions.	Do.	...	By practice	Ditto ...	Ditto.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendations.
			From whom.	To whom.	
1	2	3	4	5	6
Power to declare any place to be a warehouse for opium imported into territories administered by Local Government and to cancel any such declaration.	Opium	(*a*) Section 7, Act I of 1878	Local Government ...	Board.	
Power to authorize an officer to enquire into cases in which an offence has been committed against Act I of 1878, when the offender cannot be found or when opium not in the possession of any person cannot be satisfactorily accounted for.	Do. ...	(*a*) Section 12, Act I of 1878	Ditto ...	Do.	
Power to authorize an officer to issue warrant for the arrest of any person by whom an offence relating to opium has been committed.	Do. ...	(*a*) Section 19, Act I of 1878	Government Power in regard to classes may be retained by Government and power may be delegated to the Board in the case of individuals.	Do.	
Power to authorize an officer to attach poppy illegally cultivated (with certain exceptions).	Do. ...	(*a*) Section 22, Act I of 1878	Government	Do.	
Power to authorize an officer to deal with applications from an opium farmer for recovery of amount due to him from his licensee (with certain exceptions).	Do.	(*a*) Section 24, Act I of 1878	Ditto ...	Do.	This has also been included in the Excise List.
To sanction the appointment of a public, or licensing of a private, warehouse at any place which is not a warehousing port, and also to sanction the cancellation of such appointment or license.	Salt	Section 4 (1), Act VIII of 1896.	Local Government ...	Do.	
To permit conveyance of salt to inland bonded warehouses under bonds.	Do. ...	Section 5, Act VIII of 1896	Board of Revenue ...	Collector of Customs, Calcutta.	
To dispose of the proceeds of seizures and fines.	Do. ...	Section 40, Act VII (B.C.) of 1864.	Ditto ...	Divisional Commissioner.	

LIST II.

PROPOSALS FOR DELEGATION OF POWERS WHICH CAN BE MADE BY LOCAL GOVERNMENT WITHOUT REFERENCE TO HIGHER AUTHORITY.

(a) The amendment of existing Laws either of the Imperial or Provincial Council.

NATURE OF POWER.	Department or Branch.	Existing authority or rule governing its exercise.	PROPOSED DELEGATION— From whom.	PROPOSED DELEGATION— To whom.	Recommendations.
1	2	3	4	5	6
Reports as to death of criminal lunatics.	Judicial	(*a*) Section 172, Criminal Procedure Code.	Local Government ...	Magistrate or Sessions Court concerned.	
Orders for the trial of criminal lunatics.	Do. ...	(*a*) Section 473, Criminal Procedure Code.	Ditto ...	Ditto.	

(b) Relaxation of Rules having the force of law.

Appointment of establishment under District Boards.	Municipal (Local Self-Government).	Rules having the force of law.	Local Government ...	Commissioners	May be delegated to Commissioners when reference to Government is not required by any rule.

(c) The relaxation of existing Codes issued under the authority of the Government of India.

Purchase of tents for salt officers	Finance	Article 80, Civil Service Regulations.	Local Government ...	Excise Commissioner	Sanction of higher authority is not required to delegate the powers.
Leave of officers— Sub-Deputy Collectors	Appointment	Article 825, Civil Service Regulations.	Ditto ...	Commissioners of Divisions ...	Power may be delegated to Commissioners in cases in which local arrangements can be made, subject to the report of the Accountant-General, Bengal, necessary notifications being gazetted by Commissioners.
Power to grant leave to officers under Articles 841A and 825, Civil Service Regulations, may be delegated to Board in cases in which local arrangements can be made without reference to Government and subject to the report of the Accountant-General, Bengal, and if gazette notification is necessary, report to Government.	Separate Revenue ...	Articles 841A and 825, Civil Service Regulations.	Ditto ...	Board of Revenue	Local Government already possesses the power.
Supply of liveries and warm clothing in provincial establishments.	Finance	Article 98 (*j*), Civil Account Code.	Ditto ...	Commissioners and Heads of Departments.	Ditto ditto.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation— From whom.	Proposed delegation— To whom.	Recommendation.
1	2	3	4	5	6
Purchase of books	Sanitation	Article 98 (*c*), Civil Account Code.	Local Government ...	Commissioners and Heads of Departments and Legal Remembrancer.	Local Government already possesses the power.
Extra grants under travelling allowance.	Finance	Article 158, Civil Account Code.	Ditto ...	Commissioners and District Officers.	The item may be provincialized under orders of this Government.
(d) Relaxation of orders of the Secretary of State or the Government of India, or of the Local Government.					
Appointment of members of Text-Book Committees and approval of text-books.	General (Education) ...	Rules and orders of Education Department, page 13.	Local Government ...	Director of Public Instruction, Bengal	May be delegated to the Head of the Department.
Affiliation of Technical Schools to Collegiate, Zilla and High Schools.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto ditto.
Sanction to the payment of rent for telephonic connection.	General (Registration)	Government order No. 1412P.—D., dated the 5th November 1904.	Ditto ...	Inspector-General of Registration, Bengal.	May be delegated to the Head of the Department subject to budget limit.
Report on the voyage of emigrant vessels proceeding to the Colonies.	General (Emigration)...	Practice	Ditto ...	Protector of Emigrants, Calcutta.	This need not be submitted to Government except in cases of any report of special interest or importance.
Quarterly statement of mineral concessions.	Revenue (Miscellaneous).	India, Revenue and Agricultural Department, No. 27—1121, dated 4th October 1901.	.....	.....	Might be made half-yearly or even yearly.
Survey and Settlement Estates ...	Land Revenue	Survey and Settlement Manual, Chapter IV, Part I.	Local Government ...	Board of Revenue	Power may be delegated to Board to settle details, subject to budget provision.
Promotions and postings (appointments, etc., of Managers of Court of Wards).	Ditto ...	Executive orders	Board of Revenue ...	Commissioners of Divisions ...	May be delegated to Commissioners in respect of estates, the rent and cesses of which do not exceed Rs. 50,000. (The Board have power under the law.)
Transfer of officers	Ditto ...	Ditto	Local Government ...	Board of Revenue	May be delegated to the Board of Revenue.
Supply of Police Guards to Railway Companies.	Police	Rule 3 (*a*), Chapter XI, Volume I, Police Code.	Ditto ...	Inspector-General of Police ...	Power may be delegated to Inspector-General of Police.
Permission to members of Oudh family to leave Calcutta (not to go to Karbala).	Political...	Government order No. 177P.—D., dated the 30th April 1903.	Ditto ...	Commissioner of the Presidency Division.	May be delegated to Commissioner.
Sanction to forest leases in Orissa States.	Ditto ...	Feudatory States Manual, Chapter X, paragraphs 7 and 8.	Ditto ...	Commissioner of Orissa	Authority may be delegated to Commissioner subject to consultation with Conservator of Forest in technical matters.
Grant of leases of minor produce, such as lac, etc.	Ditto ...	Feudatory States Manual, Chapter X, paragraph 9.	Ditto ...	Commissioner of Chota Nagpur	May be delegated to the Commissioner.
Power to constitute State Police in managed States.	Ditto ...	Feudatory States Manual, Volume II, Appendix VIII, page 275.	Ditto ...	Ditto ...	Ditto ditto.

Power of sanction in respect of matters other than works in managed States.	Ditto ...	Feudatory States Manual, Volume II, Appendix VI, Rules 24, I (*c*) and 11 (*b*).	Ditto ...	Political Agent, Orissa Feudatory States.	May be delegated to the Commissioner up to Rs. 10,000 and to the Political Agent up to Rs. 5,000.	
Works in Angul and the Khondmals.	Ditto ...	Government order No. 62T.—E., dated the 4th May 1903.	Ditto ...	Commissioner of Orissa and the Deputy Commissioner of Angul.	The principles adopted in the cases of Native States under Government management may be accepted (*i.e.*, Political Agent* can sanction estimates up to Rs. 5,000 and the Superintendent up to Rs. 10,000).	
Repairs to Calcutta Police Buildings.	Ditto ...	Practice	Ditto ...	Commissioner of Police, Calcutta.	May be delegated to Commissioner of Police subject to budget provision.	
Deputation of Police on special occasions.	Police	Ditto ...	Ditto ...	Inspector-General of Police ...	May be delegated to Inspector-General of Police with any limitation that Government may consider necessary.	
Payment of arrears of political pensions.	Political	Ditto ...	Ditto ...	Commissioner of the Presidency Division and other Commissioners concerned.	Power may be delegated to Commissioners.	
Payment of minority accumulations.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	ditto.
Appointment of guardians, etc., for minor or insane political pensioners.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	ditto.
Payment of full pension on attainment of majority.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	ditto.
Death reports of political pensioners and resumption of political pensions.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto	ditto.
Promotions and postings of Subordinate Educational officers.	Appointment	Executive orders — General Department Resolutions No. 1244, dated the 26th March 1897, and No. 1281, dated 30th March 1897.	Ditto ...	Director of Public Instruction...	May be delegated to Director of Public Instruction.	
Postings of Sub-Deputy Collectors within the division or district.	Ditto ...	Resolution by the Revenue Department, dated the 28th April 1881, and Appointment Department, No. 4879—84A., dated the 16th December 1905.	Ditto ...	Commissioners of Divisions ...	Power of gazetting may be delegated to Commissioners.	
Transmission of medical history sheets and descriptive rolls of criminal lunatics.	Judicial	Executive instructions ...	Ditto ...	Magistrate or Sessions Court concerned.		
Removal of names from list of Honorary Magistrates in consequence of the expiry of term or death or unavoidable causes.	Ditto ...	Executive orders	Ditto ...	Commissioners.		
Acceptance of resignation of Honorary Magistrates.	Ditto ...	Practice	Ditto ...	Ditto.		
Deaths of prisoners while undergoing sentence.	Jail	Bengal Jail Code, rule 660...	.....	.....	Submission of these reports may be discontinued unless the Inspector-General considers it necessary to address Government.	
Report regarding cases of cholera in Jails.	Do. ...	Bengal Jail Code, rule 994...	.....	.....	Reports may be discontinued except in cases of serious outbreaks.	
Transfer of officers	Separate Revenue ...	Executive order	Local Government ...	Board.		
Expenditure from Darjeeling Improvement Fund.	Finance	Ditto ...	Ditto ...	Commission of Bhagalpur ...	Local Government already possesses the power.	
Boat hire for salt officers	Separate Revenue ...	Practice	Ditto ...	Commissioner of Excise and Salt	Ditto	ditto.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation— From whom.	Proposed delegation— To whom.	Recommendation.
1	2	3	4	5	6
Sanction to irregular expenditure from Municipal Funds and District Funds.	Municipal and Local Self-Government.	Practice	Local Government ...	Commissioners	May be delegated to Commissioners.
Travelling allowance of employés of mufassal municipalities.	Municipal	Ditto ...	Ditto ...	Ditto ...	The power of Local Government may be delegated to Commissioners.
Sanction to contribution to Pasteur Institute.	Local Self-Government	Executive instructions contained in Government Circular No. 1267 Medical, dated 26th March 1907.	Ditto ...	Ditto ...	May be delegated to Commissioners.
Extension and transfer of service	Ditto ...	Practice	Ditto ...	Ditto ...	May be delegated to Commissioners except in the case of District Engineers.
Payment of bonus, rewards or commission from District Funds.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	May be delegated to Commissioners.
Grant of certain allowances from District Funds.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	May be delegated to Commissioners up to Rs. 500 per annum in any one case.
Travelling allowance of District Board employés.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Power to dispose of all such cases may be delegated to Commissioners.
Supply of liveries and warm clothing.	Ditto ...	Executive instructions and practice.	Ditto ...	Ditto ...	Sanction to the appointment of a menial servant should include sanction to livery or warm clothing according to a scale fixed by the Local Government.
Local purchase of articles of European manufacture required by District Boards.	Ditto ...	Executive instructions ...	Ditto ...	.....*	*Power up to Rs. 1,000 has already been delegated to Inspectors of Works. The question of delegating power up to Rs. 200 to District Engineers is under the consideration of Government. No further delegation is perhaps necessary.
Sanction of fees to District Engineers for work done for wards and private estates.	Ditto ...	Public Works Department Resolution No. 3406G, dated 25th September 1890.	Ditto ...	Commissioner	Full power may be delegated to Commissioners to grant in accordance with Public Works Department rules.
Ambulance work. Petty grants in connection with—.	Medical	Specific instructions ...	Ditto ...	Commissioner of Police	Power may be delegated to the Commissioner of Police up to Rs. 100 in each case and subject to Budget provision.
Grant of fees for examination at Medical Schools.	Ditto ...	Ditto ...	Ditto ...	Inspector-General of Civil Hospitals.	Powers may be delegated to Inspector-General of Civil Hospitals to grant according to existing orders.
Sanction to the sites for hospitals and dispensaries.	Ditto ...	Practice	Ditto ...	Commissioner of Division ...	May be delegated to Commissioners, subject to consultation with Inspector-General of Civil Hospitals.
Discharge of non-criminal lunatics from Asylum.	Ditto ...	Ditto ...	Ditto ...	.....	The submission of reports to Government may be discontinued.
Transfer of non-criminal lunatics from Asylums.	Ditto ...	Ditto ...	Ditto ...	.....	Ditto ditto.
Visitors' reports on Lunatic Asylums.	Ditto ...	Ditto ...	Ditto ...	.....	These reports need not be submitted, unless they contain some important criticisms on the management of the Asylum.
Recruitment of Assistant Surgeons	Ditto ...	Ditto ...	Ditto ...	Inspector-General of Civil Hospitals.	Recruitment for existing vacancies may be delegated to the Inspector-General of Civil Hospitals, subject to such general rules as Government may prescribe.
Recruitment of Civil Hospital Assistant.	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Ditto ditto.

Petty expenses incurred in disinfection in connection with disease.	Ditto ..	Ditto ...	Ditto ...	Sanitary Commissioner ...	Power may be delegated to Sanitary Commissioner to dispose of, subject to the limit of a grant to be made by Government.
Approval of Lodging-house Budget	Sanitation	Ditto ...	Ditto ...	Commissioners of Divisions ...	Power may be delegated to Commissioner.
Grants from Lodging-house Funds	Ditto ...	Ditto ...	Ditto ...	Ditto ...	Powers to dispose of applications may be delegated to Commissioners.

PROPOSALS MADE BY THE BOARD OF REVENUE, L.P.

Power to fix dates of instalments of drainage, embankment and irrigation dues.	Establishment ...	Rule 3, Section VI, Chapter VII, page 178 of the Board's Rule, 1902.	Local Government ...	Board.
Sanction to entertainment of comparing clerks (over four).	Ditto ...	Rule 46, Section IX of Records Manual, 1904. Appendix J, page 91, Bengal Treasury Manual, 1906.	Ditto ...	Do.
Disposal of questions relating to pension undrawn for two years.	Ditto ...	Rule 2, Section IV, Chapter VIII, page 188 of the Board's Rules, 1902.	Ditto ...	Do.
Sanction to continuance of pension to the heirs not ordinarily allowed.	Ditto ...	Rule 2, Section V, Chapter VIII, page 189 of the Board's Rules, 1902.	Ditto ...	Do.
To sanction charge for retention of a Deputy Collector's establishment after his removal or death for arrangement of records.	Ditto ...	Rule 8, Section IV, Chapter III, page 76 of the Board's Rules 1902.	Board	Commissioner.
To sanction any temporary establishment out of the allotments placed at the disposal of the Board.	Ditto ...	Rule 11, Section IV, Chapter V, page 114 of the Board's Rules, 1902. Appendix J, Bengal Treasury Manual, page 192.	Do. ...	Commissioner and Collector according to his allotment.
Payment of arrears of hereditary pension to deceased pensioner after six months.	Ditto ...	Rule 10, Section II, Chapter VIII, page 187 of the Board's Rules, 1902.	Do. ...	Commissioner.
To sanction arrears of hereditary pension over Rs. 1,000.	Ditto ...	Rule 6, Section II, Chapter VIII, page 186 of the Board's Rules, 1902.	Do. ...	Ditto.
To reduce the amount of security over Rs. 500.	Ditto ...	Rule 2, Chapter IX, page 195 of the Board's Rules, 1902.	Do. ...	Ditto.
To transfer service of Ministerial officers to Court of Wards.	Ditto ...	Financial Department Circular No. 11F., dated the 20th March 1907.	Do. ...	Ditto.
To remove incorrect entries of revenue free properties from the General Register.	Ditto ...	Rule 10 (9), Chapter VI, page 54 of the Land Registration Manual, 1907.	Do. ...	Ditto.
To sanction reservation of one quarter of the salaries of the temporary establishment other than menial establishment from record grants.	Ditto ...	Rule 7, Section XI of the Record Manual, 1902.	Do. ...	Ditto.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendation.
			From whom.	To whom.	
1	2	3	4	5	6
Refund of lapsed deposits on which special orders are required.	Establishment	Rule 5, Section V, Chapter IV, page 98 of the Board's Rules, 1902.	Board	Commissioner.	
To sanction payment of salary to suspended officers, when the expenditure is in excess of what would have been the case, if the officer had remained on duty.	Miscellaneous	Rule 3, Section II, Chapter X of the Board's Rules.	Local Government ...	Ditto.	
Exemption of *malikanadar* from personal appearance.	Ditto ...	Rule 9, Section II, Chapter VII of the Board's Rules, 1902.	Ditto ...	Ditto.	
Renewal of Revenue Agent's certificates left unrenewed for more than three years.	Ditto ...	Rule 16, Section IV, Chapter III, of the Practice and Procedure Manual, 1902.	Board	Ditto.	
To sanction rewriting of tauzi roll.	Tauzi	Rule 3, Section II, Chapter II, Tauzi Manual, 1907.	Do. ...	Ditto.	
To sanction removal of estates from the tauzi roll.	Do. ...	Rule 3, Section III, Chapter II, Tauzi Manual, 1907.	Do. ...	Ditto.	
To sanction redemption of land revenue of petty estates on payment of 25 or 30 times the annual rental.	Do. ...	Rule 4, Section IV, Chapter II, Tauzi Manual, 1907.	Do. ...	Ditto.	
To sanction abatement of revenue demand of estates during the currency of a settlement.	Do. ...	Rule 1, Section VII, Chapter II, Tauzi Manual, 1907.	Do. ...	Ditto.	
To direct if copies of records in an area should be distributed on receipt of cost or free of cost.	Survey and Settlement	Rule 81 (*d*) of the Government Rules (revised) under the Bengal Tenancy Act.	Local Government ...	Board.	
To direct the writing in English of the Final Report on the survey and settlement of each village or each local area.	Ditto ...	Rule 90 of the Government Rules (revised) under the Bengal Tenancy Act.	Ditto ...	Do.	
To refund balances of deposits of survey and settlement costs.	Ditto ...	Rule 3, page 97 of the Board's Rules, 1902.	Board	Commissioner.	
Writing off irrecoverable cost of settlement above Rs. 10.	Ditto ...	Rule 19, page 124 of the Survey and Settlement Manual, 1900.	Local Government ...	Commissioner's and Director of Land Records' powers may be enlarged to Rs. 1,000.	
Empowering any person to perform all or any of the duties of a Collector or of Revenue Officer under the Act (XII of 1884).	Agricultural	Rule 4A of the Rules under the Agricultural Loans Act, XII of 1884, Section V, Chapter VII, of the Board's Rules.	Ditto ...	Commissioner.	

To sanction the sale of Government Estates on modified terms.	Government Estates ...	Rule 7A, Section IV of the Government Estates Manual.	Ditto ...	Board.	
To direct the mortgage or sale of any part of the property of a ward, and the doing of all such other acts as the Court may judge to be most for the benefit of the property and the advantage of the ward.	Wards	Section 18 of Act IX (B.C.) of 1879.	Board ...	Commissioners	Power may be delegated to the Commissioners in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To order the Collector to partition off any part of an estate which it is thought expedient to be sold or mortgaged.	Do. ...	Section 19 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Ditto ditto.
To appoint—(*a*) one or more Managers for the property of any ward; and (*b*) one or more guardians for the care of the person of any ward.	Do. ...	Section 20 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Ditto ditto.
To enforce of its own motion the provisions of the Act.	Do. ...	Section 28 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less. The Board have since decided not to delegate this power.
To order the Collector to apply to the Civil Court, in pursuance of the provisions of Act XXXV of 1858, in respect of the proprietor of an estate reported by him to be of unsound mind.	Do. ...	Section 31 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To order the Collector to apply to the Civil Court in regard to the proprietor of an estate considered incapable of managing his affairs owing to physical defect or infirmity.	Do. ...	Section 32 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Ditto ditto.
If no Manager is appointed, to appoint the Collector of any district other than that in which the greater part of the property lies to do the duty of the Manager.	Do. ...	Section 38 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less provided the other district is in his Division. Report to be submitted for Board's information.
To (*a*) direct how much property to be placed under the care of a Manager, (*b*) direct when and in what form Manager's accounts are to be passed.	Do. ...	Section 41 (*a*), (*d*), and of Act IX (B.C.) of 1879. Also section 70 (*c*).	Do. ...	Ditto ...	Power may be delegated to the Commissioner in respect of estates with current and cess demand of Rs. 50,000 or less. A model form is to be prescribed by the Board. Orders may be passed by the Commissioner to submit accounts in that form in respect of estates with rent and cess demand of Rs. 50,000 or less, but not otherwise without the sanction of the Board.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendation.
			From whom.	To whom.	
1	2	3	4	5	6
To (*b*) direct when and in what form guardian's accounts are to be passed.	Wards	Section 43 (*b*) and (*f*) of Act IX (B.C.) of 1879. Also section 70 (*c*).	Board	Commissioners	A model form is to be prescribed by the Board. Orders may be passed by the Commissioner to submit accounts in that form in respect of estates with rent and cess demand of Rs. 50,000 or less, but not otherwise without the sanction of the Board.
To deduct, before payment of surplus profits to wards, amounts required for working balance and special charges.	Do. ...	Section 49 of Act IX (B.C.) of 1879.	Do. ...	Ditto ...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
If no Manager is appointed, to appoint the Collector of any district other than that in which the greater part of the property lies to be next friend and guardian for a suit;	Do. ...	Section 51 of Act IX (B.C.) of 1879.	Do. ...	Ditto ..	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided the other district is in the Commissioner's own Division. A report to be submitted for Board's information.
Without the special permission of the Government (1) the rent of a raiyat cannot be raised during the currency of a settlement above the sum which would be double of the rent previously paid; (2) or the revenue or rent demandable from a raiyat raised by more than 20 per cent. of that payable by him in the preceding year.	Do. ...	Rule 4, Section VIII (*b*) of the Bengal Wards' Manual.	Local Government ...	Board.	
Powers under other enactments To give permission to the Collector—(*a*) to apply to the Civil Court under section 8 (*c*) or (*d*), Act VIII of 1890, with the view of having himself appointed guardian; and (*b*) to consent, under section 10 (3), to be proposed by a private person for appointment as a guardian.	Do. ...	Rule 7, Section X, page 97 of the Wards' Manual.	Board	Commissioners	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.
To approve programmes of improvements, the cost of which is to be debited to headings 4 (*d*), 8 (*g*) and (*h*) of the budget estimates.	Do. ...	Rule 24A, Section I, page 58 of the Bengal Wards' Manual.	Do.	Ditto. ...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided that the orders regarding expenditure of 3 per cent. on the demand for works of improvement are observed.

To sanction all works of improvement, the cost of which exceeds Rs. 2,500, or for which funds have not been provided in the budget, or which have not been sanctioned in the programme.	Do.	..	Rule 24B, Section I, page 58 of the Wards' Manual.	Do.	..	Ditto	..	Ditto.	ditto.
To approve when the estate is situated in more than one district, but in one Division, the appointment (by Commissioner) of each Collector to be the Managing Collector.	Do.	...	Rule 3, Section II, page 59 of the Wards' Manual.	Do.	...	Ditto	...	Powers may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less, provided the other districtis in the Commissioner's own Division. A report to be submitted for Board's information.	
To sanction Director's estimate of expenditure in Wards' Estates for the survey and settlement operations which are under his supervision.	Do.	...	Rule 7, Section IV, page 69 of the Wards' Manual.	Do	...	Ditto	...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand of Rs. 50,000 or less.	
To sanction expenditure in excess of the annual allotments for survey and settlement operations.	Do.	...	Rule 10, Section IV, page 70 of the Wards' Manual.	Do.	...	Ditto	...	Ditto	ditto.
To take out a certificate of Administration under Act VII of 1889 for the sale of Government securities belonging to an estate.	Do.	...	Rule 13, Section VIII (*b*), page 82 of the Wards' Manual.	Do.	...	Ditto	...	Ditto	ditto.
To sanction the introduction into any state of model rules for the management of Provident Funds.	Do.	...	Rule 17, Section VIII (*b*), page 82 of the Wards' Manual.	Board	... ...	Ditto	...	Power may be delegated to the Commissioner in respect of estates with current rent and cess demand and Rs. 50,000 or less.	
To sanction the institution of an appeal in a case conducted without reference to the Legal Remembrancer.	Do.	...	Rule 5, Section VIII (1) II, page 89 of the Wards' Manual.	Do.	...	Ditto	...	Ditto	ditto.
To grant copies of certain correspondence on the subject of suits.	Do.	...	Rule 4, Section III, page 91 of the Wards' Manual.	Do.	...	Ditto	...	Ditto	ditto.
To give permission to the Collector to make representations to the Civil Court under section 326, Act XIV of 1882, to stay the sale of any land.	Do.	...	Rule 12, page 187 of the Wards' Manual.	Do.	...	Ditto	...	Ditto	ditto.
To issue instructions as to the information the Land Acquisition Officer is to take into account in making his valuation of the land to be acquired and as to the course to be taken when he finds that the amount of compensation largely exceeds the sanctioned estimates.	Land Acquisition	...	Rule 22 (*a*), Chapter I of the Land Acquisition Manual, 1902.	Local Government	...	Board.			

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation.		Recommendation.
			From whom.	To whom.	
1	2	3.	4	5	6
To issue orders for the resumption and disposal of surplus lands.	Land Acquisition ...	Rule 4, Chapter III of the Land Acquisition Manual, 1902.	Local Government ...	Board.	
To review and finally dispose of the annual statement showing the progress of work of officers solely employed on land acquisition work.	Ditto ...	Bengal Government Order No. 115-T.—R., dated the 28th April 1900.	Ditto ...	Do.	
To decide whether conditional gift of land by a proprietor for a public purpose should be accepted or not.	Ditto ...	Rule 24, Chapter I of the Land Acquisition Manual, 1902.	Board	Commissioner.	
To decide whether the proportion of cost decreed to Government in cases referred to Civil Court, which is in excess of the amount of compensation awarded should be remitted or not.	Ditto ...	Note under Rule 69, Chapter I of the Land Acquisition Manual, 1902.	Do. ...	Ditto.	
To decide whether further acquisition proceedings are to be stayed after possession has been taken and whether the land is to be relinquished and restored with the consent of the parties.	Ditto ...	Note under section 48 of the Land Acquisition Act.	Do. ...	Ditto.	
To issue instructions for the due protection of Government interests in the apportionment of compensation awarded for service lands in respect to its lien for the purposes of the public service.	Ditto ...	Rule 55, Chapter I of the Land Acquisition Manual, 1902.	Do. ...	Ditto.	
To sanction perfect partition of a *mahal* subdivided into superior and inferior rights and held by different proprietors in the district of Sambalpur.	Butwara	Rule 1, page 138 of the Central Provinces Revenue Manual, Vol I.	Local Government ...	Board of Revenue.	
To sanction revised assessment of a *mahal* in the district of Sambalpur.	Ditto ...	Rule 3, page 138 of the Central Provinces Revenue Manual, Vol. I.	Ditto ...	Ditto.	
To sanction deputation, transfers and leave of Special Butwara Officers.	Ditto ...	By practice	Ditto ...	Ditto.	
To permit the removal under bond of non-duty paid spirit from one warehouse to another.	Excise	Section VI, rule 13, and Section VI-A, rule 16, Excise Manual.	Board of Revenue ...	Commissioner of Excise.	

To fix the rate of charges on account of rent, cooperage, storing, removing, etc., of spirit manufactured in British India and imported by sea into Calcutta.	Do. ...	Section VII, rule 8, Excise Manual.	Ditto ...	Ditto.
To sanction the employment of the outstill system in any district or part of a district.	Do. ...	Rule 88, Section X of the Excise Manual.	Local Government ...	Board of Revenue.
To sanction special rewards in Excise cases.	Do ...	Section XVI, rule 6, Excise Manual.	Board of Revenue ...	Commissioner of Excise.
To sanction rewards in cases falling under section 59 of Bengal Excise Act.	Do. ...	Section XVI, rule 7, Excise Manual.	Ditto ...	Ditto.
To sanction the home-brewing of *pachwai* for consumption by aboriginal tribes.	Do. ..	By practice	Local Government ...	Board of Revenue.
To sanction Board's Subsidiary Opium Rules.	Do. ..	Ditto ...	Ditto ...	Ditto.
To sanction the fixing of distillery fees.	Do. ...	Ditto ...	Ditto ...	Ditto.
To extend the period of bond referred to in section 103 of the Sea Customs Act.	Customs	Ditto ...	Ditto ...	Ditto.
To sanction deficiency in the outturn of kerosine oil imported in bulk in excess of 1 per cent.	Ditto ...	Government Order No. 2104S.R., dated the 20th April 1893.	Board of Revenue ...	Collector of Customs.
To sanction deficiency in the outturn of salt cargo over certain percentage.	Ditto ...	Board's Orders Nos. 1413, dated 4th September 1851, and 82C., dated 4th March 1872, referred to in paragraph 646 of office orders of the Collector of Customs, Calcutta.	Ditto ...	Collector of Customs.
Sanction of refund in the cases in which claims have been barred by limitation.	Income-tax	By practice	Local Government ...	Board.
Deduction on the value of blocks of Companies on account of depreciation.	Ditto ...	Ditto ...	Ditto ...	Do.
Rules for the selection, appointment, leave and transfer of Income-tax Assessors in the district.	Ditto ...	Ditto ...	Ditto ...	Do.
To order supply of stamps to stamp vendors on credit.	Stamp	Rule 8, Section II, Part II, and rule 18, Section I, Part I of the Stamp Manual.	Ditto ...	Do.

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation— From whom.	Proposed delegation— To whom.	Recommendation.
1	2	3	4	5	6
To make special arrangement for the vend of Court-fee stamps, namely, to appoint some person in public service as stamp vendor on a small salary in addition to the usual rate of discount allowed to licensed vendors.	Stamp	Rule 20, Part I, Section I of the Stamp Manual.	Local Government ...	Board.	
To grant refunds of judicial stamps under circumstances of special and unusual hardship.	Do. ...	Bengal Government Order No. 19T., dated the 14th August 1874.	Ditto ...	Do.	
Power to sanction expenditure on account of advances to contractors for supply of weighment articles.	Opium	(*c*) Rule 196, Chapter V of the Bihar Opium Manual, Volume II, and rule 246, Chapter V of the Benares Opium Manual, Volume VII.	Ditto ...	Do.	
Power to sanction remission of well advances when they are irrecoverable up to Rs. 1,000.	Do. ...	(*c*) Rule 328, Chapter VIII of the Bihar Opium Manual, Volume II.	Ditto ...	Do.	
Power to sanction the writing off to profit and loss of the amount due from the cultivators on account of the value confiscated opium not realised from them.	Do. ...	(*c*) Rule 188, Chapter X of the Bihar Opium Manual, Volume IV, and rule 222, Chapter IV of the Benares Opium Manual, Volume IX.	Ditto ...	Do.	
Power to direct the sale of surplus alkaloids and their salts remaining after demands of the Indian Medical Department have been met.	Do. ...	(*c*) Rules 543 and 546, Chapter IX of the Benares Opium Manual, Volume IX.	Ditto ...	Do.	
Power to grant pension and gratuity to officers of the Opium Department in cases in which the pay of the applicant exceeds Rs. 20 a month.	Do. ...	(*c*) Rule 5A, Chapter VIII of the Board's Rules (Article 918 of the Civil Service Regulations).	Ditto ...	Do.	
Powers to sanction temporary withdrawal of deposits by Opium officers from the Opium Department Provident fund.	Do. ...	(*c*) Rule XII of the Opium Department Provident Fund Rules.	Ditto ...	Do.	

Power to sanction remission of outstanding balances of advances to cultivators up to Rs. 1,000.	Do.	...	(*c*) Rule 287, Chapter VI of Bihar Opium Manual, Volume II, and Rule 359, Chapter VI of Benares Opium Manual, Volume VII.	Ditto	...	Do.	
Power to sanction expenditure required for purchase of poppy seeds for distribution to cultivators in a new opium subdivision.	Do.	...	(*d*) Executive orders ...	Ditto	...	Do.	
Power to sanction expenditure on account of rent of inspection bungalows occupied by Opium officers during weighments and settlements.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to sanction expenditure on sanitary arrangements during settlements and weighments in the Benares Agency.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to sanction expenditure for medicines used in the Divisions of the Benares Agency during settlement and weighment.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to sanction the writing off to profit and loss of the price paid to cultivators for opium accepted as good by District Officers, but afterwards found adulterated at factory *parakh*.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to order destruction of *kaffa* rags by burning by District officers instead of sending them to the Sadar factory.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to depute officers to take stock of opium chests in the Presidency opium godowns.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to depute Opium officers to the Sibpur College to undergo training to qualify themselves for the post of Factory Superintendents.	Do.	...	Ditto ...	Ditto	...	Do.	
Power to grant rewards on confiscation of opium.	Do.	...	Ditto ...	Ditto	...	Do.	This is an excise matter.
Power to sanction payment of demurrage for detention of Railway wagons loaded with opium chests.	Do.	...	Ditto ...	Ditto	...	Do.	

Nature of Power.	Department or Branch.	Existing authority or rule governing its exercise.	Proposed delegation—		Recommendation.
			From whom.	To whom.	
1	2	3	4	5	
Power to direct the disposal confiscated *kaffa*.	Opium ...	Rule 23 (3), Chapter III of Bihar Opium Manual, Volume I.	Board of Revenue ...	Opium Agent	These have been included in the Excise Branch list
Power to authorize grant of larger rewards than the fine imposed upon the offender and paid by him ; and also rewards in cases where the Magistrate could have granted a reward but has not done so.	Do. ...	Rule 24 (2), Chapter III of Bihar Opium Manual, Volume I.	Ditto ...	Ditto ...	
Destruction of confiscated and contraband opium reported to be unfit for any use.	Do. ...	Rule 179, Chapter IX, and Rule 390, Chapter XX of Bihar Opium Manual, Volume IV.	Ditto ...	Ditto ...	
To sanction the sale of confiscated salt.	Salt	Rule 3, Section V, Salt Manual.	Ditto ...	Divisional Commissioner.	
To order the disposal of confiscated salt in excess of one maund for which no offer is received.	Do. ...	Rule 4, Section V, Salt Manual.	Ditto ...	Ditto.	
To sanction special rewards in salt cases.	Do. ...	Rules 5 and 6, Section V of the Salt Manual.	Ditto ...	Ditto.	
To renew licenses for inland bonded warehouses.	Do. ...	Rule 6, page 124 of the Salt Manual.	Ditto ...	Ditto.	
To transfer salt darogas from one bonded warehouse to another.	Do. ...	Rule 37, pages 129 and 130 of the Salt Manual.	Ditto ...	Ditto.	
To allow duty to be paid through the Post-office or to the Collector of Customs, Calcutta, for salt cleared from warehouses situated at places where there is no Government treasury.	Do. ...	Rule 38, page 130 of the Salt Manual.	Ditto ...	Ditto.	
To grant refund of duty on salt lost by boat-wreck.	Do. ...	Rules at pages 152–53 of the Salt Manual.	Ditto ...	Collector of Customs, Calcutta.	
To grant passes for duty-free tarred salt.	Do. ...	Board's Order No. 1235B, dated the 22nd September 1877, and No. 504B of the same date.	Ditto ...	Ditto.	
To grant rewards to informers and seizing officers in salt cases over Rs. 200 and up to Rs. 500, and special rewards over Rs. 50 and up to Rs. 200.	Do. ...	Paragraph 77 of Salt Commissioner's Circular No. 1 of 1900.	Ditto ...	Commissioner of Salt, Bengal.	

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN

EASTERN BENGAL AND ASSAM.

VOLUME V.

Presented to both Houses of Parliament by Command of His Majesty.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

TWENTY-SEVENTH DAY.

DACCA, *Monday, 6th January*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. P. C. LYON was called and examined.

The Hon. Mr. P. C. Lyon.

6 *Jan.*, 1908

19243. You are Chief Secretary of the Government of Eastern Bengal and Assam?—Yes.

Larger powers should be given to the provincial Government to deal with provincial funds. All important schemes of expenditure should be referred to the Government of India for orders before their inception, but once such schemes have been sanctioned, and there is provision in the budget estimates for their execution, it should be unnecessary to refer again for sanction to specific items of expenditure under these schemes, or to the creation of the appointments necessary to carry them out. Again, when choice has to be made between various schemes which have been sanctioned, but which cannot all be undertaken at once owing to want of funds, the Local Government should be permitted to use its discretion as to the order in which such schemes should be taken up, and the rate of progress to be laid down with respect to them. Similarly, I am doubtful whether the Government of India does not exercise too minute a control over the details of the budgets of Local Governments. In the interests of uniformity and economy, it is necessary that the experience of other provinces should be laid before the Local Government for consideration, but when that consideration has been given to them, more discretion should be left to the local authorities to decide finally on the expenditure of provincial funds.

The Government of India is inclined to interfere too much in matters of detail, and occasionally forces views as to revenue policy, derived from experience in provinces in which the conditions are altogether different, upon officers who are well acquainted with local circumstances. In matters also of establishments and office administration, too detailed a control is sometimes exercised.

A large measure of decentralisation is required, and that can best be secured by the grant of some general power to delegate, or to refuse to delegate, or to withdraw powers. There is serious difficulty, however, in dealing with powers which have been conferred upon certain authorities by Acts of the Legislature. The exact authority who will hold such powers has been decided by the Legislative Councils, and the fact that certain orders can only be passed by officers of a certain standing may frequently have conciliated opposition based on a fear of orders being passed by junior and inexperienced officers. In many such cases it would not be right now to modify the action thus taken without very full consideration, but executive orders, and a vast mass of detailed executive work can safely be delegated to lower authorities without breach of any express or implied undertaking.

Undoubtedly, the Government of India is occasionally influenced too exclusively by officers whose experience has not extended to provinces other than their own. It is difficult to arrange for the representation of all provinces in the Government of India, but it seems advisable, when matters of great moment are being discussed by the Supreme Government, that the Local Government concerned should be fully represented personally, as well as by its written letters of protest. A very important case in point is certain correspondence on large revenue matters which took place a few years back between the Government of India and the Government of Bengal. The Revenue Department of the Government of India being at that time almost exclusively manned by officers whose experience was limited to the Punjab, it was difficult for the Government of Bengal to secure proper appreciation for its own important revenue problems or an understanding of the circumstances that have grown up in Bengal under the permanent settlement, or in those tracts of Bengal to which the permanent settlement does not apply. Large matters connected with the Bengal Tenancy Act, the survey and settlement, and the maintenance of the records of those settlements, were dealt with by the Government of India from the standpoint of officers who had no experience of Eastern India, and the protests and arguments set forth by the Government of Bengal were occasionally overruled with some lack of comprehension of the questions at issue.

The appointment of the Directors and Inspectors-General is of the greatest value to Local Governments. Their proper functions would appear to be to inspect, to suggest to Heads of Departments and to Local Governments where the reforms carried out in other provinces appear to them to be applicable in the province they are visiting, to bring the Secretariat of the Government of India into touch with provincial matters, and to deal directly also with the Local Governments, discussing with them the views of the Government of India and the reforms which they think it desirable to suggest. They should not, however, have power to pass orders, or distribute funds, nor should the Government of India issue orders on their reports without previous consultation with the Local Government.

The initiative in large administrative reforms has come in the past few years from the Government of India, who are aided by their wider experience and broader outlook. I do not think that the guidance of the Government of India should be withdrawn. Much uniformity is desirable, and it is necessary for the Government of India to curb

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The Hon. Mr. P. C. Lyon.

6 Jan., 1908.

faddists when they attain to high local position. This is especially desirable in the case of highly specialised departments placed under the control of Local Governments. Minor reforms are, of course, frequently initiated by Local Governments.

The right of appeal, either in administrative or personal matters, should not be curtailed, but constant vigilance would appear to be necessary to prevent too great an interference with the discretion of Local Governments, and the consequent growth of an impression that the Local Government is not trusted.

The demands for returns and information has not increased materially in the past few years, but constant care is required to prevent this, and the present reports and returns might still be largely reduced, on the lines of the orders issued by the Government of India a few years back. There are reports sent up by all grades of officers which are not required. The information contained in them should be carefully registered and tabulated in the office of collection, so that they may be available when required, but they should not be reproduced in periodical reports for the information of higher authorities.

Large delegation should be made to Commissioners and to District Officers, of the powers both of the Local Government and the Board of Revenue. The status and position of the Board of Revenue should be materially changed. The members should still sit to exercise appellate authority, but for all executive work they should act merely as the Lieutenant-Governor's agents. While I would not impair the supreme authority of the Lieutenant-Governor, which gives strength and individuality to the administration, I would give him two officers to relieve him of much detailed correspondence and to help him in the inspection of the work of his Commissioners and the Heads of Departments. They should be senior officers with full knowledge of the province, who have themselves been Commissioners, and they should be consulted by the Lieutenant-Governor generally on all matters of importance. Their presence at headquarters would prevent the exercise of undue influence by junior officers in the Secretariat, and would bring more varied experience to the assistance of the Lieutenant-Governor, while they would be available constantly to visit divisions and communicate to Commissioners, and through them to District Officers, the policy and the detailed wishes of the Government. They would have no office separate from that of the Secretariat, and would see all cases concerning the department they were appointed to control. This would completely modify the present system, under which there is much unnecessary friction and delay over matters dealt with both by the Board of Revenue and the Local Government, and the position of Commissioners would, at the same time, be enhanced.

Commissioners should be given more power in matters relating to agriculture, police, education, excise and sanitation. It is through the Commissioner that the Government should get into touch with the people, and he should influence the policy of Government in matters in which he is able to ascertain local opinion and sentiment.

Executive Officers have not, of late years, had sufficient opportunities for personal contact with the people. The chief obstacles are the pressure of Court and office work, the want of communications, and the increased frequency with which European officers take leave out of India.

Frequent transfers have also militated against an intimate knowledge of the vernaculars. Assamese can be mastered without much difficulty by an officer who knows Bengali, and we have, since the constitution of this province, modified the departmental examination rules to secure an adequate knowledge of Bengali as a condition of service.

The pressure of Court and office work is due to the inadequacy of the staff available to deal with it, and the excessive area of some of our districts. For the proper government of the province the *cadre* of the Civil, Police and Educational Services should be largely increased. These Services are altogether undermanned, and it is impossible for the officers in them to perform the duties entrusted to them with adequate care and consideration. The consequence of this pressure has been that the valuable tours made by officers in the interior of their districts have to be curtailed, and those officers have not the time to enquire into details of village life and village organisation, and make themselves personally known to the people in the manner that is essential to the proper performance of their duties.

Considerable care should be exercised in the selection of Collectors of districts and of Commissioners of divisions, and seniority should only be held to give a claim when it seems probable that the senior officer will use intelligently the greater experience that he has acquired.

The transfers of officers have been, at times, unnecessarily frequent, and the greatest vigilance is required to reduce their number. They are due to inadequacy of staff, the working of leave rules, and the system under which promotion frequently connotes a transfer. It would not be advisable in the public interest to touch the leave rules, and I am doubtful whether any system of pay can be devised which would obviate the necessity for transfers on promotion. But with a larger staff a great many of them could be avoided, as the large majority of transfers which are made are due to the necessity of supplying the place of an officer going on leave, or falling sick, by an officer of equal calibre from a distant place. With a larger staff, and strict attention to the principle that officers must be allowed to remain for three years in the districts to which they are appointed, many of the disadvantages due to the present system would disappear.

I am doubtful whether much larger powers can be granted to municipalities or District Boards, but something can be done in this direction. The difficulty lies in securing proper control over the executive of such bodies, and in maintaining that executive at a proper standard of efficiency. If these Boards would secure the services of the best men to fill the posts under them, and would leave good men to carry out orders without excessive interference, there would be less objection to the granting of larger powers to them. It is not so much that they fail to issue the right instructions and the right orders, as that they fail to see that those orders are properly carried out.

While anxious to devise some means by which Indian gentlemen who are ready and willing to help in the administration can be associated with the Government in its work, I am doubtful whether the constitution of Advisory or Administrative Councils will greatly help matters, though committees of Indian gentlemen constituted to assist in sanitary and educational matters can be utilised with great advantage to the administration. We have for our permanent assistance a large body of Indian members of the Provincial Civil and allied Services, and private gentlemen, who have their own business to attend to, and who are not directly associated with the Government, would find it very difficult to take any such prominent part in Government work as is implied by the formation of Advisory or Administrative Councils. A great deal can be done by a policy of consultation and deliberation with Indian gentlemen of all classes in the district or division on all matters of local interest, and I am only doubtful whether such a policy should be carried out on the lines of the proposals hitherto made for the creation of formal councils.

An experiment might be made in investing District Boards with powers of supervision and control over small municipalities.

Efforts are being made to encourage the growth of village communities, and to entrust village officers with greater powers over the disposal of local affairs, but great care has to be exercised to secure that the powers thus given fall into the right hands. I am convinced that, for some time to come, the main work of the administration must remain in the hands of those who are trained up to the work, whether they be Europeans or Indians. For the present there must be a large leaven of Europeans, in order to give strength and backbone to the administration. We at present recruit almost all our Government officers from among the

natives of the country, and at the time of the transfer of the Bengal districts to the new province there were only 93 Europeans in all branches of the Government Service within the province. Experience has shown, however, that our staff was in this respect much too weak, and it has been necessary, and it still is necessary, to strengthen it to enable us to perform our obligations towards the masses of the population.

19244. Will you give the Commission a very brief sketch of the organization of the province?—The Head of the province is the Lieutenant-Governor who is assisted by three Civil Secretaries and a Public Works Secretary. There is a Board of Revenue, comprising two members, and there are five divisions in charge of Commissioners. The District Officers are known as Deputy Commissioners in Non-Regulation districts, and Collectors in Regulation districts. Then there is a Legislative Council consisting of 15 members.

19245. What place does the Board of Revenue occupy?—It stands intermediary between the Commissioners and the Government in all matters connected with land revenue and miscellaneous revenue. It is only concerned with revenue. The members tour in the province, but they have their headquarters at Dacca and visit Shillong during a portion of the hot weather and rainy season.

19246. Do they ever sit as a Board of Revenue?—Occasionally both members jointly sign a reply if they are consulted jointly on any important matter, but their work is practically separate

19247. Has each individual member the full powers of the Board, as a Board?—He has, except in the matter of appeals; if the Board of Revenue differ from the Commissioner on appeal, both members have to be called in.

19248. What is the distribution of work at the headquarters of a district?—Our districts are divided mostly into sub-divisions. The central or *sadar* sub-division is in the direct charge of the Collector, but each of the outlying sub-divisions has a Sub-Divisional Officer, either an Assistant Magistrate or a Deputy Collector, and some of the Collector's powers devolve upon the Sub-Divisional Officer who deals with the criminal work of his sub-division. In Assam a large portion of the revenue work is also done by the Sub-Divisional Officer within his own sub-division, but in Eastern Bengal practically the whole of the revenue work is kept in the direct charge of the Collector at headquarters. He has under him at headquarters a considerable staff—3 or 4, or more, Deputy Magistrates, sometimes a Joint Magistrate and an Assistant Magistrate also, who deal with criminal cases and with various departments of revenue work. Deputy Collectors are placed in charge of the Income-tax Department, the Excise Department, Partition, Road Cess, Land Registration, and so on.

19249. Has the Deputy Collector at headquarters no territorial jurisdiction?—No, not in Eastern Bengal.

19250. There is a Sanitary Board in the province; what does that consist of?—The first member of the Board of Revenue, the Chief Engineer, and the Sanitary Commissioner—the Sanitary Commissioner being both member and Secretary.

19251. With regard to the Director of Agriculture, he has lately been appointed to this province?—Yes. He was previously on the Civilian *cadre* of the province. He was selected by the Local Government.

19252. Was his appointment confirmed by the Government of India?—I do not think the appointment was specially reported to the Government of India, but they are aware of it no doubt.

19253. Have any officers of the Agricultural Department been sent to you lately by the Government of India to advise?—Mr. Finlow, the jute expert, was in the province of Bengal before the partition, and he came over to this province which contains the largest jute area. There is another expert about to join who is under training at Pusa; he is an agricultural chemist. He is one of the experts we have asked for—we asked for 4 or 5.

19254. Then there are certain other heads of Departments, the Jail Department, Registration, Excise, and so forth; are these all under the Local Government?—Yes. The Departments of Excise and Customs and Land Records are under the Board of Revenue.

19255. Is the Customs Officer an imperial officer?—The Collector of Customs at Chittagong is the Commissioner of the division. Under him we have an Assistant Collector of Customs who is a local officer, but I think he is under some special agreement. He would ordinarily be an imperial officer.

19256. While the Government of Eastern Bengal and Assam has put in a memorandum which states the views of the Government, the expression of opinion by officers generally is that of their own individual view of the questions put to them?—Yes, that is so.

19257. The Government of Eastern Bengal rather takes the view that the control of the Government of India is over-elaborate? In what particular?—The constitution of the Board of Revenue as it was formerly in Bengal, and as it at present is in this province, seems to result in the delay of work and to afford an example of over-elaboration.

19258. Does the Government of India inquire too minutely into the details of your budget?—We are of that opinion, but I understand that a good deal of change has been effected lately in the direction of giving the Local Government more freedom in settling the details of the budget.

19259. You say you want greater power to judge from among approved schemes those which are of the greatest importance; have you not the power to do that now?—The difficulty is that some schemes are pressed on us as matters of great urgency, and we have been restrained by the Government of India occasionally from proceeding with other schemes in preference, which we consider of greater urgency, although the expenditure is mainly from provincial revenues.

19260. Have you no power to resist such interference in the case of the expenditure of provincial funds?—I do not think so; if the Government of India desires that we should cut down certain items of the budget in view of increased expenditure on other items they can make us do so, while we should perhaps prefer to distribute our expenditure somewhat differently.

19261. Do you mean that, instead of saying to you, "Your whole budget represents a total of so and so, you must reduce it by 10 lakhs," they say, "You must take off two lakhs in the Education Department, two lakhs in the Public Works," and so forth?—Yes, I believe a great deal of change has been made recently, and objection is not now being taken so much, but it was previously the case. The general limitation of expenditure is within the proper supervision of the Government of India.

19262. With regard to the status of the Government of India itself, speaking with the authority of the Government here, will you explain your views?—In matters where the Government of India express views which are opposed to those held by the Local Government, the Local Government has not always had sufficient opportunity of emphasising their views and discussing matters with the Government of India. That might be remedied if the officers of the Government of India were taken from the various provinces. I do not in the least wish to suggest that the number of officers of the Government of India should be multiplied, or that any further over-elaboration should take place in the work of the Government of India, but the suggestion is made with reference to the proposed increase in the membership of the Legislative Councils. By such an increase a large number of official members will be brought into touch with the Government of India, and that might render it possible for representatives of the Local Government to be consulted, and the ideas of the Local

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Governments to be thoroughly explained before any dissent from them is expressed.

19263. You wish to enable the Government of India to get advice upon the varying local conditions of the various provinces?—Yes. I should like to refer to a case regarding revenue matters in Bengal. The Government of India in the Revenue Department was almost exclusively drawn from officers of experience in the Punjab, and the proposals of the Government of Bengal at the time with reference to the maintenance of the settlement records and the Bengal Tenancy Act were dealt with entirely by officers of the Government of India who had no knowledge of the circumstances of Bengal. There was a very lengthened correspondence with regard to the matter, much of which might have been avoided. The result was that the representations of the Local Government, which had been repeated on more than one occasion, were finally over-ruled. The action consequent upon that case is not yet completed; the correspondence took place a few years ago.

19264. Would it not be quite possible, notwithstanding the overruling of the provincial Government, that the decision might be a wise one?—That of course might be the case.

19265. The Board of Revenue, as it exists now, is a copy of the system in Bengal as it formerly existed. Are the relations of the Local Government with the Board of Revenue entirely within the competence of the Government of Eastern Bengal?—The changes that have taken place in the Bengal Government are wholly within the competence of the Local Government.

19266. The Lieutenant-Governor desires a change in the system by which the members of the Board of Revenue would be brought more directly into touch with them. Surely the Government of Bengal have full powers over the procedure of their own officers and the relations of those officers to the Government?—I am not sure that there are not some difficulties as regards the powers of the Board of Revenue which might be involved if this change was fully carried out. The members of the Board of Revenue have been known to object to the change as bringing them into too great subordination to the Lieutenant-Governor and making them mere Secretaries rather than independent members of the Board. That creates some difficulty in carrying out the change, but to a certain extent, as regards pure matters of procedure, there should be no difficulty.

19267. The view of the Local Government is that it is desirable first of all to have a Board of Revenue, and secondly to have a strong one?—That is the view taken in the Government letter.

19268. Is that your personal view?—My personal view is that we should go further. All I would leave to the Board of Revenue, as such, is their appellate jurisdiction, and for its appellate jurisdiction it should be strong. The Board of Revenue, except for appellate purposes, should cease to exist; the two members who are now members of the Board should become advisers of the Lieutenant-Governor, not as having the powers of the Lieutenant-Governor, but as his deputies, so that they could visit various parts of the province and carry out and communicate his orders. As senior officers of the Service they should be advisers between him and the Secretaries, who might be more junior officers. My proposals are mainly in the interests of the greater simplification of business. The present system greatly increases correspondence. There are a vast number of matters which go from the Commissioner to the Board of Revenue, and again from the Board of Revenue to the Government, sometimes differences of opinion arise between the Board of Revenue and the Commissioner, and again between the Board of Revenue and the Local Government, involving correspondence and adjustment. If all these matters were dealt with directly between the Commissioners and the Government, the Lieutenant-Governor being assisted by two Councillors who could discuss matters with him, or visit the divisions, it would simplify business.

19269. Could the same result be obtained, not by the creation of a Council, but by an increase in the powers of Commissioners, leaving the Board of Revenue for the purposes of appellate jurisdiction?—I think my proposals would be accompanied by a great delegation of power to Commissioners.

19270. If there was a great delegation of powers to Commissioners what would be the necessity of some body intermediate between the Lieutenant-Governor and the Commissioners?—I do not suggest an intermediate authority, but assistance to the Lieutenant-Governor both with regard to advice and for inspection purposes.

19271. Would it not be sufficient to make a Commissioner go direct to the Secretariat without the assistance of these Councillors?—That would be an inferior system, because the assistance which would be given by these Councillors should be very great.

19272. Are you quite prepared, and is the Local Government here quite prepared, to delegate very largely increased powers to Commissioners?—Yes. The retention of the Board of Revenue for appellate purposes is of importance in any case.

19273. Do you suggest that the granting of these larger powers to Commissioners would require their more careful selection?—Selection should be more carefully made; it is made with some care now.

19274. Would you begin the process of selection very much lower down the scale of officers?—An officer should be selected for the charge of a district; every officer is not fit for the charge of a district.

19275. Are officers so selected now?—Some officers are passed over.

19276. Is that passing over less frequent than it might advantageously be?—If greater power was given, more officers should be passed over; the system might be slightly more strict than it has been.

19277. In the case of either a Sub-Divisional Officer who is passed over for a Collector, or a Collector who is passed over for a Commissioner, what should be done with them—should they be allowed to remain in the Service, or would you retain them in the charges in which they were before they were passed over?—I think so. I do not think it means any further deterioration in the officer, because he may be fit for the charge of a district, but he may not be fit for the higher duties of a Commissioner.

19278. But taking the case of an officer who has been three or four times passed over, would you retire that officer or would you retain him to the end of his service?—I think he should be retained—I see no reason against it.

19279. Do you see no reason against retaining an officer, say, of 40 or 45 years of age as perhaps Assistant Collector if he has been passed over for a Collectorship?—Some scheme, by which officers who might be reported as unfit for a higher post than that of Joint-Magistrate should possibly be given some compassionate pension, might be worthy of consideration, but it is not a matter I have fully thought out.

19280. You suggest that Commissioners should be given power to post and transfer subordinate officers—do you mean Gazetted Officers?—Gazetted Officers, but Uncovenanted Officers, such as Deputy Magistrates. Commissioners have now the power of transferring and posting Sub-Deputy Collectors, and it is merely an extension of that system to the rank of Deputy Collector.

19281. You would not give power of posting or transferring in the case of Imperial Civil Servants?—There would be no objection to the Commissioner posting Assistant Magistrates to different districts, but he should not post Joint-Magistrates or Collectors.

19282. You suggest that reference should be made to Local Governments after the Government of India have received advice from their Inspectors-General; supposing the Inspector-General was an officer, say, of the Government of Eastern Bengal, and he criticised rather sharply the proposals of

the Government of India, and his criticism were referred to the Local Government, might not that prejudice his forward path after he had ceased to be an Inspector-General of the Government of India?—Officers are not drawn from Local Governments. Personally I do not see any difficulty.

19283. Is the Government of Eastern Bengal not only prepared to delegate powers to Commissioners, but do they think that the Commissioners, in their turn, should be called upon to delegate powers to Collectors and Sub-Divisional Officers, particularly with regard to revenue work?—Yes. Delegation from a Commissioner, of course, would be to the Collector and the Collector would delegate to Sub-Divisional Officers.

19284. With regard to District Boards and municipalities, the Government of Eastern Bengal do not think it would be well at present to extend their powers?—That is the view taken. In the opinion of the Government the management of the District Boards and municipalities has not proved so specially successful as to justify the delegation to them of further powers, but at the present time very large powers lie in the hands of District Boards and municipalities.

19285. Do the powers lie with the District Board now, or with the Chairman of the District Board?—I should say distinctly with the District Board.

19286. When you were a Chairman of a District Board, did you find, generally speaking, that the Board were unwilling to disagree with you in any views which you might happen to take upon a particular question?—I would rather put it that I consulted the Board.

19287. And that the Board agreed?—No, I do not wish to put it in that way, because I differed in many cases from the Board. If I had views on a certain point, I put them to the Board and they discussed those views, but I do not think it can be said that the Board always agreed.

19288. Was there full discussion of all matters with the Board?—That would apply to certain members of the Board, but not to all; there were many members from whom I did not get much assistance, but there were others who were ready to express their views and from whom I did get the greatest assistance.

19289. You did not feel that your position as Chairman so dominated the Board that they practically took little interest in the proceedings?—I do not think that any want of interest in the proceedings which might have been shown by the members of the District Board was due to that, because many of those who opposed the Chairman were those who took the greatest interest in the proceedings.

19290. When was the budget first seen by the Board, the day they had to discuss it?—That I cannot say. I should not dream of asking a Board, if I was now Chairman, to discuss a budget on the day I presented it to them. I cannot say what I did in former days; it is some years ago.

19291. With regard to transfers, you are responsible, subject to the authority of the Local Government? Do you find that there is a great number of transfers from post to post?—There is a very great deal. I look upon it as a very grave nuisance and I do what I can to avoid it. The Lieutenant-Governor has written a minute on the subject, of which perhaps I may give the substance now. His Honour is of opinion that transfers are justified by so many considerations that, so far as he knows, they have not been unnecessarily made, in the vast majority of cases. Such as have been made could not have been avoided without falling into worse difficulties. The causes of transfer may be divided into, (*a*) breakdown of health; (*b*) leave; and (*c*) unfitness proved by conduct. That means where an officer has proved a failure in a district, and it is necessary to transfer him in consequence. Then (*d*) the necessity of taking a man from a district for more important work. Thus; a Financial Secretary might break down, and it might be necessary to select a man for the post; there are very few men in the province who could be selected for such an important post, and it might be necessary to take a man from a district where he had only been for a year or six months. Then (*e*) senior officers returning from leave requiring posts to be allotted to them; (*f*) promotion; (*g*) social disqualification. That is a matter which requires perhaps some explanation. It is highly undesirable that two officers who are known to be on very bad terms should be placed in close connection with each other—similarly with two Deputy Magistrates. We know that two Deputy Magistrates are on very bad terms (they may have had some trouble between them known to Government), and they could not be placed as Sub-Divisional Officer and second Deputy Magistrate in the same sub-division. Then (*h*) hardship and general dissatisfaction, if prizes and good appointments are not fairly distributed among those fit to hold them. We have a large number of appointments which vary greatly with regard to the qualifications of the officers who are required to fill them, and a number of officers who vary largely in the qualifications they possess; consequently transfers are inevitable if attention is to be paid to the special fitness of officers for the posts they are to hold. As an example, the very important district of Mymensingh might fall vacant; it would be impossible to appoint to the post the man who was Assistant Magistrate there, and it might be necessary to bring a man from another district to fill the place.

19292. Would that be the case as regards a period of long leave?—Perhaps, anything over six months.

19293. Would you fill a three months' vacancy with an Assistant Magistrate?—Yes, Probably. The remedies suggested for the transfers are, firstly, that we must increase our staff if we are to avoid breakdowns which are due constantly to overwork; secondly, as regards leave, it is suggested that after six months' combined leave, even if part of it was privilege leave, three years should be the interval before the next long leave could be taken; and it is to be considered whether a senior officer returning from leave could not be allowed to keep his post and pay, until a suitable vacancy occurs without having to make a fresh appointment. As regards promotion, it might be possible that officiating pay should not go to the officer who would get the promotion without his having to go and actually take up the appointment. Those are the main points.

19294. With regard to leave, do officers stay out here too long when they first come without going home? They have to stay out eight years subject to a period of three months' privilege leave?—No, I do not think so. They can sometimes get three months' privilege leave combined with three months' special leave, and a considerable number of officers go home after three or four years on six months' leave, so that the old rule is mitigated by those circumstances.

19295. Have you any particular trouble with regard to the knowledge of officers of the vernacular here?—We have taken measures to stiffen the examination, because officers have not so much to do with other vernaculars—we are almost limited to Bengali.

19296. Is there any lack of cordiality or a lack of sympathy between the officers of the Government and the people?—I think the increase of work has made it increasingly difficult for officers to cultivate the friendship of Indian gentlemen, and meet them. Officers have too much work, and they have not the time for relaxation which would give them the opportunity.

19297. When they are actually on tour, does the office work so haunt them that they cannot get about amongst the village people?—Not so much as they should be able to do. Their tours are confined by the press of their work; they are greatly confined to the main roads, when they should be able to go more into the interior of their districts than they do.

19298. Is there no limit to the distance that an officer may cover in a single day?—There are some rules passed to meet the case of motor cars, but I do not know exactly what the present limits are. There were limits beyond which an officer was not

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supposed to travel, namely, 20 miles a day, but I should not like to emphasise that, because very often an officer has to go out for the express purpose of inspecting certain offices which makes it desirable that he should travel far so as to make rapid progress.

19299. Is it not clear that it is no good an officer going on tour unless he goes at such a pace, and within such limits, as to be in touch with the people?—If he can make short marches in the cold weather that would be the ideal thing to do, but he is prevented from doing so by office work, and particularly in this province, owing to the want of staff.

19300. Although you are doubtful about the advisability of extending the powers of District Boards and municipalities, does the Government here think something could be done in the way of village councils?—Yes. Efforts are now being made to introduce a new system of panchayats.

19301. The individual panchayat or collective panchayat?—The individual panchayat who is called the President in Eastern Bengal. The old village system which prevails in other parts of India is scarcely known here; the districts have different systems of their own which may be worked up into some resemblance to the old village organization.

19302. Is it the desire of Government to gradually create some system of communal feeling in the villages?—I think it is most desirable.

19303. For the purpose of dealing with small petty and criminal work?—Yes.

19304. And some small amount of educational work?—Yes. I should think the village schools ought to be in charge of the local bodies.

19305. And also small matters of sanitation?—Yes, and also for arbitration in cases of land disputes between tenants and so on.

19306. You stated that at the present moment such councils should not deal with disputes in which zamindars are concerned?—The difficulty is not as to the councils; it is that if the President of the panchayat is given powers by Government, it will be very difficult to appoint a man who would deal fairly and properly with these disputes. If we could arouse the communal feeling we should be able to gradually evolve a local village council which would have the village at its back, and would deal with these matters efficiently. That is a question of time.

19307. Would it be a considerable time?—Yes, a considerable time, and it would require very careful management.

19308. Would that work be hampered by distinctions of caste and religion?—Very much so.

19309. You say that there are certain reports and so forth which the local officers have to make which might be diminished?—Some of the information, at any rate, which is sent up periodically to the higher authorities might be retained in the office until some special enquiry was made into a particular subject, or some necessity arose for collecting the figures. Some of the statistics as to criminal and civil jurisdiction, registration, and possibly excise and education and so on might be thus dealt with.

19310. Do you, as a Government, ask for a good deal in the way of returns from your officers and so forth, which are not occasioned by the demands either of the Secretary of State or the Government of India?—I doubt whether we ask for a great deal which is not passed on.

19311. But have you ever looked into the question of returns which you yourselves ask for, as apart from the Government of India?—No, I cannot personally say that I have.

19312. Would it be a subject worthy of consideration by the Local Government?—Certainly. I cannot say that it has been done.

19313. I am not speaking of merely annual returns, but rather of a case in which some one wants information and a return is asked for—We try to keep every possible check upon that kind of thing. It is being constantly suggested to us that in consequence of some difficulty which has arisen, or some fault that has been committed, a return should be prescribed in the future, and that it shall be required from all District Officers and Commissioners, but we do our best to stop that, and sometimes we think the recurrence of the fault is probably a smaller evil than a large number of returns.

19314. At any rate you think, as a Local Government, you are not particular sinners in that respect?—I hope not.

19315. Has there been a marked improvement in the morale of the Subordinate Service, or is there still some leaven of corruption in the Subordinate and Provincial Services?—It depends on how far you go down in the Service. I think in the grades of Deputy Collector and Sub-Deputy Collector it is far less than it used to be, though one knows of instances still.

19316. Would that be in any way due to the officers being kept a long time in their districts, or would the reverse be the case?—I have had a great deal of work in the Settlement Department, where the officers are very hard worked and move about a great deal from place to place, and among officers there is this security, that they have not had time to make arrangements to take bribes; they are moved too quickly from one place to another to make any arrangements or ascertain the persons who would bribe them.

19317. May I draw this general distinction, that while in the Imperial and Provincial Services, it might be well to retain an officer a considerably longer time in his post, it might be of considerable advantage not to do so in the case of the Subordinate Service?—I think the danger is greater with subordinate officers.

19318. How long should a Covenanted Officer be kept in his district?—From three to five years, except possibly in special cases. He might lose interest after five years, and a change might be good for him and for his work.

19319. (*Sir Frederic Lely.*) Are there great differences in the general administrative system of Eastern Bengal and Assam, or are they pretty much on the same lines?—They are on the same lines, but, of course, there are distinctions; they are governed by different executive rules; a different system has grown up to a certain extent and they differ greatly in that the Sub-Divisional Officer deals with revenue work to a much larger extent in Assam than he does in Eastern Bengal.

19320. That is to say what is called the system of territorial sub-divisions obtains more in Assam than it does in Eastern Bengal?—It is more complete. In Eastern Bengal the revenue work is more centered at headquarters, but the criminal work is distributed similarly in both provinces.

19321. Even in Assam, is the Sub-Divisional Officer entrusted with the whole general administration of his sub-division?—No, a good deal remains in the hands of the Deputy Commissioner.

19322. I was not speaking so much of powers as of cognizance; has the Sub-Divisional Officer in Assam cognizance generally of all the administrative work of his sub-division?—I could not answer that definitely.

19323. Is it understood when a young Assistant Commissioner is put in charge of a sub-division, he is responsible for its welfare and its good Government in the same way as the Deputy Commissioner is responsible for the whole district?—I should say so.

19324. For instance, is he given to understand that he is expected to take an interest in education, and that if education advances in his sub-division he will get the credit, or a portion of the credit for it?—I know he does a great deal of inspection of schools in his sub-division, but whether nowadays he is responsible for the advance of education it would be difficult to say. He can help, but his powers would be limited, as would those of the Deputy Commissioner, by the Education Department.

19325. He has not so much general responsibility in the Eastern Bengal districts, has he?—For instance, a Sub-Divisional Officer in the Eastern Bengal has nothing to do with income-tax?—He has a much more limited jurisdiction in general matters.

19326. Do you not think that the Assam system is much the better?—I think it is the better system.

19327. Do you not consider that a man in charge of a sub-division, going on tour among the people, is much more likely to be able to do, say income-tax work well, than a man staying at headquarters who never comes into contact with the people at all?—I think so.

19328. It has been said that income-tax work, as a matter of fact, is done worse by the Sub-Divisional Officer than by the headquarters officer—would you agree with that?—I should not have expected that to be the case.

19329. When the Sub-Divisional Officer tours in his sub-division, how does he go about?—I hope he rides. In some parts of Eastern Bengal he has to go about in boats, but he usually rides a great deal.

19330. Do you provide the Collector and his Assistant with boats where they are wanted?—I think the Collector is so provided, and I should like to provide every Collector in Eastern Bengal with a steam launch.

19331. A suggested remedy for over-work is the division of some of the districts which are too large; would it not equally answer the purpose to devolve more powers upon the Sub-Divisional Officers, so leaving the Collector or Deputy-Commissioner more leisure for the more important matters of his district?—I do not think that would meet the case with regard to several of our large districts which are very thickly populated. I do not think an officer would have time to get to know as intimately as he should the requirements of different parts of some districts.

19332. But if there is a sufficient staff of Assistants?—Still the distances would be too great, and he would not be able to spend sufficient time in each place.

19333. I can understand that that would be an obstacle to the Collector himself getting so much personal knowledge of the people as he would like, but if he exercised control through efficient Assistants, would not the same end be practically gained at less expense?—I think we should look to the Collector to gain more personal knowledge, and let the Commissioner gain it through the Collector; I should not like to substitute an Assistant for the Collector.

19334. Would your objection be based largely on the inefficiency of the Deputy Collectors?—I do not think they would be so efficient as the Collector or so valuable.

19335. But still you would not call them, as a rule, incompetent and unfit to be entrusted with larger powers?—No, but I think the District Officers should acquire a larger knowledge of the people in their districts, and it is practically impossible in some of our large districts, even though the Collector might be relieved of a great deal of work, for him to thoroughly know them.

19336. Short of such a redistribution of areas, would it not be an advance in the right direction to increase the number of sub-divisions and devolve more powers on the Sub-Divisional Officers?—Certainly.

19337. If this were done, would you give the same power to every Sub-Divisional Officer, or would you allow the Collector to discriminate?—The Collector should discriminate; he should be allowed to exercise his discretion as to the more important powers.

19338. Would that be a positive advance in the way of stimulating officers to more zeal and efficiency?—I think so.

19339. I understand that the function of the Commissioner is to approach questions with some personal knowledge and also from a broader point of view than the Collector. On the other hand, the Board of Revenue approaches cases from the same point of view as Government—it has not necessarily any personal knowledge of the matters or men it deals with at all?—It is supposed to be especially expert in revenue work.

19340. But it proceeds on paper statements and on precedents in dealing with each case, distinct from the Commissioner who deals with his work on the basis of personal knowledge?—Yes.

19341. Do not the Government and the Board of Revenue practically cover the same ground?—They take all matters in certain stages, the Board of Revenue, with its expert knowledge of revenue matters, relieves the Government of a great deal of revenue detail.

19342. But you would not say that the point of view was the same?—I do not see much difference.

19343. Then practically the Board of Revenue is a fifth wheel in the coach?—I have given reasons for suggesting that the position might be modified.

19344. When the members of the Board tour on inspection, is there not a danger of their clashing with the Commissioner?—I do not think so; the Board is distinctly above the Commissioner, everything it does is on a plane above the Commissioner.

19345. What is the use, if the Commissioner is a trustworthy man, of a superior body going round to do the same work?—The Board has a knowledge of the whole province, whereas a Commissioner is limited to his own division.

19346. Have you a selected officer as Registrar of Co-operative Credit Societies?—Yes.

19347. Could that officer also look after and stimulate the village communities, or organise them where they do not exist?—It would be admirable in theory but it is too large a business. He would have to work completely through Collectors and Sub-Divisional Officers who alone can really do such work. It would be too big a thing for him personally.

19348. If he went into a village to organise a Credit Society, might he not also introduce the other step of general communal organisation?—I quite agree with regard to the villages he is dealing with; but if the Registrar's work is in the next few years highly successful, he will be quite unable to cope with it to the extent of dealing with the villages in detail. Where he does his work in a village he is obviously the right man to encourage a village council as you suggest, but in time the officer in charge of Co-operative Societies will be quite unable to deal with the matter in detail in each village because the work will be beyond him. At the present moment, incidentally, in connection with his own work he might render valuable assistance.

19349. (*Mr. Dutt.*) While you think the members of the Board of Revenue might be better utilised as advisors of the Lieutenant-Governor, would you give them the same powers as are enjoyed by Members of Council in Madras and Bombay?—No, I would not. I would have them simply as advisors to the Lieutenant-Governor, and his assistants in regard to matters of inspection.

19350. Are there any strong objections to their sharing the work of administration with the Lieutenant-Governor?—I do not think it necessary or advisable for them to share in the final responsibility of the Lieutenant-Governor.

19351. Would there be any objection to certain departments being made over to each of them, and certain departments being kept by his Honour the Lieutenant-Governor himself?—I would propose that they should deal with certain departments, and that the work should be divided among them, but every reference to the Local Government should be disposed of under the control of the Lieutenant-Governor.

19352. But would not the members in that case finally dispose of most of the questions which come

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up, instead of referring them to the Lieutenant-Governor?—All matters which they disposed of as his representative should be brought to the notice of the Lieutenant-Governor in the same way that cases disposed of now are brought to his notice, and a table of cases dealt with should be prepared. They would be able to dispose of more cases than they now have power to do.

19353. Would you practically reduce them to a sort of Secretariat, disposing of various matters and bringing them to the notice of the Lieutenant-Governor for his approval?—I think the Lieutenant-Governor should know either by perusal of the proceedings, or by some kind of table, what work was being done, and that he should have a general knowledge of what was going on. But this would not apply to work dealt with by them within their own subordinate powers.

19354. According to your scheme you would take away some of the independent powers now enjoyed by the Board of Revenue, and give them powers not possessed by them now?—I would do so. Probably those powers would be exercised by them under the supervision of the Lieutenant-Governor. I would not give them independent powers except as to appeal.

19355. So that the result would be that the Lieutenant-Governor would have more power in his hands than he has now?—No; the Lieutenant-Governor has complete power of supervision over the work of the Board of Revenue and it would not enhance those powers.

19356. If the delegation of legal powers is to be made, is it desirable that it should be done by amending Acts?—A good many powers which have been given by the Legislature to the Local Government might very rightly and without any serious objection be delegated by a general Act to subordinate authorities, by a schedule; but there are other cases in which possibly the scheme of the Act ought to come under fresh consideration before such a power was granted. I should prefer to leave it to a legal authority to decide; some cases are more important than others.

19357. Would you think it advisable to delegate much of the revenue work which is now done at district headquarters to the headquarters of subdivisions to be done by Sub-Divisional Officers?—Yes. Probably it might be possible in that case to reduce the staff at headquarters sometimes, but on the whole it would probably require a strengthening of the sub-divisional staff.

19358. Would you create, as in Madras and Bombay, small circles within the sub-division with a Deputy Magistrate or a senior Sub-Deputy Magistrate in charge of each of them to dispose of judicial and revenue work, in subordination to the Sub-Divisional Officer?—Here and there such a delegation would be possible and useful. Each case would have to be considered on its merits. It would be a pity to weaken the power of the Sub-Divisional Officer in some cases, but in other cases it is desirable that the Magistrate should be brought nearer to some large centre.

19359. Where such a scheme was feasible, would you entrust those officers to organise or develop village institutions and supervise their work?—Undoubtedly; an officer of the stamp of a Deputy Magistrate would always be the officer we should wish to employ on such work; a good officer is sympathetic and understands the people and the closer he is brought to the people the more easily he is able to carry out the work.

19360. Do you think, possibly, he could do it better than the Registrar of the Co-operative Societies, who has to tour over the whole province?—I think so far as the Registrar of Co-operative Societies now visits villages he could help to stimulate matters, but the work must come under the Sub-Divisional Officer or the District Officer eventually.

19361. Would you entrust the Divisional Commissioner with the power of transferring Deputy and Assistant Magistrates within his division?—Yes.

19362. Would you allow him that power with regard to Joint Magistrates?—I think not. That is a matter for the convenience of the Appointment Department. Joint Magistrates at headquarters are very rare; they are constantly being called on to fill District Magistracies, and we must know where they are, as very often we appoint them for special purposes to a district perhaps to succeed a Collector who is going on leave; consequently we do not wish to give up the power.

19363. But are not Joint Magistrates also Sub-Divisional Officers?—Civilian Sub-Divisional Officers are in almost all cases men of the grade of Joint Magistrate.

19364. In their case would you allow the Commissioner to remove a Sub-Divisional Officer from one district to another?—No. With reference also to Deputy Magistrates in charge of sub-divisions, I should prefer to reserve sub-divisions for the Appointment Department to deal with subject to the recommendation of the Commissioner.

19365. As Chairman, did you find on the District Boards some members who took an interest in their work and other members who did not?—As a Commissioner I had a great deal to do with District Boards, and I found that to be very much the case.

19366. Do you think that the members would take more interest in the work if small sub-committees of the District Boards were formed over which the District Officer should keep a general supervision?—I am doubtful whether the work of a District Board could with advantage be sub-divided much, because the volume of it is not great.

19367. For instance, could the preparation of the budget be conveniently entrusted to a Finance Sub-Committee and then be submitted to the Board for approval?—The work would be facilitated by its being prepared in the ordinary way and then being discussed either by the whole of the Board or portions of it, perhaps by separate committees. The initial preparation, in order to get something to work upon, had better be left to the office under the supervision of the Chairman, to see that it is in proper form and order.

19368. Would you entrust education to an Education Sub-Committee?—Education is limited, to a great extent, to subventions to schools and the schools are under the management of sub-inspectors, but if the work was of sufficient volume to make it advisable there is certainly no objection to its being considered by a sub-committee, in fact it is so considered in many large District Boards.

19369. Do you think consultation and deliberation with Indian gentlemen could be more effectually and regularly held if Advisory Boards were constituted in matters like indigenous industries, methods of agriculture, local trade, pasturage, cattle breeding, and the like?—Most of the subjects you mention could be dealt with by local committees, it may be, specially appointed *ad hoc*. It would be preferable to take each of those subjects when they arose, and get the advice of gentlemen who were specially competent to deal with them, or who were specially interested in them. I am not sure that a fixed Advisory Board would deal with them quite so well.

19370. But do such committees exist now?—No. They are only constituted by the Collector if he wishes to do so.

19371. Would it be an advantage to have one or more such bodies permanently formed, so that the Collector might periodically call them together and consult the members?—I think the line which has been followed in connection with the formation of Agricultural Associations is a very valuable and useful line, and should be followed up whenever the work gives sufficient employment, but the difficulty is that until we develop our Agricultural Department and our agricultural work the constitution of such a body is something of a farce, because we have no matters to lay before it. Where business arises and there is an Agricultural Association, then we could do such work with great success.

19372. Are there not matters constantly coming before the Collector relating to famine and plague relief?—Famine relief and plague relief, of course, are a speciality, and the methods for dealing with

plague have been dealt with by Ward Committees in large towns. The procedure is to call the people of a place into special consultation in such matters.

19373. With regard to the village panchayat, is it very often difficult to find a thoroughly impartial man in a village in matters where the villagers are concerned, or would that difficulty be reduced if you gave the power to five people instead of to one man?—The difficulty is that if you increased the powers of five people in a village, you would get nothing done. If one man is responsible, as the Head of a panchayat, he will get the work through, but if you have five men they will contrive to do nothing.

19374. Would you entrust the work of settling petty disputes and disposing of petty criminal cases to the village panchayat?—That is a great object to be attained, if possible.

19375. Would it be safer to invest power in one man or in a collection of four or five men?—We cannot find the one man at present; we may be able to develop village feeling and village communities sufficiently to get four or five good men as Heads of the village, but until that time comes it is very difficult to delegate any of these matters to villages. Here and there we can find the right man, but in a very large number of instances the man we do put in power, or the man who tries to get himself put in power, is a partizan of one zamindar or the other, or is dominated by one faction in the place, and it is very dangerous.

19376. Have zamindars much influence in villages apart from their own headquarters?—They have a very large influence.

19377. In matters relating to sanitation or village rates and village schools, have zamindars much influence?—I think they could exercise a large amount of influence.

19378. But as a matter of fact do they themselves exercise much influence?—I think not.

19379. (*Mr. Hichens.*) Do you not already have in case of need, a number of *ad hoc* bodies as councils; for instance, in cases of plague, is not a committee appointed?—Yes, it would be done in most cases, but it is not prescribed by law or rule.

19380. In practice, would a Famine Committee be appointed?—I believe it is customary to call in the assistance of people in that way. In the case of a famine the work is so urgent, and the organization is so difficult, that it very often has to remain in the hands of the head of the district.

19381. In the case of a famine would you be in favour of the Collector having instructions to call in a small advisory committee?—Yes, certainly; consultation in such a matter would be of great value.

19382. Would it be sufficient to issue a general instruction of that sort in lieu of appointing advisory bodies?—I would encourage any instructions which would suggest to officers that in all matters pertaining to the welfare of the people the advice of Indian gentlemen should be taken, and in all matters it should be taken in the fullest possible way.

19383. Are there a number of societies in different districts, such as Agricultural Societies and so on?—No, there are not many.

19384. So that there is no particular opportunity of getting at public opinion in that way?—These Agricultural Societies have hardly been formed in this province at all; they were appointed in the old province of Bengal, but there are very few here.

19385. Do you think that if you encouraged *ad hoc* bodies of that sort you would get at the real opinion of the people better than if you had an indiscriminate Advisory Council?—That is my view.

19386. Do you object to the budget being sent up to the Government of India for sanction?—Certainly not.

19387. Do you object to their making changes in the budget when they get it?—I think that the changes should be limited to, say, totals. I think that the details of the budget should not be interfered with.

19388. Would you allow them to make changes in the interests of accurate estimating?—Certainly; if they feel that they are in a position to estimate more accurately, which they sometimes are from their broader standpoint, they should be allowed to assist in that way.

19389. Would you add a proviso in that case that if you did not happen to agree with them, and if it turned out in the course of the year that you were right and they were wrong, you should have full power to expend any amount which they might have cut out?—Yes, if such an arrangement is found financially possible.

19390. Would you be satisfied if it could be arranged that any sum which was cut out you could have back at any time if necessary?—That would be welcomed.

19391. Apart from changes in the interests of correct estimating, should the provincial budget be accepted as it stands by the Government of India?—Generally speaking, yes. I do not wish to say that the criticism of the Government of India and its interference in some cases are not necessary.

19392. Should they, for example, write back and say, "We do not think you are spending enough on education and you are spending too much on roads"?—They should not interfere beyond making mere suggestions for consideration.

19393. In other words, they should not interfere in any way with your policy, but you should be allowed to follow your own financial policy and work it out without interference from them?—The financial policy in that case would be so bound up with the general policy and instructions received in educational matters that it would not be quite so broad as appears from your question. By the orders of the Government of India we should be bound to spend a certain amount on education and so on, and when it came to a further adjustment of the budget and the details of it under the Government of India, there is not much room left for interference.

19394. Obviously the budget must be in accordance with any rules and regulations that are laid down: given that, do you think that a province should be free to dispose of its own revenue as it likes?—Yes, granted that they are working under the rules and the orders issued by the Government of India.

19395. Generally what is you view with regard to the relations between the Government of India and the provincial Governments; is it that the Government of India has to deal with matters of principle and the Local Governments with all matters of detail?—Yes, I think that is the position.

19396. In regard to regulations and codes of the Government of India would you say that in cases where exceptions are to be made they should be made by the Local Government without first submitting the matter to the Government of India?—I do not think any amendment of a Regulation or Act or rule passed by the Government of India should be modified without the sanction of the Government of India, unless the Government of India had specially delegated power with reference to certain subjects.

19397. But if the Local Government is to deal with details, would you not say that any exceptions which may in practice be necessary, should be made by the Local Government as a matter of detail?—I think that the Government of India might delegate its powers with reference to details. Regulations and Acts in the old days very often dealt too much with matters of detail which would now be better dealt with by the Local Government.

19398. If the Local Government considered that any exceptions were desirable in the matter of travelling allowance, should it have full power to make them?—If the Government of India thought it safe to delegate such powers; I would leave it to the Government of India.

19399. Would not any exception to these rules be on questions of detail?—It might very often infringe the principles of the rule.

19400. But if only, as an exception, what would you say?—I would like to leave it by saying "if it did not infringe the principle."

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19401. Would you think it reasonable, if a principle was laid down, that the Local Government should have the power of interpreting the rule?—Subject always to the general supervision of the Government of India. They see the proceedings and they might object; the Local Government might be empowered to interpret a rule, but the Government of India might have the right to object.

19402. Do you think that the Local Government might reasonably have power to interpret the rule subject to periodical report to the Government of India, and that if the Government of India took exception to anything that had been done, they might say, "Do not do it again, the interpretation which should be laid down should be so and so"?—Yes; provided that the Government of India in some way of other, by report or otherwise, was made aware of the interpretation.

19403. Under your proposal the work of the Board of Revenue would be substantially increased?—Yes; if my proposal were fully carried out the Board would have a very considerable amount of work.

19404. At the same time under the proposals of the Government, if certain work were delegated to the Commissioners which is done by the Board of Revenue to-day, the work of the Board would be lightened to some extent?—Yes.

19405. Would the amount of work you would take off them be as great as the amount that you would put on?—I should say no; they would be very fully worked as Councillors in the position I propose; it depends, of course, to a certain extent on how far the Lieutenant-Governor would use them.

19406. Do you think they would be capable of dealing with all that work properly?—I think so. The amount of work sent up by the Commissioners could be dealt with quite fully, and it would be possible for the Secretariat to deal with it.

19407. Has the Board to-day not got enough to do?—There is a great deal of routine work which they ought not to have to do at all?—They are not so hard worked as many other officers of the Government, but if any member of the Board of Revenue inspects all the departments under him he can make his work as heavy as he pleases; it depends a great deal on himself.

19408. Do you think that two people would be capable of carrying in their heads, and dealing adequately with, all the multifarious matters appertaining to the different departments?—At present it has to be done by the Lieutenant-Governor alone.

19409. Under your proposals the Secretaries would not be such important officials as they are?—They probably would not be so senior as they generally are, although some Secretaries are comparatively junior still.

19410. Is it not the case to-day that the Lieutenant-Governor has the advice, not merely of the Board of Revenue, but of three or four senior Secretaries?—Yes.

19411. And you would be really substituting two Councillors for six?—I would not put it in that way; the work would still come through the Secretariat, and the Lieutenant-Governor would get the help of all the Heads of Departments just the same. Very often the help given by the Heads of Departments is more important than the help of the Secretary. But the Lieutenant-Governor would also have the assistance of these two senior officers, and I do not think the work would be impossible.

19412. The Secretaries to Government now have access to Lieutenant-Governors. Would you interfere with that if the Board of Revenue were strengthened as you desire?—Ordinary cases would go through the Councillors to the Lieutenant-Governor. Ordinarily the Secretaries would not use that right of access. I would stop it except in so far as the Lieutenant-Governor wished it to continue. The Secretary should send his work up to the Councillor, who would pass it on to the Lieutenant-Governor.

19413. Then really you would narrow the channel by which the Lieutenant-Governor gets his information; you would let him get it, so to speak, through the spectacles of two men instead of four?—He gets it at present through the four Secretaries, and it would be a case of two Councillors with four Secretaries under him, whose opinions would probably go to the Lieutenant-Governor also.

19414. Can the Board of Revenue go officially to the Lieutenant-Governor to-day?—They do not go officially direct to the Lieutenant-Governor; they correspond with the Government, and the Secretary to Government takes the matter up.

19415. In practice can any member of the Board of Revenue see the Lieutenant-Governor whenever he likes?—Of course; he is senior to the Secretary and is a man of higher position than the Secretary, and it is most frequently done. When it comes to detail probably the Public Works Department would be excluded, but I do not wish to commit myself as to what work would go through the two Councillors.

19416. With regard to the tendency for the number of returns to increase, can you suggest any means whereby that tendency could be checked?—Principally I would suggest that inspection should take the place of returns.

19417. Inspection on the part of the Government of India?—As regards information sent to the Government of India, I think they sometimes ask for more than is necessary, and that we should not have to send it to them, but I was thinking then more of the Local Government. Possibly the inspections by the Inspectors-General of Education, Agriculture, and so on might be held to absolve us of the necessity of submitting some of the reports and returns which are now sent up by the Local Government.

19418. Can any Secretary to the Government of India ask for returns from the provincial Government?—The Government of India can.

19419. In regard to the returns which are asked for by the Local Governments from authorities subordinate to them, can you suggest any rule of procedure which might have the effect of curtailing the returns?—Possibly, if we had travelling Councillors who could help the Lieutenant-Governor in certain matters which are reported, a large number of returns might be done away with.

19420. Do all demands for returns have to be approved of by the Lieutenant-Governor?—A new general return would not be called for by the Secretariat without the express orders of the Lieutenant-Governor.

19421. A witness told us for example that when certain queries were put to him he knew perfectly well that they did not apply at all with regard to his district, and that he could quite as well have sent a big "No" on a slip of paper and disposed of it; but that, as a matter of fact, he had to circulate them to everybody, get their negatives, and then send in the reply?—I think that is not very general.

19422. We have been told that there is a tendency to multiply unduly regulations and codes and to leave too little to the initiative of the local officers—what is your opinion?—I think that rules are occasionally too detailed, and more might be left to the discretion of the local officers on general principles.

19423. With regard to the representation of Local Governments with the Government of India, do you desire to have a provincial member on the Legislative Council or on the Executive Government?—No; it is contemplated that a larger number of officers of Government will be appointed to the Legislative Council, and will consequently be at the headquarters of the Government of India for some time; those officers might be utilised as representatives of the Local Government for consultation, the Local Government's papers being sent to them, and they having full information direct from their Governments. They might thus be utilised by the Government of India for the purposes of discussion and consultation.

19424. Would you keep them with the Government of India all the year round?—That would be difficult; they would be there during the cold weather, and if there was no session of the Legislative Council at Simla, or if none of these officers were present, we should have to fall back on the existing system of representation.

19425. Then practically, you want an agent at Court?—We want an agent at Court without adding to the number of officers of the Government of India.

19426. (*Mr. Meyer.*) You desire that, as far as possible, the Secretaries and members of the Government of India who are drawn from the Indian Civil Service should be representative of the various provinces?—With the best intentions, is that always feasible?—I think it is very difficult.

19427. Is not the position of a Secretary to the Government of India in a big department a very responsible one?—Very.

19428. Is it not essential that the Government of India should get the very best man they can?—I think so.

19429. Might it not happen that in a particular province which is not represented in the Secretariat there was no one who was particularly apt, say, at revenue, or finance?—Certainly they might not be represented on those subjects, but in the whole Government, or on the whole staff of the Local Government, there ought to be a man fitted for the position of a Deputy Secretary, or sufficiently good to appear in some of many posts.

19430. Do you want a certain number of officers, at least one from each province, in the higher administrative ranks of the Government of India, including the Deputy Secretaries?—Yes, as far as possible, and I suggested the point about the Legislative Council in order to meet cases in which that was not possible.

19431. If you have a Secretary from a province in one of the departments of the Government of India, should he represent the views of the Local Government?—No, in that case not. I should be content with his knowledge and experience of the Local Government in dealing with a case.

19432. You recognise that a man cannot serve two masters, and that if he is Secretary to the Government of India he must serve the Government of India?—Quite so.

19433. It might be his duty occasionally to point out, from his own knowledge of his own province, that he thought certain proposals of the Local Government were wrong?—Quite so, that would be perfectly possible.

19434. You do not intend that the Government of India should be resolved into a number of plenipotentiaries from the different Governments?—Not at all.

19435. As regards the alternative proposal for a number of advisers to the Legislative Council coming from particular provinces, do you mean that they should be able to talk with the Members and Secretaries of the Indian Government?—I would not call it an alternative proposal; it is a proposal to be taken with the other.

19436. Are not the Bengal Government and the Government of India both in Calcutta for several months in the year?—Is it not perfectly possible for the Lieutenant-Governor to go and talk to the Viceroy or to one of the Members of Council, or for the Financial Secretary of the Government of Bengal to talk with the Financial Secretary of the Government of India?—Quite possible.

19437. Is it not done?—To a certain extent, not much.

19438. Might not the Government of Bengal and their officers have done it if they wanted to?—That was not always admissible.

19439. At any rate a Government which has the same headquarters as the Government of India does not want a separate representative in addition to discuss matters of State?—No, probably not.

19440. With regard to your scheme for the readjustment of the Board of Revenue, you call the members Councillors, but apparently they are really to be Secretaries?—No, I would not call them so; they would have great powers of travelling about and inspecting independently of the Secretariat; they would not be tied down to Secretariat duty.

19441. Would their position be somewhat analogous to the Chief Engineer in the Public Works Department, who is an Executive Officer, but who is also Secretary to the Local Government?—To a certain extent that would be the case, but I would retain the Civil Secretary.

19442. Still it would mean that the present Secretaries would have to step down?—Probably they would by the intervention of senior officials.

19443. Are you opposed to going a step further, making the councillors colleagues of the Lieutenant-Governor?—Yes.

19444. Does it occasionally happen that a member of the Board of Revenue is senior to the Lieutenant-Governor in the Service?—Yes.

19445. And possibly he may have run him rather hard for the Lieutenant-Governorship, and may feel aggrieved that he had not got it himself?—That has been the case.

19446. Might not that induce a little more friction if you transfer such an officer from his semi-independent position to a position subordinate to his successful rival?—But he would not be a Secretary.

19447. It is the same thing, is it not? He has to send up notes and take orders and so forth?—Yes. But would pass a good many orders himself, though of course under the supervision of the Lieutenant-Governor.

19448. Might there not be a risk of some friction in such a case?—Can it be worse than the condition of things which existed between the Board of Revenue and Lieutenant-Governors in the past?

19449. Can you tell us whether sufficient care is taken, now that Eastern Bengal and Assam are joined under one administration not to legislate too generally for the whole province, but to discriminate between the two portions of it?—I think great care is being taken.

19450. You do not necessarily issue the same instructions for Assam as you would for Bengal apart from legislation?—Certainly not; we deal in each case with the existing orders.

19451. When you first came, did you find that the reports and returns were different in many cases?—Yes.

19452. How did you deal with them?—I think the Board of Revenue in some cases have a separate check for Assam and separate check for Eastern Bengal proceedings; in other cases they have dealt with them in different paragraphs, but, as far as possible, continuity has been preserved, pending a greater amalgamation.

19453. In Assam there is no District Board?—No, there is a Local Board for each sub-division.

19454. Therefore every Local Board is a little entity disposing of important work?—Yes.

19455. Whereas in Eastern Bengal the Local Board does very little, and all the power is centred in the District Board?—Yes.

19456. Are you going on working under that system in Assam, or are you going to make any alteration?—I cannot answer that question; I do not know what policy is going to be adopted.

19457. I understand that the Board's members are known, respectively, as First and Second Members, and that the First Member has charge of certain subjects and that the Second Member has charge of certain subjects; if the Second Member becomes First Member, does he at once change all his subjects?—That case has not arisen. In Bengal, I do not think they change immediately, and I doubt if they would here. It depends, of course, on the character of the change. If it were a permanent change it might be so, and the First

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Member might take over the land revenue, for instance, which is looked upon as the more important work.

19458. In Assam the Sub-Divisional Officer has actual powers and in Eastern Bengal he has much more limited powers. In Assam there is no such concentration of Deputy Collectors at headquarters as exists in Eastern Bengal?—They have much smaller districts and a much smaller staff; they generally have two or three Deputy Collectors at headquarters.

19459. For treasury work, for instance?—Of course there is treasury work. Outside that a certain amount of criminal work has to be dealt with.

19460. In Assam, does the same system prevail of having a Deputy Collector in charge of a subdivision?—Yes.

19461. Do you want to parcel out the whole district into sub-divisions and to have a Sub-Divisional Officer for each who would be a kind of miniature Collector, with a Collector above all?—I think so.

19462. Have you Sub-Deputy Collectors in Assam, or are they called tahsildars?—They are called Sub-Deputy Collectors.

19463. Is the Sub-Deputy Collector in Assam, as in Eastern Bengal, kept at the district headquarters, or has he a minor charge?—They have minor charges; they are in charge of circles, and they supervise a good deal; there are three or four circles in each district, with a Sub-Deputy Collector in charge of each.

19464. Then the Sub-Deputy Collector there has a real territorial charge?—Purely with regard to revenue matters. He is not a Magistrate, but he sometimes has minor magisterial powers.

19465. Do you see any objection to the same thing being done in Eastern Bengal, if you had sufficient Sub-Deputy Collectors?—I would not say quite the same thing, because the work in Assam is so different. I think something might be done in the way of vesting Circle Magistrates with some revenue powers.

19466. Are a good many of your First Class Magistrates occupied in doing second and third class work?—A great many of second and third class cases come to the First Class Magistrate.

19467. You mention the necessity for expanding the *cadre*, and having more superior officers; but might you not effect the same purpose, and at less expense, by increasing the number of Sub-Deputy Collectors and giving them larger magisterial, as well as revenue powers?—No, I think not. The main object in expanding the *cadre* is to get more men to do the really important work. To make smaller district charges and to apportion to Sub-Deputy Collectors would be a delegation of some important duties.

19468. Speaking generally, before largely increasing the Civilian *cadre* of your district, might not the experiment be tried of seeing what work the Civilian now can be relieved of?—I do not expect that that would relieve the Civilian sufficiently.

19469. Does not the Indian Civil Service scheme of recruitment already provide for liberal leave?—The margin is not sufficient.

19470. Do you give a definite opinion whether the interference of the Government of India in budget matters is excessive or otherwise?—I understand that changes have been made within the last two or three years in the method of dealing with the budgets, and that much less interference with detail is now the custom of the Government of India than used to be the case.

19471. You have said that the Government of India occasionally forces a particular scheme on a Local Government in preference to a scheme which they would prefer to adopt with the money at their disposal; can you give me an instance other than the land records scheme which you refer to?—There was the question of the pace at which we developed the Agricultural and Veterinary Departments, and some of the educational schemes which have been carried out. I do not think that we have been left quite sufficiently free to choose and to carry out those schemes which the Local Government would have wished.

19472. With regard to the Agricultural Department, has your position with the Government of India made you force the pace more than you would have done if you had been left to yourselves?—I am not prepared to say that.

19473. In what way do you consider that the Government of India interfere?—I think they interfered with the pay and appointments in the Veterinary Department and the methods by which we should work. It also interfered with the pay of our inspectors. Whether it is the Government of India or whether it is the Secretary of State I do not know, but I think our methods of developing our schemes might perhaps have been left to us.

19474. You do not mean that the Government of India make you spend money on a scheme of agriculture when you would prefer to spend it on education, but while you agree that expenditure on agriculture is necessary, you differ as to the precise details of the scheme?—I think there has been sometimes a difference as to the amount which should be spent in any particular year on a particular scheme. I do not wish to make it a great complaint, but there have been cases in which the Government of India have either wished us to spend more on a particular scheme or not to go on so fast with it.

19475. As regards agriculture, education and police, has not the province had special grants from the Government of India of late years?—Yes.

19476. Might not the Government of India then reasonably claim to have some supervision?—In the matter of the imperial grants we do not challenge that.

19477. Does not a lot of this interference with detail really hinge round the creation of appointments?—Some of it.

19478. And if you got considerably larger powers of making new appointments, and adding to the pay of existing appointments, than you at present possess, will not the opportunities for that interference be automatically diminished?—It may be that is the reason why schemes have to go several times before the Government of India, because they have to go before them again in the matter of appointments.

19479. You mentioned a particular instance as to the intervention of the Government of India with Tenancy Legislation; which Tenancy Bill do you refer to?—I refer to the Bengal Tenancy Act and its amendments, not the original Act of 1885, but the amendments on several subsequent occasions, and especially the amendment which took place in 1898.

19480. You speak of a scheme having to come up for sanction more than once, but if a scheme is thoroughly thrashed out, as a rule does it not only go once?—It has to go up again on the question of appointments. The original scheme may be a large scheme extending over several years. Take our settlement scheme for instance; we have been asked for a 25 years' programme; we have also been asked for a five years' programme and we have to make a programme for each year. We have to send up a budget for each year to carry out that programme, and we have to report each year the appointments we make, above a certain class, of officers to carry it out; and we have to ask for sanction to that programme for the continuance of the operations in detail.

19481. Is that the sort of thing you object to?—Yes, I know of no reason why all these programmes are called for in detail, and it should be quite possible to lessen them.

19482. You allude to an elementary maxim in the Finance Department that inclusion in the budget is not a sanction; there are two stages—there is the budget sanction first, but the budget sanction does not operate if administrative sanction is also required?—Quite so.

19483. Then may I take it that you think that in settlement matters the Government of India ties you up a good deal too tightly?—I think it should

be possible to modify the number of the stages we have to go through.

19484. In Assam you have periodical re-assessments?—Yes. The usual term is for 15 years.

19485. Do the Government of India interfere too much with those settlements, or do they give the Local Government a free hand subject to the general lines of policy which have been laid down for the provinces?—In the old province of Assam the Chief Commissioner was bound to send up a good deal of information, and rightly so, probably, with reference to assessment. Since the amalgamation and the appointment of the Lieutenant-Governor, the Government of India has freed us from the necessity of sending up those details, and the control exercised is not in any respect excessive. We carry out the general lines of policy laid down by the Government of India, and send the settlement reports up for sanction.

19486. Do you not have to get sanction for the appointment of members of the Board of Revenue? Do you consider that necessary?—I am quite satisfied, and see no reason why it should not be so.

19487. As regards Commissioners, it has been suggested that a Commissioner might be given larger financial powers, and that he might be given a portion of the provincial budget from which he might sanction the inception of minor Public Works projects, instead of their going up to the Local Government; would you be in favour of that?—Yes, and I think that has been done to a certain extent in Bengal of recent years.

19488. But to a very limited extent; a Commissioner has powers only up to Rs. 10,000; but it would be a matter of lakhs according to the scheme I am putting to you?—I did not understand that any very large scheme was proposed, but if the Commissioner has sufficient practical and technical advice at his disposal, he might be entrusted with a good deal of power in that respect.

19489. Would you give him any power with regard to small temporary or permanent appointments, subject, of course, to the existence of budget provision, say, Rs. 15 clerks and so forth?—I think so, but I should subject it to report to the Local Government.

19490. Do all new appointments now come before the Lieutenant-Governor?—Yes.

19491. But as a matter of fact are not a great many of these things sanctioned by the Secretary and never seen by the Lieutenant-Governor at all?—Yes, a very large number.

19492. With regard to the Land Acquisition Act, at present everything has to go up to Government. Would you allow the Commissioner to take up land for public purposes subject to some pecuniary limit?—Yes; a good deal of delegation could be made, and we have a scheme now before Government for some modification in the procedure so far as we are competent to deal with it.

19493. Would there be any harm in making the leave rules less rigid? It might, for instance, be to the convenience of the Local Government that an officer should go on leave two years and-a-half after his last return from furlough, whereas the rule says it must be three years. Similarly it may happen that a District Officer has to come back before you have a convenient district ready for him?—I think it is possible, if there is no danger of laxity. We cannot afford to make the leave rules more liberal than they are at present, and there is just a possibility, if the Local Government exercised its rights of letting a man go away earlier on leave and so on, it would create precedents against itself which it might be rather difficult to evade.

19494. Is not the principle that in the higher Services a man earns one month's full leave in a year and three months' half pay leave after a year's service; there might perhaps be a running account between a man and the Government as to leave; upon the one side would be the total amount of leave the man had earned, and on the other side the amount he had drawn, and if he desired to take his leave at any time and had it to his credit, and the Government considered that that was a fit opportunity, he should be allowed to take it. If, on the other hand, it was not to the interest of the Public Service that the man should take it, then it might be said, "You must wait." Would you approve of that idea?—The reason for the imposition of such restrictions has always been to prevent laxity, and that the Local Government should not be too liberal in the granting of leave. I am not sure that there would not be a danger in withdrawing some of these restrictions. Perhaps if it was very fully safeguarded, it might be advisable to do it; but while we cannot reduce the amount of leave without endangering our recruitment, we should in no wise increase the facilities for leave.

19495. I am not speaking of increasing the total amount, but of the frequency of taking leave. If there were a general rule that an officer should not take leave for three years after his posting to a district, would that not really be the remedy for the great frequency of transfers?—Yes.

19496. You say, generally speaking, that the Local Government should have power over details as apart from principles, but is it not very difficult to dissociate the two, especially as to financial matters such as are dealt with in the Civil Service Regulations?—Extremely so.

19497. If you make one exception, it is a precedent for making another, and so it goes on until you find that the number of exceptions have practically undermined your original rules?—Yes.

19498. Therefore, I take it, you would desire, if you gave Local Governments a freer hand in such matters as the grant of travelling allowances, house allowances, and other pecuniary concessions, that it should be still on the general lines of policy indicated by the Secretariat and the Government of India?—That is what I meant.

19499. Have you heard of the system of conferences of Commissioners, such as Sir Andrew Fraser has introduced into Bengal, and do you think it would be a good thing if they were instituted here?—Yes; and we hope to do so.

19500. Similarly, might you not let each Commissioner convene a divisional conference within his division once or more annually?—That is part of the scheme in Bengal, and I think we shall adopt it.

19501. To those divisional conferences might the Commissioner not summon any non-officials who he thought might help in any matters which were likely to be brought forward?—I am not sure that that would be of any real value. They would deal more with individual cases than with general principles in a conference of that sort, and in addition there would be a greater opportunity of seeing the officers.

19502. It has been suggested that the Collector should be dissociated from the Chairmanship of the District Board; do you regard that as advisable?—I think on the whole it is not advisable except in exceptional cases which might occur. As a rule it means substituting an amateur for a professional, and you do not get the work done properly. With regard to general things, the Collector knows more than any one else, but it is as Head of the Executive of the Board that he is really required as Chairman.

19503. (*Sir Steyning Edgerley.*) What exactly are the appellate or *quasi*-appellate functions of the Board of Revenue?—They hear all revenue appeals from the Commissioners, on matters connected with the Certificate Act, the Partition Act, and so on.

19504. Can pleaders appear?—Yes, pleaders do appear. They appear before the Commissioners on such appeals and also before the Board of Revenue.

19505. Is the Commissioner of Chittagong the actual Customs Officer of the port?—He is the officer under the Act. The actual work is done by an Assistant Collector of Customs.

19506. Are not certain schools affiliated to the Calcutta University. What does that mean exactly?—It means that the high schools are permitted to send up their students for the Entrance

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Examination at the Calcutta University for matriculation. Also incidentally it entails the control of the Calcutta University, since, of course, the Calcutta University will not agree to affiliation except under its own regulations.

19507. Then no one can go up for a matriculation examination except from an institution which is recognised by the University?—They allow private students to go up under certain regulations, but if a student goes up from a high school, that high school must be recognised by the University.

19508. If you had a general delegation Act properly safeguarded as regards notification, invitation of objections, and so on, would you say that there was no objection to having such power in your hands?—The safeguards should be very clearly determined. What one wants is to avoid the removal of the pledge, practically given by an Act, that certain matters should not be removed from the cognizance of the Local Government by anything in the nature of an executive order. The removal of that right should probably be the subject of detailed discussion.

19509. In that way would you distinguish it from such Acts as the Court of Wards Act, which includes in Bengal a general section of delegation?—Yes.

19510. Because you would say that that Act has been passed by the Legislature with their eyes open as to the existence of the power of delegation?—Quite so.

19511. Taking, for instance, the Land Acquisition Act, could you make the delegation which you suggest under a general Act?—I think it would require in the case of land acquisition either a special Act, or some safe safeguards, which would ensure discussion.

19512. Suppose you got a general delegation Act safeguarded according to the best ability of the Government of India for the time being, that Act would practically be passed by the same Legislative Council which had passed the previous Act?—Yes.

19513. The objection which we have heard from some of the witnesses who have taken the same point, namely, that an Act is very often the result of an animated debate and a compromise, would be equally applicable to every amending Act?—I think the Legislature with its eyes open might modify its previous decision; possibly a schedule to a general Act, if it included cases which were not of great importance, might give the Legislature sufficient intimation of what was being done to enable it to pass a general Act, but without a schedule—without some specific finger-post pointing to that particular Act as one the powers of which were going to be delegated—I think a general Act would be dangerous.

19514. You do not think that that would be secured by a public notification and the invitation of objections?—There are so many Acts and Regulations that I do not know how far a general notification would serve.

19515. Supposing you had had an animated debate and a compromise and settlement as to the exercise of powers, say, in 1890, we are now in 1908, and the case law under the Act is all settled, would you not practically feel that there is not the least reason why the power the exercise of which was very tightly confined in 1890 should not be used now by some authority nearer to the people; do you think you are precluded from making such a change after 17 years?—No, not in the least. What I mean is that you should not deal with the pledge or alter the compromise unless you specifically dealt with the compromise.

19516. But if the same Legislature which has passed the original Act has subsequently given you power to deal with such points, subject to the safeguards of notification and so on, where is there any breach of pledge?—I see no objection to an Act which specifically gives power of delegation which was not given before with reference to any previous Act, so long as when that Act delegating the power was passed the Legislature fully understood how far the Act would go and to what extent it would apply.

19517. Have you any provisions in this province by which a Collector can delegate to his Assistant any powers that he likes, subject to the retention of the power of revision or appeal?—No, I do not think there is any general power. We do delegate a great deal of routine work, but I do not know whether that is merely by executive practice or not.

19518. In the case of the Collector of a district ceasing to be Chairman of the District Board and the municipality, thus leaving these bodies in the hands of non-officials, would you see any difficulty in helping the people of such a district to a further step in local Government by putting the Government powers of control into the hands of a committee under the presidency of the Collector?—It is a large question, involving the merits of the particular non-official Chairman; at present I am not entirely in favour of the idea of delegating the powers of a Chairman to a non-official because in one particular locality you have the man who is fit for it; but I do not anticipate that the province is so advanced as a whole that all these local self-governing bodies are in that position.

19519. Do you think it would reduce the risk of transfers and provide better, perhaps, for special duty, if you distributed the reserve of Civilian Officers over the different grades?—Any relief would be of great assistance.

19520. Supposing you had three extra Deputy Commissioners, would that be a help to you in regulating transfers?—It would be more help to have three senior men than three junior men.

19521. Have you any experience of the difference between daily travelling allowance and permanent travelling allowance; have you any opinion as to which is the better system?—I do not think permanent travelling allowances are advisable except in so far as they are required occasionally as a horse allowance, or to enable a man to set up a camp establishment where he would not be able otherwise to do so.

19522. Does not a system of daily travelling allowance involve much more audit work than the permanent allowance system?—That is so, but I do not approve of the permanent travelling allowance system.

19523. I suppose under your system of Board of Revenue Councillors they would have nothing whatever to do with the Secretariat; the Secretary would still be the Head of the office?—Yes, they would have no other Secretariat. Cases would be sent from the Secretariat to the Councillors.

19524. Would they then record a minute and send it back either to the Secretary or to the Lieutenant-Governor?—They would deal with the case finally or send it on to the Lieutenant-Governor, probably direct.

19525. Supposing they sent it back to the Secretary, would he have the right to take it to the Lieutenant-Governor?—I do not propose that the Secretary should intervene between the Councillors and the Lieutenant-Governor.

19526. Supposing the member of the Board of Revenue for any reason had not sent a case to the Lieutenant-Governor, but straight back to the Secretary, would the Secretary have no right to take the case up to the Lieutenant-Governor and show it to him?—I think if any rule or custom had been infringed, he should send it back to the Councillor and inform him that under rule it ought to be shown to the Lieutenant-Governor. I do not think I would give the Secretary the right to take it to the Lieutenant-Governor direct.

19527. You are in charge of the Education Department? Have you had much to do with the Director-General?—Yes, I have met Mr. Orange.

19528. You have a very large number of education projects in hand, so much so, that you have put an officer on special duty to deal with them?—Yes.

19529. Is that in any way caused by difficulty in getting your projects through?—No, I should think it was caused more by the difficulty in framing them and working out all the details.

19530. As a matter of fact, do you find that criticisms, when they are sent down, are very detailed?—We have had great difficulty with regard to educational matters, but they are not all due to the Government of India.

19531. As regards the special grants which you have had for police, education, and so forth, have you exactly the same general principles and the same audit control as you have with regard to any other expenditure?—I believe so.

19532. If that is so, why should the Government of India display special interest in that expenditure which they do not display in regard to the rest of your balances?—As far as the carrying out of the work in the Education Department is concerned, I have looked upon those grants as definitely marked for certain schemes of improvement.

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19533. And so long as you carry out those schemes of improvement, is it not subject to the same control as any other part of your educational system?—I should say so, so long as we carry them out.

19534. As regards the regulation of allowances to members of the Civil Service, and so forth, do you lay any particular stress on the similarity of treatment of different officers in different provinces?—Yes.

19535. Do you think it right, for instance, that Deputy Commissioners in Assam and Collectors in Madras should be paid at such very different rates?—I was not aware that there was any great difference.

(*The witness withdrew.*)

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19536. (*Chairman.*) Have you had any actual or personal experience of Government in this country?—Yes, I was a Deputy Magistrate for some time. I have also been a member of the Viceroy's Legislative Council in Calcutta, and the Lieutenant-Governor of Eastern Bengal's Legislative Council.

The Local Governments should be vested with more financial powers than at present. During famine, the people suffer much from the delay in securing the sanction of the Government of India to the amount considered necessary for the relief of the sufferers. For famine works, sanitary improvements and telegraphic communications generally, and for railway connections and proper navigation in our province, the financial powers of the Local Governments should be extended.

More complete separation should be made of the provincial from the imperial revenues. The Local Governments should be given the control of the provincial revenues to apply to the improvements of the respective provinces. At present the amount budgetted for is not sufficient to meet the requirements of the province. The Local Governments are always afraid that the Supreme Government will not sanction the expenditure they suggest, and many small, but much-needed, items are knocked off consequently.

The Local Governments should have borrowing powers—by issue of debentures, etc., etc., in order to lay out minor railways and feeder lines, erect waterworks and facilitate river communications, and for the improvement of municipalities.

I do not think there is any necessity of further extending the administrative powers of the Local Governments, because the Government of India with the help of its experienced and wise counsellors always adopt policies in consultation with the provincial Governments.

In revenue settlements generally Government consider matters too much from a departmental point of view or from considerations of revenue.

The powers of the Board of Revenue, Commissioners of Divisions, or Collectors relating to the Court of Wards, should not be extended. More powers should be given to them with regard to contingencies and temporary establishment when necessary. A member of the Board of Revenue cannot even sanction a sweeper for a *khas mahal*, and a Commissioner cannot sanction even a pankha-puller. Heads of Departments or Commissioners of Divisions may be given certain powers now vested in the Local Government, as regards technical details in the matters of travelling allowances, leave allowances, annuities, pensions and such like matters.

Executive officers have ample opportunities of mixing with the people if they only wish to avail of them. They generally do not possess sufficient knowledge of the vernaculars.

An increase in the administrative staff (more especially of the ministerial officers) is highly desirable. No reduction in the area of the districts is necessary except in the case of Mymensingh and Backerganj.

Transfers of Commissioners, Collectors and District Superintendents of Police should not be made within three or four years after their taking over the charge of the divisions or the districts, except in cases of special emergency.

I think there should be Advisory or Administrative Councils to help the Commissioners and Magistrates. The Magistrate should have one man from the landed class, one from the bar, one from the trades, and one from the agricultural class; and each District Council should elect a member for the Divisional Council. Responsibilities could be given to such Councils, in respect of advising the Commissioners or Collectors, regarding allotments of the financial grants in different parts of the districts, in matters of communication, sanitary improvements and especially for explaining the policy of the Government to the people and representing the grievances of the people to the authorities.

As regards the suggestion that more power might be given to the village communities, the mass of the people are not educated enough to take up such great responsibilities.

19537. You instance as one of the harmful restrictions of the Government of India that in case of the occurrence of the famine, the provincial Government is not able to dispense relief as quickly as you think they might do; can you give us any actual example of that?—Yes. Last year we had an unexpected famine here, and for the time being there was no relief obtainable until investigation was made, and it was found that the people are suffering; but by the time help came there was no famine left; there was a stoppage of rice coming from Rangoon on account of the floods. The people were in great need of grain here, but as soon as the flood went down we were able to obtain it and there was no need of any help. If the Government here had had full power, they could easily have rendered that help at the moment it was wanted.

19538. Was that because the provincial Government here was not aware of the famine?—It was unexpected, because Eastern Bengal had never had any famine for some ten years before.

19539. The provincial Government was taken unawares?—Yes.

19540. If the Local Government in Eastern Bengal had power to borrow money on their own responsibility, would they be able to find local capitalists who would advance the money sooner than they would advance money to the Government of India?—Yes, I think they would have more trust in the Local Government than in the Government of India, because there they are in contact with the Local Government.

19541. Is there much money here which could be borrowed by the Local Government?—Yes, a great deal of money.

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19542. When there is a loan by the Government of India, do the people of Eastern Bengal subscribe largely to it?—Yes; when they cannot invest their money with greater advantage they have to fall back on Government loans.

19543. Supposing the Government of India, and the Local Government both issued a loan about the same time in Eastern Bengal, would there be enough money to subscribe to them both?—I think there would be less money for the Government of India, and more money for the Local Government.

19544. Do you think it desirable to extend the administrative powers of the Local Government?—No, because the Local Government has knowledge only of its own province, while the Indian Government has a general knowledge of all the provinces, and has a competent body of men to assist it. The policy which they adopt is adopted with experience which Local Governments have not got.

19545. Are the servants of Government in Eastern Bengal not experienced officials?—Compared with the Government of India, they are not so experienced.

19546. With regard to the Court of Wards, you think that the powers of Commissioners and Collectors ought to remain exactly as they are?—Has the Commissioner at present power to sanction an expenditure of Rs. 500 for repairs?—He does not want that power; there is no necessity for it; there is nothing very urgent in a case under the Court of Wards. Sometimes in the Court of Wards there have been cases where on account of the hobby of some Collector or Commissioner money has been spent without thinking much about the person who puts his estate under the Court of Wards.

19547. Have you known of any estate under the Court of Wards which, when released, was in a worse state than when it was placed under the Court?—It would not be worse, but it ought to be more valuable; there ought to have been more money collected and a larger surplus.

19548. The Commissioners of districts ought to have more power as regards travelling allowances?—Yes, it is quite unnecessary that people should have to go to higher authorities for small things—it is all very well to go for sanction for big things, but the small ones I think ought to be left to themselves.

19549. Do you think larger powers are required with regard to administration, but that only small powers ought to be granted to the Court of Wards?—Yes, because the Court of Wards concerns other parties, and it would be much better that they should be careful.

19550. Have you been brought much into contact with the District Boards or municipalities?—I am here every day, and in this town of Dacca the members who are appointed are appointed with my consent; if the people of the different wards have any grievances, they come to me and tell me about them, so that I know everything about the municipality.

19551. Is that a very satisfactory system of representation?—Yes.

19552. Would you give any extended powers to municipalities?—No, they have all the power they want.

19553. What would you say with regard to village councils?—I am afraid that they cannot do very much work, and if you give them more power I think there would be greater failure.

19554. (*Sir Steyning Edgerley.*) Have you had any experience of District Boards?—Yes, and it is just the same as with regard to municipalities; they take my advice with regard to the members.

19555. So that you practically more or less control the representation of the municipality and the District Board?—Yes.

19556. What proportion of members are elected in the Dacca municipality?—The proportion is five out of twelve.

19557. And on the District Board?—The proportion is about three to four.

19558. Are they elected by wards or by any other system of election?—No, by villages.

19559. Do you think the present system of election works very satisfactorily?—Yes, in Dacca at present it works satisfactorily, but I think, taking all Bengal, the new suggestion which has been made of an Advisory Council would work much more satisfactorily.

19560. (*Mr. Meyer.*) You say that the delay in famine relief was due to the necessity of getting the sanction of the Government of India; but is that so?—So far as I know, the Local Government had to get the sanction of the Government of India to spend the money.

19561. If I may say so, you do not know anything about the correspondence?—No, I do not. During the famine at Dacca I had to work myself. I was asked by the authorities to make arrangements for relieving the town, and I got people to send rice up from other districts.

19562. You speak of Advisory and Administrative Councils to help the Commissioner and Magistrate; are they only to advise?—Yes.

19563. If they give their advice and the Commissioner does not think their advice is right, is he to be allowed to do as he thinks fit?—Yes.

19564. (*Mr. Hichens.*) Do you think the District Boards are looked upon by the people as departments of the Government, or do you think they are regarded as independent?—The general public think they are departments of the Government, but the educated persons do not.

19565. Do the members of the Board think that they have a good deal of independence?—Yes, they do.

19566. Do you think that Local Boards should have further powers?—We have not able men on Local Boards, and there is such a scarcity of men that it would be difficult to get men for them.

19567. Do you think that it is better to leave the power as it is to-day in the hands of the District Boards?—I think so.

19568. You do not think you could get more interest taken in public affairs within smaller areas?—No, I do not.

19569. Do you find that in Dacca there is a general interest taken in the public affairs of the town by the inhabitants?—Yes, they do take an interest in Dacca, but the masses in the interior do not.

19570. Do you think that they are so far advanced that they could assume a little more responsibility?—No, not yet.

19571. Is it your experience that some members of the District Boards take an interest in their work, and that they help the District Officers in the performance of their duties?—Yes, they do very much.

19572. Do you think it would be possible to divide the work and delegate some of it to committees of the Board?—They generally do that. The Collector does not want to interfere with the powers of the members. The members are reluctant to do the work unless they are forced to, and when they find the Collector does not come forward they have to do it themselves.

19573. Do you think that by delegating the work to sub-committees it would be done to some extent by the members themselves?—But if they were left to do this sub-committee work themselves they would be very slow.

19574. So you think that a great deal of supervision and control is necessary?—Yes.

19575. How often do you think the Advisory Councils should meet?—Twice a month.

19576. (*Sir Frederic Lely.*) Do the people come to you when they are in trouble?—Yes.

19577. Do you see every one who comes to you?—Every one.

19578. Have you any fixed hours for seeing people?—Yes, I generally at this time of year see them from 9 till 12.

19579. Have you a special place where they know they can find you?—I have three places. Now I do not attend there regularly because I am not well, but the people find out where I am and come to me.

19580. Do they talk freely to you?—Yes, and they often come at 2 o'clock in the morning.

19581. You have a large estate, have you not?—Yes, about 6,000 or 8,000 villages.

19582. How are the villagers supplied with water—is that under the management of the District Board?—Yes.

19583. Do the District Boards supply their wants?—Sometimes they request me to supply them, and we are doing a lot of work in that way.

19584. Do you do that work on your own responsibility?—Yes, we have to do it ourselves.

(*The witness withdrew.*)

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Babu BHUBAN MOHAN MAITRA was called and examined.

19585. (*Chairman.*) You are Chairman of the Rampur Boalia municipality in the Rajshahi district?—Yes.

Provincial revenue, after reasonable allotment at a certain percentage to the imperial funds, should be at the absolute disposal of the provincial Government, otherwise the Local Government, even when convinced of the necessity of certain urgent works of public importance, cannot execute them with a free hand for want of funds. The province requires development and improvement in many respects such as the extension of railways, construction of public buildings, &c., and unless the Local Government has large power to spend money it will take many years to make it equal to other provinces. The Local Government should have power of borrowing money in the open market and issuing debentures.

I would not propose the curtailment of the right of appeal. It is not desirable to lay down any rule for not admitting an appeal unless accompanied by a certificate from the authority passing the order appealed against.

Executive Officers have not sufficient opportunity for personal contact with the people for various reasons, namely, the want of sufficient leisure; the want of sufficient knowledge of the vernacular and etiquette, manners and custom of people on the part of European officers, and the want of sufficient sympathy and sometimes dislike on their part. To remove these obstacles, it is necessary to allow Executive Officers to mix with people in social matters; to attend public meetings, not being political in order to interchange opinions and views; to reduce their over-work, and to give them opportunity to attain a sufficient knowledge of the vernacular and manners and customs of the people.

The transfers of officers are unnecessarily frequent. As a general rule, they should be allowed to remain in one place unless transfer is absolutely required, for three years at least.

I am in favour of creating Advisory, but not Administrative, Councils to help District Officers. One to three persons of intelligence and good status from each *thana* should be recruited to form the Councils; they should be *bonâ fide* representatives of the community, and should not be talking machines but should give their opinions in writing. In matters of importance, they should be required to assemble in one place for deliberation, the District Magistrate being their President. The opinion of the majority should prevail, and in case the District Officer differs with the opinion of the majority, the matter should be referred to the Government for final decision. All questions regarding the development and improvement of the district should be referred to them, such as indigenous industries, agriculture, local trade, roads, drainage, water-ways, pasturage, prevention of cattle disease, sanitation, water-supply, cattle-breeding, &c.

It would not be expedient to invest District Boards with powers of supervision and control over smaller municipalities within their respective districts. This is likely to create friction between the two bodies.

It is desirable to enlarge the powers of village communities in some of the important localities to dispose of local matters regarding revenue, &c.

19586. In practice are officers entrusted with the revenue administration too much dominated by considerations of revenue?—Yes.

19587. Do you know of any cases in which that has occurred?—I know that in cases of assessing stamp duty for probate or letters of administration there is a tendency on the part of the assessing officer or the Collector to increase the assessment. This was not more than three or four years ago.

19588. Are you speaking now of particular cases of estates of persons deceased, or of the general administration of revenue?—Generally we see the tendency is to increase in cases of assessment for income-tax and stamp duty.

19589. Is that because the person whose income is being assessed has grown richer?—Not always. Of course that would be the right thing to do, but it is not so always.

19590. Is there no appeal from an assessment of income-tax?—Sometimes there is an appeal, and the hearing of the appeal is mostly based on the note furnished by the Deputy Collector.

19591. With regard to the Court of Wards, you would like to see Collectors entrusted with more power? The last witness stated that he thought Collectors or Commissioners might perhaps indulge their hobbies if they were given more power—do you agree with that view?—I do not think so.

19592. You think it would only be reasonable to give the manager of an estate more power?—Yes, and I know of certain instances in which there was a loss to an estate because he had not powers. A certain tenant of an estate wanted to excavate a tank upon certain property of which I am a shareholder and of which the Court of Wards is also a joint shareholder. The tenant asked power to take a certain portion of land and offered a bonus, but there was no one who could give him permission on behalf of the Court of Wards, and therefore the improvement could not be made.

19593. Is the want of knowledge of the vernacular on the part of Executive Officers very noticeable?—It is noticeable in young officers.

19594. Are they ignorant of the customs and social habits of the people?—Yes.

19595. Could you suggest any remedy for that?—I would allow them to mix with people in social gatherings and public meetings.

19596. Are there no means by which when they come out to this country, they could be taught the habits and etiquette of Indian society?—There is no text book.

19597. Would it be possible to compile some small book which would furnish them with some idea of the customs and habits of the people?—Of course that could be done.

19598. Is there any unwillingness on the part of native gentlemen to associate with European Officials?—The idea is that the natives do not receive proper treatment sometimes.

19599. Have you known of a case where a native gentleman has received improper treatment at the hands of a European Civilian?—Personally I do not remember having had any occasion to be offended.

19600. Have you ever known any of your friends complain?—Yes. They complained that they had to wait outside some time while no notice was taken of them.

19601. Do persons who desire access to a District Officer have to inform his servants and chaprasis

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outside?—Yes, you must inform the chaprasis and sometimes send in your card.

19602. Would it be possible sometimes for a chaprasi not to take the card in to the officer?—I do not think it would be possible for him to do that.

19603. Do you think, in the case of your friend's complaint, that there was a deliberate insult on the part of the District Officer?—That was the complaint—it was not one complaint, but several.

19604. Do Civil Servants who are also Indians sometimes show the same incivility?—I do not remember ever having heard of any such complaint, and personally I have had no experience of any.

19605. Do you think that larger powers might be given to municipalities and District Boards in the matter of their budgets?—Yes.

19606. And in regard to administrative power?—Yes, to a certain extent. It often happens that a man commits a nuisance by the roadside, then the constable has to be informed; the man is taken to the thana; bail has to be granted; the man goes to his house in the interior and has to appear on the day of hearing when there is a sort of trial with the result that he may be fined two annas. That is the ultimate punishment, but there is all the harassment connected with it. If the Chairman or Vice-Chairman of the municipality had some power to deal with cases like those, it would prevent all that trouble.

19607. Would the Chairman of a municipality be a safe person to entrust with punishment for offences against municipal bye-laws?—I do not see any objection.

19608. You would like to see Advisory Councils created?—Yes, for District Officers as well as for Commissioners. They should be very small, but at the same time representative.

19609. Would it be possible to find a sufficient number of persons of influence to fill the District Board, the Local Board, and an Advisory Council for the Commissioner, as well as an Advisory Council for the Dstrict Officer?—I think so. There is one class of people whose education and intelligence is not utilised afterwards, such as the young landholders who are brought up under the Court of Wards. They get a proper education, but after an estate is released they are left alone, while if their services were made use of, the public might be benefited, because they would make very good officers and members of an Advisory Council.

19610. You would also like to see greater effect given to the powers of village communities?—We have no legally constituted village communities in our province. Of course we have village communities on the old system, but if a legally constituted village community could be created, more would be done by them.

19611. (*Mr. Hichens.*) You say that there is a class of young land-owners who might be utilised as members of an Advisory Council; do these gentlemen, as a matter of fact, take any part in District Board work to-day?—No, not many.

19612. What is the reason?—Because they do not care to stand for election and they are not nominated.

19613. Could they be utilised in other ways also?—Yes; they might be made Honorary Magistrates or Honorary Munsiffs.

19614. Is that ever done?—No. If possible they might gradually be made Honorary Sub-Judges.

19615. Have you ever found that the Government control over municipalities hampered you in any way?—In the matter of budgets we sometimes found difficulties. Sometimes certain items are struck out by the Commissioners. That is not frequently the case.

19616. If the Commissioner strikes out one item and puts in another, what happens if you object; is his decision final?—Under the law it would be final, but sometimes, if we write again and explain the thing, he changes his views, although sometimes he does not.

19617. Are there any other ways in which you find that the interference of the Commissioner hampers you?—Sometimes. There was one matter with regard to the pay of a municipal servant. Under the rules certain servants are entitled to increased pay and the Committee allowed it, but the Divisional Commissioner would not sanction it.

19618. Should the municipality in most cases at any rate, have the power of appointment and of paying its own servants according to its own scale?—Yes; also to treat them as they like.

19619. Would you restrict the power of appeal of municipal officers to the Government?—No.

19620. (*Mr. Dutt.*) You suggest that the Local Government should have the power of borrowing money in the open market? Do you think they could get money there on cheaper terms than they could from the Indian Government?—I cannot say whether they would get it on cheaper terms, but I expect they would be able to get it on the same terms. My idea is that it will improve the work of the province. Sometimes the Lieutenant-Governor is convinced of the utility of certain work which might not ultimately be sanctioned by the Supreme Government.

19621. Might it not lead to a multiplicity of loans if every provincial Government was allowed to borrow on its own account?—Of course it would increase the number of loans, but at the same time it is allowed at Lucknow, where the Government issue separate currency notes, and at Calcutta, where the municipality issues debentures.

19622. But these municipalities have incomes of their own. Has the Local Government any income beyond what is assigned to it by the Imperial Government?—I take the other view—the Local Government assigns to the Imperial Government, or ought to.

19623. You say that the powers of temporary remission in a year of drought should be given to the Divisional Commissioner—do you make that remark with regard to permanently, or temporarily settled estates?—I speak regarding permanently settled estates.

19624. In the case of permanently-settled estates zamindars are not entitled to any remission at all, even in years of drought?—That I know, but the policy should be changed to a certain extent.

19625. How long have you been Chairman of the Rampur Boalia municipality?—This is my ninth year.

19626. Were you a member of the municipality before that?—I was a member for some time at the beginning, and afterwards I was elected Chairman.

19627. Has the election been sanctioned by the Government?—Yes.

19628. Is the Vice-Chairman also elected?—No. He is nominated by the Chairman.

19629. Is the work of the municipality dealt with by different sub-committees?—Certain works such as, for instance, appeals are dealt with by an appeal committee. Then with regard to Public Works certain members supervise the work of the overseer, and certain Commissioners are empowered by me to check the bills and other things. The system has answered well up to the present.

19630. Is your municipality inspected by the District Magistrate or by the Divisional Commissioner?—Yes.

19631. Have any serious faults been found with your administration during the time you have been Chairman?—No.

19632. Are there any schools under the supervision of the municipality?—There are primary schools which are maintained by the municipality. The sub-inspectors of schools, who are Government officers, inspect them, the municipality merely pays the cost. We have no power of supervision or control in regard to their management; we have to do that through the sub-inspector and inspector. Some of the Commissioners sometimes inspect the

schools, but that function rests primarily with the sub-inspectors.

19633. Supposing a Commissioner finds fault with a school, have you any power to withdraw the grant or to close the school?—No.

19634. Are any dispensaries maintained by the municipality?—Yes, they are managed by the Dispensary Committee, of which I am a member. I used to inspect the dispensary, but at present I do not. The Vice-Chairman sometimes inspects it.

19635. Are there any members of the Dispensary Committee who are not Commissioners of the municipality?—Yes.

19636. Are your municipal accounts audited?—Yes, by the Government auditor of the Accounts Department. A copy of his remarks is sent to us and we have to rectify the defects.

19637. Is not the organisation of village communities very feeble in Bengal?—Yes.

19638. Would some legal recognition of them strengthen their organisation?—Yes.

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19639. Would you entrust the powers of a village community to a single man or to a number of men in the village?—I should prefer a number of panchayats.

19640. If you had such a body would you entrust to them some powers in the way of settling disputes and also disposing of petty criminal cases?—Yes.

19641. Would you also allow them some powers with regard to settling civil disputes?—Yes, and also with regard to sanitation. You often see cases of carcasses being thrown into the river, and there is no one to prevent it. The chaukidar sometimes goes to the thana, and the thana sub-inspector, if it pleases him, reports to the Sub-Divisional Officer; notice may be taken in time of such a matter, but meanwhile the body is rotting in the water.

(*The witness withdrew.*)

Mr. H. Luson was called and examined.

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19642. (*Chairman.*) You are Commissioner of the Chittagong Division?—Yes. I have also been Deputy Secretary to the Government of India in the Home Department for three years and before that Under-Secretary for three years.

Now that the nature of the provincial settlements has been made nominally permanent instead of periodic, larger financial powers should be given to Local Governments. But their financial administration should remain subject to the general supervision of the Supreme Government, and various conditions and restrictions. What appears to be required is to increase the limits in the conditions prescribed, *e.g.*, those as regards both temporary and permanent appointments, pay of grades, new services, pensions, cost of houses for officers' residences, &c. If the retention by the Local Government of the prescribed minimum balance is rigorously insisted upon, the conditions can be very considerably less restricted than at present.

I do not advocate further separation between imperial and provincial finances.

I would not give borrowing powers to Local Governments. One reason against the proposal is that they would probably have to pay more for the money. Another is that it would tend to make them less subject to the general financial control of the Supreme Government, which seems essential.

The smaller cases as regards appointments, allowances, pensions, &c., take up an inordinate amount of time and attention in the Secretariats. I would leave as many of these as possible to the Local Government, allowing the Government of India to interfere by veto on seeing the cases recorded in the proceedings, or the individuals affected to appeal if necessary. The Civil Service Regulations and Civil Account Code should be exhaustively examined with a view to the exclusion of petty cases from being of necessity referred to the Government of India. These Codes are behind the times in such respects. The powers of the Government of India would require some enlargement also.

If the proceedings of the Government of India are examined it will be found that there are very many references in petty cases which might well be left to Local Governments. "The previous sanction of the Governor-General in Council" has been insisted upon too much in the legislation of late years. An instance is seen in the provision in the Chittagong Port Commissioners Act that such sanction is required to the list of local firms for the electorate to choose the three elected Port Commissioners every two years. The Commissioner of the division might very well be entrusted with the power of altering that list, subject to his being liable to be overruled on objection by the Local Government.

But whilst giving larger administrative powers to Local Governments in such petty matters, I would not add much to their powers in important matters. The Local Governments in India are very powerful institutions. As at present constituted, they have not always complete knowledge of local conditions, and they are not on every occasion right. They should be required to justify to the Supreme Government any departure, on the ground of different local conditions, from the general lines of policy laid down by that Government or the Home Government.

The restrictions as to details imposed on Local Governments by law or rules having the force of law might be relaxed by a general Act of delegation scheduling the restrictions which are to be relaxed and allowing the Governor-General in Council to delegate them. In some cases, *e.g.*, Madras, complete delegation of the items in the schedule might be expected; in others, *e.g.*, the Central Provinces, only partial delegation.

The departments of the Government of India with which I am acquainted appear to me to suffer mainly from want of direct knowledge with the conditions of the provinces. There are too many notes and memoranda put up by clerks and inexperienced Secretariat officers. No officer should act as a Secretary to the Government of India until he has completed three years' service as a District Officer (as Accountant-General, &c., for the Financial Department, as a Resident for the Foreign Department, &c.). No officer of the Civil Service is allowed to act in a High Court until he has served three years as a District Judge. A corresponding rule in the Executive branch of the Service would be of great value. The Administrative Departments of the Government of India are too rigid, narrow, and unsympathetic. Their officers should be in closer touch with actual conditions. The Secretariats are often very ponderous and slow. More expedition is required in the despatch in them of really important business. There are too many inter-departmental references in ordinary cases. The Secretariat tends to grind alike for both great and small; and there is not enough light and shade in their productions. I would remedy this by pruning away much of the less important work, and by taking a succession of officers from active employment in different parts of the country.

The Government of India is not too much dominated by considerations of revenue, as a rule. But it is too impersonal, and too much removed from first-hand knowledge of most of the provinces. In an outlying province such as that of Eastern Bengal and Assam there is a great feeling of want of direct touch with the Government of India. The general conduct of the administration would run much more easily if such touch existed.

Directors and Inspectors-General under the Government of India should be inspecting and advising officers, and not administrative officers, when dealing with departments which are primarily under the Local Governments. They should tour somewhat more than they do.

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Initiative largely depends on the individual. The majority of the administrative changes effected in recent years with which I am acquainted are those brought about by Lord Curzon as Governor-General, and by Sir George Campbell as Lieutenant-Governor of Bengal. I do not consider that it would be desirable to allow provincial Governments to develop their administration on their own lines, adopting or not at their discretion suggestions of reform brought to their notice from other provinces.

I would not interfere in any way with the law, rules, or practice of appeals. To do so would be most unpopular, and it might also be dangerous. Appeals often bring considerable information to the knowledge of the appellate authority, and the work done in connection is not excessive or wasted. A hopeless appeal is quickly disposed of.

Too much reliance is placed by the Government of India upon returns and reports from the Local Governments. Such very often do not, and cannot, convey full knowledge of the conditions. What is required is more personal acquaintance with the people and the officers of the provinces. I have no suggestions to make as to the reductions of returns and reports demanded from the Local Governments. The more information the Government of India obtains from them the better.

In this province, as well as in Bengal, the Board of Revenue should be formed into an Executive Council with the Lieutenant-Governor. I would make the members of the Board of Revenue Ministers in charge of departments in the Executive Council, and abolish the Board's separate Secretariat. I would give power regarding the general administration, as well as revenue matters, to the members. The Lieutenant-Governor and his Councillors should settle how the work should be divided from time to time, subject to the approval of the Governor-General in Council. Many of the present functions of the Board of Revenue might be devolved upon the Commissioners of Divisions.

As regards the Court of Wards, there is at present too great an attempt at controlling details from the Board of Revenue downwards.

Of late years Commissioners here have been allowed some grants for (*a*) minor works and (*b*) small sanitary improvements. Such grants might be also given to District Officers and Commissioners should have the allotment of them to districts (from a total sum for the division) as in the case with the extra grants from the Public Works Cess to add to the resources of the District Boards.

The remarks I have made above regarding the Imperial Government and Secretariat apply *mutatis mutandis* to the Local Government and its Secretariat. In this province the Secretariat is particularly out of touch with local conditions as it is mostly located for practically the whole year at the station of Shillong which is difficult of access. These remarks do not apply to the Chief Secretary who tours with His Honour the Lieutenant-Governor throughout the province.

The position of the Commissioner in these provinces is not at present satisfactory, as the laws and rules and orders do not give him sufficient authority in revenue or in administrative matters. By his standing in the Service, and as administrative Head of a division comprising several districts, he usually commands very considerable influence in all local affairs, but it is possible for him to act largely as a mere channel of communication between the District Officers and the higher authorities. Adequate weight is given to my own views, but I regret that I have no more opportunities than I have for personal communication with the Government.

Executive Officers have not sufficient opportunities for contact with the people outside their offices. The District Officers have far too much work to do. In the heavier districts, I would have two District Officers and divide the work between them.

Executive Officers often do not possess sufficient knowledge of the vernaculars. The regulations for passed candidates in England require amendment, and some time should be spent at home in obtaining a grounding in Sanskrit and Bengali by selected candidates for this province.

We have great difficulty in obtaining the sanctioned normal administrative staff. The last Civil List for this province shows a deficiency of 16 below the sanctioned number of members of the Indian Civil Service. Two of the most difficult and important sub-divisions in this division have been held by unpassed Assistants for considerable periods during the last two years. The Provincial Service of Deputy Magistrate-Collectors is also deficient. The Government of India should have insisted upon this province being better equipped with administrative officers from the start.

I doubt if larger powers will in practice make much difference as regards the selection of officers. I think it should do so.

Transfers are unnecessarily frequent, because we have not the full complement of officers. The best method of avoiding transfers is to have a sufficiency of officers.

Local Boards in Bengal have never had sufficient powers and means given to them, and unions under the Bengal Local Self-Government Act should be encouraged. I would have elections to such unions, and would create and finance many more of them.

I doubt the feasibility of Advisory or Administrative Councils for Divisional or District Officers unless they are established by law; and if they were so established, I should hesitate to predict how they would work. The District Officer already has a Council in the District Board of which he is Chairman. The functions of the District Board might be somewhat enlarged. That I think should be sufficient for the present. As to a Divisional Council there would be great difficulty in getting the members of the outlying districts to come in. At present when I visit a district I see most people there of importance, and freely consult them.

I do not think it would be expedient to invest District Boards with powers of supervision over small municipalities. Any such scheme would be very unpopular in Bengal.

There are no village communities in these districts. I would extend the unions under the Bengal Local Self-Government Act, making them largely elective and increasing their functions and powers. I should like to amalgamate with them the chaukdari unions in certain tracts as an experiment. I doubt if any village organisation should be entrusted with the disposal of criminal or civil cases.

19643. You are not in favour of a complete separation of imperial and provincial finance? Will you state briefly why?—The general features of the system of provincial settlements which date from the time of Lord Mayo's Government should be continued, and the budgets should be framed on the principle of unity of finance, so that all parts of India may share in any growing revenue according to their needs.

19644. Do you think that unity and share in any possible expansion of revenue could not follow upon a system which separated the finances of the respective Government?—That is so. I would not allow some province to progress while others remained stationary, by dividing them up as it were into water-tight compartments.

19645. That might follow upon a separation of the finances?—One province might want a little extra assistance at some time and not be able to get it if the provinces were divided up financially into separate bodies.

19646. You say that the Civil Service Regulations and Civil Account Code ought to be examined with a view to the exclusion of petty cases, which have to be referred to the Government of India. When you were in the Government of India Secretariat did they in any way take in hand these regulations or codes from that point of view?—I cannot say that any general examination was made from that point of view, but there were continual amendments made sometimes with that object.

19647. Sometimes perhaps with the object of tightening up control?—Perhaps, on some occasions.

19648. When you were in the Secretariat of the Government of India, were a great number of cases disposed of by the Under-Secretaries and Deputy Secretaries?—A very great number were disposed of by them on their own responsibility, subject of course to their being noted in proceedings and those proceedings being examined by the officers superior to them, that is, by the Secretary in the case of an Under or Deputy Secretary or by a member of the Government in the case of the Secretary. There was a weekly tabulated list prepared.

19649. Do you think that many of such cases might very well have been left to the disposal and discretion of the provincial Government?—I think so. I should say a majority.

19650. So far, that is to say, as the rules compelled the reference, but not so far as the importance of the matters referred was concerned?—Just so; the rules compel the references.

19651. What proportion of your time was occupied in dealing with those cases which might have been disposed of by the Local Governments?—I used to devote most of the office working hours to the disposal of small cases, and urgent cases, and the larger and important cases I used to work upon at home, so that I should say it would be about half and half.

19652. Then might one-half of your work have been perfectly well done, so far as its importance was concerned, by the Local Governments, and need never have come up to you at all?—Roughly I should think so, but it is some years since I left the Secretariat.

19653. Have you ever been in the Secretariat of the provincial Government?—Yes. I was Under-Secretary there for a year and a half in 1890-91.

19654. Did you find that a great deal of your time as an Under-Secretary in the provincial Government was occupied in the same way in deciding these petty questions?—I think more so.

19655. So that quite one-half of your time in the Secretariat of the provincial Government was taken up with cases which might perfectly well have been delegated to subordinate officers of that Government?—Quite so.

19656. You give an instance with regard to the Chittagong Port Trust in which the Government of India interfere unduly with the conduct of local affairs: is that possibly because you are working under obsolete conditions which no one has ever taken the trouble to get amended?—I think that is an example of a good many cases, and there are numerous similar ones.

19657. During your three years' term of office as Commissioner of Chittagong, have you ever made any proposals to the Local Government to amend the Chittagong Port Trust Act?—Yes, I drafted a Bill for that purpose. It is about to be taken into consideration.

19658. How long, after a Bill of that sort has been taken into consideration, is it made operative?—About a year. It is probable in this case that the Bill will be passed shortly, because the Lieutenant-Governor has decided to take the matter up, and it only remains now to introduce the Bill and carry it through.

19659. You say that there are a great number of memoranda and notes sent up by clerks and inexperienced officers: were you required by office procedure, as a comparatively subordinate officer with hardly seven years' service, to make a number of notes on these memoranda and pass judgment and criticisms on the proceedings of officers with much longer experience than your own?—Yes, that is so. I do not think it is a good system.

19660. Did your notes and your memoranda include a sort of collation of previous cases, drawing attention to precedents and that kind of thing, or did you criticise the proposals from the larger and wider point of view of policy?—Both. The examination of precedents is very necessary.

19661. Were you entitled in your position to do both—were you not only to point to precedents but to dilate upon expediency?—Yes; and suggest action.

19662. What would you suggest to prevent that state of things?—As a rule, no officer should act as Secretary to the Government of India, that is to say, in charge of a department which deals mainly with district work such as the Home Department—until he has completed three years' service as a District Officer. As regards other departments, the Financial Department for instance, there would be other offices he should hold instead, say Financial Secretary to a Local Government, or an Accountant-Generalship, and as regards the Foreign Department one of the political appointments in the interior of the country. The rule they have as regards the High Court is a very good one, namely, that no officer of the Civil Service can act as a Judge of the High Court until he has been three years a District Judge, and that rule is followed without exception.

19663. You say that the Secretariat rather treats all matters alike both great and small and there is very little light and shade in their proceedings?—The really important business does not perhaps get the extra attention devoted to it which it should have. There are a large number of important questions which should have special attention, but because there are so many cases to deal with they are more or less all treated alike. There is such a volume of work to be got through that the tendency is to treat the cases, as they come, more or less alike, instead of devoting special and extra attention to the more difficult ones.

19664. You think the Executive Council ought to include a Member from each of the larger provinces?—I do. It could not be worked as a hard-and-fast rule. It is merely a suggestion, to be carried out as far as is reasonably possible?

19665. You say there is too much reliance placed by the Government of India on the returns and reports of Local Governments—has that always been the case?—I cannot say that I know of any increase lately.

19666. But when it comes to the case of reports and returns demanded from the Local Governments, you think the more information the Government of India obtains from them the better?—Yes, but I would have the Government of India have all the information at hand to enable them to deal with any point, that is to say, the members of the Government of India should be more in personal touch with the people and the officers of the different provinces, but should also have the information on record.

19667. But you say that in one case the Government of India places too much reliance upon these reports, and then you say they ought to get more information from them than they do; what do you exactly mean?—They ought to make better use of the reports which they receive.

19668. You think Commissioners have not got as much power as they ought to have?—That is so. Quite a number of powers which are now exercised by the Board of Revenue might be delegated to Commissioners. For instance, take the administration of the revenue law in connection with the permanent settlement. When a case of injustice or hardship occurs in connection with a sale of even the smallest estate and it is brought to the notice of the Commissioner on appeal, the Commissioner has no power to interfere, but has to report it to the Board of Revenue, and the Board of Revenue has to make a recommendation to the Local Government before an estate which has been sold can be restored to the owner, although it is a clear case of hardship and injustice. Cases of that kind which are regulated by Act XI. of 1859, might be left to the Commissioner himself. I do not think the Commissioner is likely to endanger the Government revenue.

19669. With regard to the Court of Wards, you would like a freer hand?—That is so. I cannot sanction more than Rs. 200 for any work in a large estate. When an estate is taken under the Court of Wards, a scheme is drawn up which is approved for the general working of it during the time it is

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to be under the Court, and if any departure from that scheme, in the case of a large estate, involves an expenditure of over Rs. 200, the matter must go to the Board of Revenue. The limit should be very considerably extended: I would suggest a percentage on the gross revenue of the estate.

19670. Would you increase the powers of the Collector in the same way?—The Collector has powers up to Rs. 100, and I would similarly increase his powers.

19671. You are perhaps aware that in the province of Bengal the Commissioners have an allotment made to them of Rs. 10,000 to spend more or less as they like?—Yes, I have a similar allotment.

19672. Do you yourself spend the money, or do you hand it over practically to the Collectors to spend?—I practically see to the spending of it myself. The Collectors tell me what they think would be the best way in which the money should be spent; I usually see the places where it is going to be spent and the results, and take a personal interest in the spending of the money; the amount might be considerably increased.

19673. Supposing you kept the amount which you now have to spend, but a sum was given to the Collectors which they could spend at their own discretion, would that remove any necessity for an increase in your allotment?—I should like to have the allotment made to the division and allow the Commissioner to divide it up among the districts, not necessarily in accordance with the area or population, but as some urgent necessity might arise. In one year one district would get more than another, and in another less; I would not tie the hands of the Divisional Officer, I would allow him to have the money to dispose of to the best of his knowledge.

19674. Should a Commissioner have a separate budget for his division?—Practically I think it is scarcely necessary. We get along pretty well as we are. Of course there are already budgets for different departments.

19675. Have you any power over the transfer of Covenanted Officers or the Provincial Service?—No, only in the Subordinate Service—only as to Sub-Deputy Collectors. I doubt whether it would work, because the number of officers in a division is too small to allow of any reserve. I think the present system should not be changed with regard to the powers of transfers, but there are a great deal too many transfers.

19676. Can you suggest any means by which that could be checked?—The number of officers is insufficient to go round. That is the chief cause.

19677. It has been suggested that a District Officer should no longer be permitted to be the Chairman of the District Board?—The Local Government has the power now, under the Bengal Local Self-Government Act, of appointing another person. In Eastern Bengal, it would not be a wise thing generally, but the experiment might be tried in one or two districts. It would, no doubt, remove the Collectors from direct touch with many very important matters in connection with the district, and it would require an exceptionally good man, not the District Officer, to fill the post. He would probably have to be paid. I would not recommend it as a system at the present time.

19678. But you would not mind it being tried here and there?—Not, if some exceptionally good man could be obtained, but merely as an experiment.

19679. Should power be given to the Commissioner to appoint a person other than the Collector to the Chairmanship of the District Board?—No, I think the Local Government only should have that power. It is so important a matter.

19680. Do you think that occasionally a person might be found who not only would be fit to exercise the functions of Chairman, but who would have the necessary leisure and knowledge of the district?—He might, but there is no such person in my own division, I have met with one or two, perhaps, in the course of my experience.

19681. It has been suggested that the Commissioner instead of getting from his District and Sub-Divisional Officers a report on every sort of subject, should get from them one annual administration report; would that be a good system?—It is very necessary in many matters to call for immediate reports from District Officers. There would be considerable difficulties in preparing one report. It would have to be prepared in sections which would be tacked together, so it would come to much the same thing as now.

19682. Would it not save the District Officer time and trouble and save you time and trouble?—I do not think it would have much practical effect.

19683. You think some small additional powers might be given both to municipalities and District Boards?—I think that they might be entrusted with them.

19684. What do you mean by saying that Deputy Collectors should be allowed to conduct their own correspondence?—In a district the work is divided up into different departments, each presided over by a Deputy Collector. Take for instance the Partition Department which deals with the partition of estates; a Deputy Collector is in charge, and although he writes all the letters, the Collector signs them and the files go to the Collector on routine matters; routine reports have to go to the Commissioner and the Board, and I think the Deputy Collector might send them direct, without beforehand going to the Collector or sending the case to him and getting his approval of the draft and his signature to the letter.

19685. Is the Deputy Collector a man not only of considerable experience but of considerable capacity, having regard to the work he has to do?—Of course they vary, but there are many Deputy Collectors who have very considerable capacity.

19686. Has their general tone considerably improved of late years?—I have heard of very few cases of dishonesty indeed amongst Deputy Collectors. I think that their standard of honesty in this province is very high, and that their standard of work, generally, has improved.

19687. (*Mr. Meyer.*) You speak of provincial settlements having been made permanent, and again you say that they require revision; what sort of revision do you think these *quasi*-permanent provincial settlements should receive?—If the revenue in one province became more or less stereotyped, whilst the revenue in another province developed very largely, it seems to me that some re-adjustment should be made.

19688. That is to say that the stationary province should receive part of the increase of revenue of the progressive province?—That is what I mean.

19689. Although the progressive province might have built up its revenue by careful administration, and the stationary province might have been stationary through its own inertia?—The stationary province might have remained stationary on account of its history. I was thinking amongst other things of the permanent settlement of Bengal. I do not advocate a periodical revision. I also had in mind the United Provinces, where I believe it is found that the financial arrangements are such that there is a deficit, and I suggest in making this arrangement that it should not be held that that province was cut off from any adjustment later on.

19690. An adjustment in favour of one province might imply also an adjustment against it?—Yes, I meant that.

19691. Therefore, you would sacrifice the whole permanency of the settlement?—You are aware of the previous system of quinquennial settlements and that they were done away with because they led to constant bickering as to the terms to be given by the Government of India and obtained by the provinces for the next settlement —Yes.

19692. Are you prepared with a light heart to revive that system?—No, certainly not with a light heart. I anticipate that readjustments of these *quasi*-permanent settlements will be really forced upon the Government.

19693. As regards new appointments, you propose to give Local Governments power up to Rs. 1,000. You are aware that the Government of India have no such power?—Yes. I have suggested that the powers of the Government of India should also be somewhat enlarged.

19694. You say that with regard to personal cases, you would prefer to let the Local Governments exercise its discretion, leaving the Government of India to interfere on seeing the cases recorded in the proceedings, and you refer specially to pensions and allowances. Do you think it would be satisfactory to a man to whom the Local Government had given a pension of, say, Rs. 200 a month, to have the Government of India come down upon him some months afterwards and say, "We must deprive you of a portion of your pension, you ought only to get Rs. 150"?—I would risk that. I do not think it should necessarily lead to that result. At present under articles 925, &c., of the Civil Service Regulations pensions are provisionally paid pending final orders.

19695. As regards the Chittagong Port Trust, you stated that you had drafted a Bill; in that Bill have you cut out the clauses as regards the intervention of the Government of India which you have mentioned as unnecessary?—As a matter of fact, I have not cut out those clauses; I have put in a limit, and if the sanction of the Government of India is still considered necessary to a very large work, it is provided that the limit in the case of Chittagong, might be raised from Rs. 10,000 to one lakh.

19696. In the same way you have got rid in your draft Bill of the restriction as to the election of Commissioners by such bodies, &c., as the Local Government may "with the previous sanction of the Governor-General in Council direct." You have omitted the words "with the previous sanction of the Governor-General"?—Yes.

19697. Has that Bill been accepted by the Local Government?—It has not been thoroughly considered in detail yet.

19698. You say that a Secretary to the Government of India, outside the Foreign or Finance Department, should not become a Secretary until he has completed three years' service as a District Officer. By District Officer, do you mean Collector or Deputy Commissioner?—Yes.

19699. Have not most of the Secretaries of the Government of India in the Home and Revenue Departments had three years' experience as Collectors and Deputy Commissioners?—I am not sure about most of them; some have.

19700. With regard to your suggestion as to the Finance Department of the Government of India, is not that department an administrative department dealing with administrative departments?—It is largely an administrative department, of course. It has to deal with cases referred to it (besides its own administrative cases) by the other departments of the Government of India.

19701. Therefore, is it not possible that the more outside experience a Financial Officer of the Government of India had the better; instead of requiring him to have special audit experience, would it not be better to require that part of his experience should have been in some other line?—I meant to include those which I mentioned just now: a Financial Secretary to one of the Local Governments would be one source of recruitment, and the Secretariats to Local Governments should have three years' district experience. I want to secure more direct or personal knowledge by the Secretariat of the people of the country.

19702. Can you give some specific instance of the rigidity and want of sympathy which you specify as having marked the administrative departments of the Government of India in your time?—Yes, I think the Chittagong port after Lord Curzon's visit there in 1904, has been treated with a want of sympathy.

19703. During the time you were in the Secretariat, can you remember any specific instance which you can speak to?—Yes, I should say the action taken in connection with the Bengal jury notification. Action was taken in regard to trial by jury in Bengal, with the sanction of the Government of India, by a notification very considerably altering the previous arrangements. That action was extremely ill-received, and it was afterwards practically admitted by the Lieutenant-Governor himself that it was mistaken. It was very much modified in consequence of the Commission which was appointed under the presidency of one of the Judges of the High Court in Calcutta. If there had been more knowledge on the part of the Government of India at that time of the feeling in Bengal and the conditions of the Bengal districts, the notification which was issued by the Lieutenant-Governor would not probably have been sanctioned by the Government of India.

19704. That is to say, the Government of India showed their rigidity and want of sympathy by approving the action of the Lieutenant-Governor instead of vetoing it?—I think so.

19705. Then you say that you would remedy the constitution of the Secretariat by taking a succession of officers from active employment in different parts of the country; but is not that precisely what is done now?—I was specially referring to the necessity of officers in the Government of India having local as well as Secretariat experience.

19706. You say that the officers of Government have too much to do and consequently do not perform their important work well enough. At the same time, you propose not to curtail appeals on matters of great importance; but do not relatively petty appeals go up to the Government of India now?—Yes, but they do not give a very great amount of trouble.

19707. Have you not known of cases in which you have had to wade through a great mass of documents concerning a clerk in receipt of small pay simply in order to arrive at a conclusion as to whether the decision of the Local Government was right or not?—Yes, but in a case of that kind one can very soon take stock of the facts, and it need not take up a very inordinate amount of time.

19708. But if you have a great number of these appeals coming up collectively, they take up a good deal of time, and if, as you tell us, the Secretariat is overworked, is it not desirable to relieve them of some of the work?—I would not relieve them of the work of appeals.

19709. Do I gather you are of opinion that when a case can be dealt with by anybody under the rank of a Member of Council in the Government of India, it shows that that case need not have been sent up and that the restrictions on the Local Government may be relaxed?—No, that is not what I meant to convey. I meant that the cases which are decided by the Secretaries and do not go to the Members of Council should be examined with a view to ascertaining how many of them might be struck out without the necessity of having to be referred specially to the Government of India.

19710. Is it not difficult to deduce general principles from these things? You might have perhaps three or four cases coming up from a Local Government which seemed so absolutely clear that the Secretary, or even the Under-Secretary or Deputy Secretary, might pass them on his own authority. Then you might have another case which seemed so absolutely contrary to the intention of the original rule that it might go up to the Viceroy and the Local Government be overruled—has that not been very frequent?—Yes, but I rely upon the examination of the proceedings of the Local Government in such cases as you refer to, and would let the Secretaries suggest the calling for cases which they thought wrong.

19711. Would that not cause friction?—I think not; they would soon get used to that kind of procedure, and it is common in other departments.

19712. Are you in favour of converting the Board of Revenue into a Council on the model of the Councils at Madras and Bombay?—No, not exactly. I would not agree to a condition of things under which two members of Council, of inferior status.

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should be able constantly to overrule the Lieutenant-Governor. I would give the Lieutenant-Governor very large powers as regards setting aside the opinions of his colleagues, but what I wish to ensure is that he has colleagues whose opinions he should be bound to take, and whose opinions should be put on record.

19713. Do you mean then that in the case of Local Governments having to make a reference to the Government of India for sanction, it should be put on record that one of the colleagues of the Lieutenant-Governor, or it might be both of them, disagreed with the Lieutenant-Governor?—I think so, if a colleague desired that to be done.

19714. Taking a case where a Lieutenant-Governor could act by himself, and supposing, according to your ideas, his powers have been very considerably increased, what is to happen then?—Nothing, if he acts within the limits allowed.

19715. Is he to be under any obligation to go up to the Government of India; if his colleagues disagree with him?—I would allow it to be open to those two colleagues to refer the matter to the Government of India, but not to stop the action of the Lieutenant-Governor.

19716. And if the Government of India agreed with his two colleagues, what then?—Then the Lieutenant-Governor would be overruled.

19717. Do you not thus open up a source of fresh appeal to the Government of India in the event of the Lieutenant-Governor disagreeing with his colleagues?—I think some such arrangement is very necessary, as has been manifest in this new province.

19718. Would not that system be very much akin to a regular Governor-in-Council system, save that you drag in the Government of India a good deal?—I think the Government of India should come in a good deal, in their responsible position as regards the administration of the provinces.

19719. Under your proposal it comes in, not because the matter is, *primâ facie*, of such importance that it should come in, but because there is a difference of opinion between the Lieutenant-Governor and his two colleagues?—That would presumably show that it was of importance.

19720. Are you in favour of giving the Commissioner the power to appoint Sub-Deputy Collectors?—No, because in some divisions like mine, which are rather backward, it might be difficult to get the material or the class required.

19721. Suppose it were possible to break up the provincial budget for Public Works a good deal, and to give the Commissioner large allotments out of which he could sanction administratively the Public Works that were not of first class importance, instead of the matter having to go up to the Local Government; would you be in favour of that?—I think if you did anything on the large scale you mentioned, it would be necessary. I had in my mind only small works, on the scale on which they are done now, but on a large scale I presume it would be necessary to have a budget. I am not prepared to give an opinion.

19722. Would you practically allow delegation of the powers now vested in the Court of Wards to the Commissioners?—Not all of them. I would not allow delegation to the Commissioner of the power of saying whether an estate should be taken or not taken, however petty the estate might be. We suffer in one or two districts in my division in consequence of a large number of petty encumbered estates, which have been taken under the Court of Wards.

19723. Would a reference to the Court of Wards be a protection against that?—Certainly; in several cases the Local Government has refused to accept them, although the Board of Revenue has recommended it.

19724. What is the exact position as to sanction for taking over an estate under the Court of Wards Act; does the Court of Wards do it itself, or has it to go up to the Lieutenant-Governor?—It goes to the Lieutenant-Governor. I would keep that power.

19725. Do you think the time has come for giving to Commissioners some power under the Land Acquisition Act, subject to some pecuniary limit?—Yes.

19726. Might they have power, subject to such conditions as the Local Government may prescribe, to invest officers with magisterial powers?—There is a difficulty about that. The Secretariat keeps a confidential list showing officers' records from the commencement of their service; the Commissioner has not access to that list, because he very often gets an officer from another division, and if your suggestion were adopted, he would have to refer to the Secretariat to find out what there was on record as to any officer in question; it is convenient, therefore, that the power should remain with the Secretariat.

19727. Is there any objection to informing a Commissioner what is known about an officer who is sent to his division?—No, that might be done.

19728. As regards local and municipal work, you have fairly large powers already as a Commissioner; you pass the budgets of Local and District Boards and municipalities; you review their reports and you exercise the controlling powers which are necessary from outside; speaking generally are you satisfied with these powers?—Yes, I am satisfied with them.

19729. As regards your district organisation, was not the distribution of the old Bengal *cadre* settled between the two Lieutenant-Governors concerned?—I am not aware of that, but the provinces are unequal with reference to the completion of the sanctioned strength of the Indian Civil Service. The Government of India should have power to insist that there should be practical equality in the division of the men between the two provinces.

19730. To overrule Bengal for the sake of Eastern Bengal?—Just so.

19731. Are you in favour of having Sub-Divisional Officers in charge of Sadar sub-divisions?—Yes.

19732. Are you in favour of having territorial charges instead of subject charge?—I think that with a system of subject charges the work is more efficiently conducted because some of the work is special.

19733. That may be the case with regard to treasury and excise work?—And other things—land acquisition, partition, and various matters.

19734. Surely the man who ought best to be able to deal with such subjects is the man who knows the country, the estates, or the person he is assessing, and so on?—The Sub-Divisional Officer has to deal with such a multiplicity of subjects that he does not deal with them so well as a Deputy Collector, who has been engaged for a number of years in dealing with one particular branch.

19735. When a Sub-Divisional Officer becomes a Collector, is he quite unfamiliar with a considerable amount of a Collector's work?—No, because a Sub-Divisional Officer before becoming a Collector is usually a Joint-Magistrate. As a Joint-Magistrate when the Collector is away, he is in complete control temporarily; even when the Collector is there he usually has a number of departments to attend to himself.

19736. We have been told on all hands that there are hardly any Joint-Magistrates now?—That is because there is a deficiency of men.

19737. Do you think your present system, if you had more men, is better than the Madras system, under which a Sub-Divisional Officer performs all the local duties, with the Collector above him?—I do. Under the Madras system the Sub-Divisional Officer seems to be a petty Collector. I want him to be free of duties which prevent his being frequently on tour.

19738. You contemplate two Collectors in a single district?—Two District officers in some districts.

19739. Would they be equal and co-ordinate?—That would depend upon the work to be arranged amongst them. I have asked for two for one of my districts, and I would make one of them the District Magistrate and give him in addition some of the Collectorate work. I would divide the functions according to the needs and the total amount of work of the district.

19740. Do you not think that might end in a case of two kings of Brentford?—No; I have had some experience of it. In this particular district we have had two District Officers during a time of stress, and nothing of the kind occurred.

19741. You are in favour of having direct appeals to yourself, as Commissioner from the Deputy Collectors employed in the district; for instance, you want an income-tax appeal to come from a Deputy Collector to yourself, skipping the Collector, your argument being that in all these matters, the powers of the Collector having been delegated to the Deputy Collector, he is acting as Collector?—Yes.

19742. If the Collector can delegate his powers to his Deputy in the matter of original work, why should you not delegate your powers as Commissioner to the Collector in matters of appeal?—I was thinking of the system in judicial work by which a good many Sub-Judges decide cases, appeals from which go to the High Court, and do not go to the District Judge; that is found to work well.

19743. But is the analogy a good one; do you not think you will very much weaken the authority of the Collector in his own district if you allow appeals from subordinate officers direct to the Commissioner?—No Collector has complained to me in regard to the cases which do occur now, *e.g.*, income-tax cases. What I want to do is to relieve the District Officer as much as possible of the enormous burden of work that at present falls on him.

19744. Could he not be relieved just as effectually, perhaps, by allowing him to delegate the power that he has now to exercise to his subordinates, and in return being allowed powers which the Commissioner now exercises and which he has to report about. You want larger powers from the Local Government and from the Board of Revenue *quâ* Commissioner; why should not the Collector receive larger powers from the Commissioner in turn?—I think he should in some matters.

19745. (*Sir Steyning Edgerley.*) I suppose one method of levelling up provinces with stationary revenues, would be by the distribution to them of a portion of the Government of India surplus?—That would be a temporary arrangement only.

19746. Do you not think it could be done permanently without affecting the betterment of the other provinces?—But it takes the form of doles.

19747. On the other hand in criticism of your proposal it might be said that you should attain your object, if possible, without affecting the financial settlement of another province?—Yes, possibly.

19748. You say that there is too much "previous sanction" required by legislation, but is not that historically rather a somewhat recent development of legislation?—My recollection during my time in the Home Office is that there was too great a tendency to bring in the sanction of the Governor-General in Council in minor matters when any new legislation was being considered.

19749. I think if you compare notes previous to 1870 and subsequent to 1870 the distinction becomes more marked; up to 1870 the tendency was not marked; do you happen to have looked it up?—I cannot say straight off, but my impression is that of late years there has been a tendency to bring in the Governor-General in Council more.

19750. Was not the former progress of promotion that while a Secretary to the Government of India sometimes became an Honourable Member possibly, on the other hand, except in occasional instances, Lieutenant-Governors were, as a rule, promoted from Honourable Members?—At first it was so, then there was a break, and again it became the rule.

19751. Then at any rate one may take it that the Lieutenant-Governor is a person of equal trustworthiness and experience as a Member of Council?—It is not a question of trustworthiness, but of experience.

17952. Would you not rank a Lieutenant-Governor as at least equally in the confidence of the Government as a Member of the Government itself?—More so, I should think, if a comparison is to be made.

19753. In that case it becomes rather more marked, does it not, if an officer, as for instance the Lieutenant-Governor of the United Provinces, leaves a Membership of Council, where he delegates the power to dispose of routine work to a Secretary, and then in his higher sphere proceeds to submit work of exactly the same character to the Secretary to the Government of India to be disposed of by him?—Yes.

19754. Would you increase the Council of the Government of India so as to have one representative from each province?—I would; I would not say as a rigid rule that there should be one member from each province.

19755. But, *cæteris paribus*, do you think there should be?—There should be, as far as circumstances would permit.

19756. As regards the Act of delegation, I understand you to say that you would schedule the restrictions which are to be relaxed. Do you mean that you are in favour of a general Act of delegation, or do you mean that you would have a specific Act?—What I meant was that there should be a general Act applying to the whole of India.

19757. Supposing your province said "We want an Act relaxing such and such restrictions"; would you consider that in Council and pass an Act not only for Eastern Bengal, but for all India, and say that any other province which liked might also relax those restrictions?—I mean a general Act applying to the whole of India with schedules which might apply to the different provinces.

19758. But still that is a specific Act once and for all. You would have that Act passed, say, this year, and if you wanted a delegation two years hence you would have to pass another one; is that your meaning?—Yes.

19759. Then you do not mean a general Act, but a specific Act of delegation on each occasion?—What I meant was an Act for the present times—up to now—dealing with all the powers which you might think should be delegated from the Government of India.

19760. Do you mean that you would collect all your material up to now and pass your Act with schedules for each province, but if any province wanted anything more done next year, they would have to get a fresh Act?—Yes.

19761. Is that the best way of proceeding?—It is really more a matter for an expert of the Legislative Department.

19762. Do you not think when you are dealing with nine or ten provinces, and so on that they would be continually coming for this, that and the other Act, to relax something so that you would have to have an Act practically every year?—Perhaps it would be better if each Local Council did it on their own account. I do not consider myself an expert in the matter, and it is rather for the Legislative Department to advise upon.

19763. Are you prepared to see non-official Chairmen of Local bodies where you can find fit men?—Yes, experimentally if you can find suitable men.

19764. In districts where you can do that, would you be prepared to try the further experiment of putting the powers of outside control in the hands of a committee under the Collector?—No. I would not have any such committee; certainly not at present.

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19765. You say you think considerably more powers might be given to a Sanitary Board; what have you in your mind?—The Sanitary Board seems to me to do very little or to effect very little. They might deal with most of the medical matters, such as the dispensaries in a district.

19766. Do you mean that you would relieve the Inspector-General of Civil Hospitals of control?—No, he would be a member of the Sanitary Board. The work the Sanitary Board does is very much allied to the work of medical relief, and medical relief, in the way of dispensaries and sanitation, should go together and be under one Head as it were—that Head should be the Sanitary Board, of which the Inspector-General of Civil Hospitals should be a member, if not the President.

19767. That would be practically replacing the independent control of the Inspector-General?—No, I intended to bring the two together, and the Inspector-General might very well be the President of the Sanitary Board.

19768. With regard to village unions, do you say you would have election to such unions?—That is permissible already under the present law. It has not, I believe, been acted upon.

19769. What would be your principle of election, territorial wards, or classes, or what?—At present I should say that the electors should be those people who pay the chaukidari tax.

19770. (*Sir Frederic Lely.*) Referring to the authority of the Commissioner as to the Court of Wards and what you said about it, does it not often happen that an estate may be much embarrassed, and yet that the family may have sufficient social or political importance to make it worth while to make an effort to preserve it?—Yes, and that is done.

19771. In considering whether an estate is worth keeping under the Court, there are two considerations—one the financial position of the estate, and the other the claims of the family to help?—I think those should be the considerations.

19772. Is not the Commissioner from his local knowledge just as fit, or even more fitted, to decide on those points than the Board of Revenue?—Different men have different views on this subject; some say that we should take as few estates as possible, and others say we should take as many as possible. I would bring the Government in to ensure uniformity of policy.

19773. Is not the Court of Wards a link between the Collector and the Commissioner and the landed classes?—Would you associate the Collector and the Commissioner as much as possible with its action?—Yes.

19774. Has the Commissioner any influence at all in matters of excise?—Matters of excise are sent to him for criticism if he sees fit to offer it. I think the present arrangement is sufficient.

19775. As to Public Works, has the Commissioner any influence at all?—He has; the lists of certain Public Works are sent to him for his opinion, especially as regards the order of their urgency.

19776. Do you think that is enough, or would you give him more power?—I would increase considerably the grant now made to the Commissioner for minor Public Works; as regards major Public Works the present arrangement is suitable.

19777. Have you any forests in your province?—Yes, we have very large forests.

19778. Has the Commissioner any word with regard to them?—Yes, a great deal; I think quite sufficient in practice; nothing is done without consultation with the Commissioner.

19779. Has the Commissioner any influential word in the matter of education?—A very great deal indeed; practically nothing is done as regards education without consultation with him.

19780. With regard to police, do you require any extension of authority?—I do not think so.

19781. Lastly, what do you say as to agriculture; do you require any more voice in regard to that than you have?—At present the arrangements in connection with agriculture are new, but they are developing, and I should not like to say anything which would interfere with the development; as far as I can see it is promising.

19782. Then, on the whole, you scarcely bear out in your evidence the statement that you have made that "The position of the Commissioner in these provinces is not satisfactory"?—It is not, because the law and the rules do not bring him in sufficiently; it is only the practice and his personal influence that bring him in in many matters. I would like to have it on a more solid basis.

19783. Do you consider that the Collector has any authority at all in excise matters?—My experience is that he has sufficient authority.

19784. Has he any authority as distinct from the non-official influence which you speak of?—The rules have been rather changed of late in regard to the Excise Commissioner; he works subject to the control of the Excise Commissioner.

19785. Are the excise subordinates in his district, subordinate to him?—Yes. He can give them orders, and the policy of the Excise Department is to bring the District Officer into the excise administration as much as possible.

19786. Is that policy recognised by the Government?—Not so formally as it might be, perhaps.

19787. Ought the position of the Head of the district to be strengthened in the matter of excise?—In my division there is not much excise work, but at present I have nothing to suggest.

19788. Should the Head of the district be associated more closely with the administration of Public Works?—The Head of the district is consulted as regards Public Works by the Executive Engineer, but what I should like to see is certain minor works carried out by the District Officer himself, without the intervention of the Public Works Department.

19789. As to works which are actually undertaken by the Public Works Department, does the Head of the district incur any responsibility at all for them?—Estimates are sent to him for his signature.

19790. Supposing a reckless contract was given at extravagant rates, would Government expect him to take any official notice of that?—Any extravagance in dealing with Government money should be brought to notice by the District Officer.

19791. But as things are at present would he be thought interfering if he did bring it to notice?—I do not think so.

19792. Have you ever known of a case of a District Officer interfering on behalf of the Government with regard to anything like that?—I have known the Head of a district bring to my notice as Commissioner that too high rates were paid by the Public Works Department.

19793. Does the Head of a district generally understand that he has any responsibility in such matters?—Yes, he does understand that he has such responsibility, I believe.

19794. Does he understand that he has any responsibility in the matter of schools?—Yes.

19795. And in the conduct of schools, referring not merely to primary schools, but to such schools as normal training schools?—Yes, as regards training schools, but only as a visitor.

19796. But if there has been any laxity, would the Collector be held to blame for not having brought it to light?—I think so, if he knew of it.

19797. But would the Government hold him responsible for being cognisant of such things in his district?—In regard to a training school I do not think so, but certainly he would be held responsible in regard to primary schools.

19798. Do you draw a distinction between training schools and other schools?—I was thinking with reference to the actual practice. As a matter of fact, the training school is looked upon more as a departmental institution than the ordinary school.

19799. As a matter of fact, would a Collector trouble to visit a training school at all—would he

consider it within his day's work?—He would consider it within his year's work. There was an order passed that the District Officer should visit every primary school once a year; but that is impossible.

19800. With regard to the sub-divisional system and the Sub-Divisional Officer being treated as a general administrator, in preference to an official at headquarters entrusted with special subjects, is not your view rather in the direction of technical efficiency than of knowledge and sympathy?—The great object in my idea is to enable the Sub-Divisional Officer to be clear of a good deal of extraneous work so that he may move about amongst the people.

19801. (*Mr. Dutt.*) Does the disposal of appeals add appreciably to the work of the Secretariat?—There is an appreciable amount of work, but it is not comparatively very heavy. Some individual cases give a good deal of trouble.

19802. But taking the whole year, would the work be very much diminished if the right of appeal was curtailed?—Not very greatly.

19803. Do you think that the right of appeal gives a sense of security to Government officers?—Certainly.

19804. And that it is desirable to maintain that sense of security in Government officers, even if it gives some little additional work to the Secretariat?—I think it is worth a large amount.

19805. You spoke of the want of touch between the administration and the people, from various causes—do you think one of the reasons is that we have not in Bengal, as they have in Madras and Bombay, Executive Officers in charge of smaller areas than a sub-divsiion?—Ordinarily we have not. I am not personally acquainted with the Madras system, and I understand that the officers you refer to are men of the sub-tahsildar class, who would be something between our kanungo and Sub-Deputy Collector. As a Sub-Divisional Officer myself I came very closely into touch with the people.

19806. Would it improve our administration if we had a class of officers in charge of one or two thanas with revenue and judicial powers over the area in their charge?—I should be rather chary of giving judicial powers to low-paid officers.

19807. I was speaking of Deputy Magistrates, or the senior Sub-Deputy Magistrates?—Perhaps judicial powers might be given to officers of the class of the Sub-Deputies, but not below that.

19808. If you placed such areas in charge of Sub-Deputies, do you think it would be an improvement on our present administration?—I cannot quite see in some places what work they would have to do; I suppose they would be a kind of Sub-Divisional Officer, but it might be tried as an experiment; it is worth a trial as an experiment, but I should not like to adopt it straight off throughout the whole province without some experience of its working.

19809. If it was tried as an experiment, would you expect such officers to pay attention to the creation and fostering of village communities in advanced villages?—I am afraid in most of these districts, scarcely any trace of village communities exists; it is hardly possible to trace village communities, so that I would rather look to another means of getting down to the people, that is, through the unions under our Local Self-Government Act.

19810. You say that the Commissioners of divisions have sufficient control over forest administration; is that so?—I was speaking with reference to my own division, where there are large forests. The position of a Commissioner depends a great deal upon the practice rather than upon the direct provisions of the law or rules; but if I found anything in my division was being done with regard to the forests, which I considered wrong, I should immediately write to the Government and object that I had not been consulted, and then Government would consult me. My point is that the work of the Commissioner depends too much on his personality in this respect and that his position is not satisfactorily laid down by law and in the orders.

19811. Should a Commissioner have more powers formally bestowed upon him under the Forest Act or Rules?—In a number of matters under the Forest Act Rules provision should be made for the Commissioner's opinions being obtained and considered.

19182. Do the forests in your division include any grazing or pasture land?—In my division the forests are mainly in the hills away from the great body of the people, but they do include some grazing lands, and in parts of the district there is a large amount of grazing land which is not forest—it is still Government waste.

19813. So that you do not hear many complaints from the people as to difficulty in grazing their cattle?—Not in my own division.

19814. We have had evidence that in order to dis-forest any area, however small it may be, the sanction of the Indian Government is necessary under the law. Do you think it is desirable when the area is small, say within a 100 acres or so, to empower the Local Government to dis-forest that area?—Yes, the Local Government might have that power with certain limits, but taken as a whole, in this country the amount of land under forest is comparatively small, so that it is a very important matter to protect forest reserves, and in giving powers to the Local Government I would contemplate that the Government of India should watch their proceedings and call them to book if they dis-forested anything which the Government of India thought should not be dis-forested.

19815. Do you say that you are not in favour of Advisory or Administrative Councils at present but that the functions of District Boards might be somewhat enlarged so that the members might be consulted in matters other than those contemplated by the Local Self-Government Act?—Yes, I think so.

19816. Would it be necessary to enlarge their functions by modification of the existing law?—Yes.

19817. (*Mr. Hichens.*) You propose that the Board of Revenue should delegate power downwards, and that they should in their new capacity take over a good deal of additional work. Do you think that the amount of additional work, which you propose they should take over, would be greater or less than the work which you propose should be delegated?—I think they would have about as much work to do as they have now.

19818. Are you prepared to allow the Secretaries to Government to have access to the Lieutenant-Governor just as much of right under the new scheme as they have to-day?—Yes; that is an arrangement which I think is a valuable one, and which I have seen work without objection.

19819. Why do you think the Board of Revenue do not perform a useful function to-day, and that their functions should be materially enlarged?—I did not mean to say that they do not fulfil a useful function, but that the functions they fulfil might be fulfilled by other officers, namely, Commissioners, and that their experience and standing might be made better use of by associating them with the Lieutenant-Governor in the general Government of the province.

19820. Have District Boards adequate revenues at present?—Their revenues have been enhanced of late years by special grants, but they require still further grants.

19821. Their main income is the Road Cess of half an anna in the rupee. Is that adequate, or do you think they ought to have the Public Works Cess given them in addition?—They at present get a share of the Public Works Cess, but they should get a considerably larger share.

19822. Should they not get the whole of it?—I think they require a considerably larger grant than they receive, but municipalities also require financial assistance. The District Boards have been assisted of late years by the Government and

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the municipalities have not been assisted so much, and many of them suffer in consequence.

19823. Do municipalities impose the maximum rate of taxation allowed by law?—Not in all cases, but they do in some cases.

19824. Should they have an annual contribution from the provincial Government?—The District Boards have been assisted, and the municipalities also require assistance on the same basis.

19825. With regard to Local Boards, would you suggest that they should have a definite portion of the District Fund allotted to them?—I should be inclined to do so, because the members of the District Boards are not disposed to part with powers and funds to the Local Boards to any extent.

19826. Is the Local Board an institution that might be developed?—I think so.

19827. You do not think that all the work can be better done by a District Board?—No, I do not.

19828. Do you think that the Local Board has a greater interest in local affairs?—Yes, and they would have more knowledge of the conditions of the localities they represent.

19829. Would you give them a separate staff?—I would give them some separate staff, for instance, for certain classes of roads.

19830. Would it not be rather expensive to have a separate staff for each Local Board, and also a staff for the District Board?—With certain classes of road made over to the Local Boards, I would make over a staff which would be subordinate to the staff of the District Board; that is to say, I would give them sub-overseers who would work under the overseer of the District Board. I am not sure whether that might lead to friction. Something of the kind exists in some districts at present.

19831. In practice is there a road-gang working in the area controlled by each Local Board to-day?—As a rule they do not employ men permanently in gangs, but when they get a grant for a road, they do the work on that road by employing a temporary gang. They do not, as a rule, employ permanent gangs, but employ local people and make the best use of the labour, because they use it at a time when it can be obtained cheapest, that is, when it is not required for agricultural or other purposes.

19832. Would you give the Local Boards any power in connection with education?—Yes, I would. They have some powers now. I would increase them. I would not give them full powers, but I would give them the power of allotment to the different schools within their areas of the Government grant for primary education subject to the rules made by the Department.

(*The witness withdrew.*)

Adjourned.

TWENTY-EIGHTH DAY.

DACCA, *Tuesday, 7th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman*.

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. R. HUGHES-BULLER was called and examined.

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19833. (*Chairman.*) You are Magistrate and Collector of Backergunge?—Yes.

19834. From the record of your service you do not appear to have had very much administrative experience?—No, not a very large amount; we did a good deal of administrative work on the frontier when I was Secretary to Sir Hugh Barnes, and we came a good deal into contact with the people in that way.

A Collector should have power to deal with matters which depend on his local knowledge, such powers, of course, to be subject to necessary financial control. With regard to Sub-Divisional Officers, I am in favour of giving them more extended powers. I would place them in charge of revenue matters, such as *khas mahal* work, with which they do not deal now. There are other matters, such as excise, in which they are not now consulted, and in which they ought to be consulted and utilized. Power may be given to the Commissioner to deal with certain personal matters in the working of the Municipal and Local Self-Government Act. I refer to such matters as the approval of election of Chairman of a municipality and the appointment of members of District and Local Boards, &c. In chaukidari and *panchayeti* matters, I would give the Magistrate absolute powers.

At present a District Officer only has power to re-appropriate contingencies within the same major head. His powers should be extended by allowing him larger powers of re-appropriation under major heads. Subject to budget allotment, he should be allowed a freer hand for what may be termed "job and contract" work. A Collector could often get a piece of work done more quickly and economically if he was in a position to choose his own time for it. For instance, petty settlements (really colonization work) in this district commence in October, for at that time the sea is calm and men can get to the *chars* without danger. *Amins* should be sent out for work immediately the calm weather begins. But the sanction, which I have to get from the Board for petty settlements, did not reach my office until the end of last March, by which time the season was over. Hence, loss of Government revenue for a year. I would give a District Officer "reserves" under appropriate heads for such purposes. A District Officer should also have power to sanction estimates and execution of works up to Rs. 1,000 in *khas mahals*. The system of doles from the Board of Revenue for *khas mahals* improvement works should be abolished. I did not know what money I should have for expenditure on *khas mahals* improvements until November this year. Damage is caused to buildings and works in the rains which need immediate repair, but no

money is available for the work. A school building was blown down in June last, but I am only now in a position to replace it.

Grants are at present given to Commissioners for miscellaneous public improvements and sanitation, and are doled out to District Officers. The grants should be made direct, so that a District Officer may be able to put an improvement in hand without writing and correspondence.

I am strongly in favour of one appeal, and no more, on the facts. Revision on a point of interpretation should be admissible. At present the right of appeal of a ministerial officer practically extends up to the Local Government. I would confine the right to a single appeal on the facts, an appeal on a point of interpretation being allowed to another authority. I have heard officers say that they would not dismiss a man on account of the time that would have to be spent in answering the grounds of appeal to the various higher authorities.

Executive Officers have not sufficient time to mix with the people. A Commissioner in Bengal when he visits a district spends his time largely in inspection work. He ought to have more time to look into wide schemes for improving administration, and he ought also to be able to get into closer contact with the people. The District Officer is over-burdened with correspondence, in addition to the other multifarious duties which he has to perform. The cause of this is to be found in the attempt to perfect the administration by the multiplication of laws, rules, &c. Again, there is a tendency to concentrate officers in sub-divisions. I should like to see more officers posted in the *mufassal*. Such officers could be supervised by the Sub-Divisional Officer. In my district, I have three officers in each of two of my sub-divisions and two in the other. I should prefer to have two officers at each sub-division and other officers posted at suitable places in the *mufassal*.

European officers do not as a rule possess sufficient knowledge of the vernaculars, and this might be remedied by placing them on settlement work for the first year of their official career.

A general increase in administrative staff, or a reduction of the size of the districts is certainly required in Eastern Bengal. The population of my district is 2¼ millions, which is far more than the average population even of Madras districts. There were 37 districts in Bengal at the time of the last census, having a population of more than a million. If a comparison is made with the staff of officers above the rank of naib tahsildar in districts in other parts of India it will be found that the staff of a Bengal district is very much smaller than elsewhere. I know the Quetta-Pishín district of Baluchistan; there 11 officers above the rank of a tahsildar held charge of a population of less than 150,000.

Where possible, a general increase of staff is preferable to the reduction of the size of the district. It is more economical and in a way leads to more continuity of policy and obviates to some extent the harm done by frequent transfers of officers. If there are a Magistrate and an Additional Magistrate at a district headquarters, when the Magistrate goes on leave, the Additional Magistrate will succeed him. I would strengthen the district staff, reducing the lowest unit of administration (the Bengal sub-division is too large) by posting Deputy Collectors or Sub-Deputy Collectors to the charge of a thana or a group of thanas, somewhat as the tahsildars are placed under Sub-Divisional Officers in other parts of India.

Great care should be taken in the selection of Executive Officers, less regard being had to seniority. No business firm would conduct its Appointment Department on the lines on which that department is conducted in the Government of India.

The powers of the District Board and municipalities need little extension. The District Boards should be authorised to deal with matters which immediately concern them, such as the opening and closing of dispensaries.

The only village organization in Bengal is that represented by the *tahsil* and assistant *panchayets*. I believe that much might be done to improve the status of these men. The Chaukidari Act under which they work is not sufficiently elastic. It limits the pay of the chaukidars to Rs. 6 and the percentage allowance to *tahsil panchayats* as commission to 10 per cent. These are matters with which the Local Government should have power to deal according to the peculiarities of each district. Rs. 6 in a rich district like Backarganj is not a high pay for a chaukidar, and the *tahsil panchayat* should get commission at a rate which will give him not less than Rs. 15 a month. I would extend the *panchayat* system on the lines on which the *jirga* system is worked and regularised through the Punjab Frontier Regulation. Under that system the District or Sub-Divisional Officer may refer specific issues to a *jirga* for an opinion. The *jirga*, after recording evidence, if necessary, comes to a finding on those facts. It is against the custom and rules of oriental polity to put large executive power in the hands of such men, but we may well go to them for information and facts. Some small powers might be given to them by special legislation, as has been done in the case of village headmen in Burma. I have seen the Burma system worked in the district of Akyab among a population consisting of Chittagong Muhammadans, and am informed that it works well.

I doubt if there is sufficient work for a District Advisory Council, but I would give the Magistrate-Collector power to invite selected gentlemen to meet him to discuss any particular subject, and would authorise him to pay such men a daily allowance if necessary. Similarly, the Sub-Divisional Officer should be authorised to call together selected advisers. This would create a body of public opinion working with Government.

The smaller municipalities might very well be supervised and controlled by the District Board. At present there are small bazars in which sanitary arrangements are required, but which do not contain sufficient population to enable them to be made into municipalities without taking in a large tract of agricultural country. Moreover, the smaller municipalities are unable to maintain an adequate staff for repairs or even for executing public works, but this could be supplied if these municipalities were under the District Board.

I would encourage the village headmen at the expense of the chaukidars. The latter are too numerous and are ill-paid. I should be very glad to see a system of justice introduced, by which cases of a petty civil nature could be disposed of at or near the spot. Civil justice in Bengal is far too centralised, and cases which could be disposed of in a few minutes by a visit to the spot take months owing to the examination of witnesses being taken at headquarters.

My experience in Backarganj is that the Educational Department is too centralised. The district possesses 17 high schools, 78 middle schools, and 2,576 primary schools, all of which are under the control of one inspector at Dacca. His influence is too remote in so important a matter as education. I have as my educational adviser a sadar deputy inspector of schools. This district should be given the services of an officer of the Provincial Service.

Having myself had a considerable amount of experience of different parts of India, I can testify to the advantages to the administration if some system could be devised by which Civilians and Deputy Collectors could see something of the working of provinces other than their own. I doubt if the language obstacle is as great as some people believe. English and Hindustani are now so widespread as to minimise the difficulty. I am certain that both Civilians and Deputy Collectors would get many new ideas if they saw the working of other provinces.

I should like to see Commissioners and Collectors authorised to grant rewards, either in money or gifts, freely to deserving persons in return for services rendered. This system exists in the Punjab and is very successful. At present it is not in vogue in this part of the country.

19835. As a Collector, you wish to be in possession of considerably larger powers?—We ought to have a somewhat freer hand, more particularly with regard to the Agricultural Loans Act, about which the Collector has special knowledge. At

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present I have to send up a list of suspensions if I make any under the rule, and if I want to suspend the payment of an instalment of a loan. That is a thing in which my local knowledge is essential, and it would be very hard for a Commissioner or the Board of Revenue to say no to me. In practice they do not do so.

19836. You want a free hand up to any particular limit, or do you want unlimited discretion?—I should be quite content with a fair limit, say, Rs. 100 or Rs. 200, or something of that kind, in each case.

19837. Could you get the actual cash quickly enough to the person who applied for it?—I introduced somewhat of a special system this year; I left a large discretion to my Deputy Collector; I gave each man a circle, and sent him out to make personal enquiries among the people with the help of the *panchayets* and leading men of the locality, and after making those enquiries, I allowed him to make advances generally to groups of people. There was no difficulty in that way in getting the money to the people quickly. That mode of procedure is not entirely in accordance with the rules under the rules, the man is expected to come into headquarters and get his money there and go back again; I took the money to the spot and I found the system worked very well; the same may be said of recovery work, which I am doing in something of the same fashion as we recover settlement costs. At the end of a settlement, costs have to be recovered from the parties concerned, and in Bihar we send out a camp with receipts for the amounts payable in charge of a Deputy Collector. He gives a man his paper, and takes the money on the spot. In the same way I have introduced a system now of recovery of loans on the spot. Of course it means a certain amount of detriment to the other work, but the advantages are great in getting near the people and in saving them from coming to headquarters. The advantages are far above any detriment to criminal work which might take place.

19838. Did you draw the attention of the Local Government to what you have done?—I made a report to the Commissioner about three months ago on the whole system. I expect it has gone on to Government.

19839. Would such a system be applicable to the whole province?—Yes, as far as I have experience of it; I know the Chittagong district and it might be worked there.

19840. What you have done rather points to the fact that somewhat greater power than is usually given should be given to your Sub-Divisional Officers?—Yes, I am all for trusting the Sub-Divisional Officer under supervision.

19841. Do you think that the class of Sub-Divisional Officer, the Deputy Collector more particularly, has improved of late years?—Yes, I should say it had. I noticed on coming back here that the stamp of man has improved, and I have got three Sub-Divisional Officers now, two of whom are very good men indeed in every way.

19842. Is the pay any higher than it used to be?—I do not think so, but the training generally is of a higher standard amongst them.

19843. Can they be trusted, in consequence of this better training, with a good deal more responsibility than they had in the past?—I do not see why they should not have a certain amount more responsibility.

19844. Would it relieve you of a portion of your work if you could trust them?—Yes.

19845. Should the Collector no longer be associated as Chairman of the District Board though retaining his powers of supervision?—No, I am against that; it would be very difficult to work; in the first place, you would probably have difficulties with the District Engineer. The District Engineer is directly subordinate to the Chairman, and I foresee trouble to a certain extent between him and a non-official Chairman. Then the Chairman sees a great deal of the district, far more than a non-official Chairman would see, and is able to put more life into the District Board than a non-official Chairman would as a rule be able to. After all, the leisured class from whom the non-official Chairman could be drawn is very small, so far as my district is concerned.

19846. Are the men on District Boards of whom you have knowledge men of pretty good standing and capacity?—At the present moment my District Board is of very fair capacity.

19847. Supposing you split up your District Board into committees and divided the work amongst them, would you find men on the Board capable of taking the post of Chairmen of such committees?—We do our work very largely by committees, and I very seldom sit on them. I leave them very largely to run by themselves. For instance, in a year, I do not suppose I have attended more than two or three committees.

19848. Who works them?—The members; we elect various members of the Board to the Educational Committee, the Public Works Committee and the Medical Committee, which are the principal Committees. They stand in much the same relation to the District Board in those matters as Local Boards do; the Local Boards send their proceedings to us for sanction, and in the same way the committees send their proceedings to us for sanction, and those proceedings are very largely accepted.

19849. Is that system generally followed in other districts?—I cannot tell you.

19850. Do you find it work well in your own district?—Yes.

19851. Do you give a considerable amount of real freedom to the Chairmen of these committees?—Yes, everything goes through their hands and we accept their recommendations, or not, as the case may be. Where a work has to be taken in hand, it is gone into by the Public Works Committee, and their recommendation is sent up to the District Board.

19852. Suppose the District Board accept the recommendation on a proposition for a tank, for instance, do you let the Chairman of the Public Works Committee take any part in choosing the site and seeing that the work is being done properly?—He can go to the spot if he likes, but the construction of the tank, of course, would be in the hands of the District Engineer. Then take, for instance, the technical school—the Educational Committee have just rented a house for a boarding-house and the Chairman of the committee, or one of the members, has gone and seen to that and supervises it more or less.

19853. And he does the work very well?—I think so, as far as I have seen.

19854. Would you give municipalities any freer hand than they have at present?—As a matter of fact in the Barisal municipality, which is the principal one, we have a non-official Chairman and a Vice-Chairman, and a certain number of nominated members, and it gets along fairly well.

19855. Their budget goes to the Commissioner?—Yes.

19856. Have they a right to impose a rate or a tax?—Subject to the Commissioner's sanction.

19857. Would you give the Municipality a right to impose a rate without reference to the Commissioner?—Perhaps his control is, on the whole, a good thing.

19858. Are taxes any more popular in this country than they are elsewhere?—Rather less I think.

19859. Would there be any danger in giving a municipality a right to tax itself?—No. It is really a moot point. On the whole, the control by the Commissioner is not a bad thing.

19860. You wish the Collector to have the right to sanction settlements, and the reduction of rents on raiyats' holdings. To whom do those questions now go?—At present they go to the Commissioner for sanction, but the Collector is the man who knows most about these things. We have certain powers of sanction now, but a settlement of over Rs. 200 has to go to the Commissioner. The Collector's power might be extended up to a limit of, say, Rs. 500.

19861. Even in the case of a settlement up to Rs. 1,000, the Commissioner acts on the Collector's opinion?—Yes.

19862. And he hardly ever, if ever, acts on his own knowledge?—No, he only looks into the papers which we send him.

19863. With regard to your annual district budget, you want larger powers of reappropriation under major heads?—Yes.

19864. Up to what amount can you reappropriate expenditure?—I can reappropriate under my contingent grant; I have a certain amount for one thing and a certain amount for another, and I can reappropriate under those heads, but we might have larger powers to reappropriate, and if we save money on one major head, we should be allowed to spend it under another head.

19865. You mention a case when you made an attempt to get from the Board of Revenue sanction to some little settlement in October, and you did not get it till March?—The budget went up some time in August, and I sent up my application in June, or it may have been earlier, but I did not get my money quickly enough.

19866. Is there not a system of provisional sanc- to such things?—I do not know.

19867. Would that not help you out of your difficulty?—Yes. As long as we get the money at the time we wanted it—that is the great thing. Last year I was not there, but I am told by my office that the money was sanctioned in March. That, of course, is within the financial year, but the whole necessity for using it had gone. We want to use the money at the proper time, which is October. My district is rather a difficult district; one can only travel in boats and when the sea is calm; it is rough, say, from April till October. When I was an Assistant Settlement Officer I had very large powers under what I call "job and contract" of appointing men for a particular piece of work and as soon as that work was done, of taking them off again.

19868. You were not as senior as an Assistant Settlement Officer as you are now, but yet you had more power than you have now?—Yes, at all events as far as discretion goes.

19869. Do you think you are more fit to exercise that financial discretion now than you were, having had so many more years' experience?—I hope so.

19870. With regard to appeals, you would like to confine the right of appeal upon facts to a single reference; but upon questions of law how many references would you allow?—One more.

19871. Would that cause discontent?—It would not be popular.

19872. Would it be so unpopular that it would be impolitic to make such an order?—No, because it would be a very desirable reform. The class of persons affected is not sufficiently large to be considered to that extent.

19873. Your general view is that the administration tries to be too efficient?—I am a strong believer in efficiency, but in the search for efficiency we put a tremendous strain on the officers; that is to say, our efficiency has grown faster than the number of our officers.

19874. Do you mean that the real trouble, as far as you are concerned in this province is that you are short-handed?—We are short-handed. If you double your officers you can do the work; if you have two Collectors in a district, as I have now, because I have an Additional Magistrate and Collector, of course, it halves my work to a large extent. The work is too much for one pair of shoulders, certainly in my district.

19875. Would the search after efficiency very soon overtake an increase in the staff?—Not necessarily. It depends on the efforts after efficiency.

19876. Do you suggest that there ought to be some officers below the present Sub-Deputy Collector?—Below the Sub-Deputy Collector there is the kanungo, who is a revenue officer, or more or less of a surveyor; he comes after a Sub-Deputy Collector in the ordinary order of precedence in revenue work.

19877. Is he the official who is most closely in contact with the ordinary raiyat?—In my case we have a poorly paid officer called a tahsildar; he is not the tahsildar you find up-country. He is a very poorly paid official at about Rs. 30 or Rs. 40 a month, and he is the person who collects the revenue from the raiyats.

19878. Is he below the kanungo?—The kanungo comes betwixt and between, and makes miscellaneous inquiries, helps in survey work, settlements and so on—he has no definite duties.

19879. Are the tahsildar and the kanungo pretty reliable officers?—The tahsildar is not reliable. The kanungo is fairly reliable.

19880. In what rank should an increase of staff take place?—To work my district properly under the present system, I require the Additional Magistrate whom I have at the present moment.

19881. Supposing the Commissioner could give you much greater responsibility, and therefore much less necessity of reference to him, and supposing you in your turn could hand on a certain amount of your duties to your subordinate officers, would not that relieve both of you of a considerable amount of work?—Yes.

19882. Supposing you could hand on those powers, which you think you ought to be able to do, and take over from the Commissioner those responsibilities which it would be appropriate for you to take, can you say whether or not it would relieve you of a very considerable amount of your work?—Speaking entirely for my district I doubt whether any decentralization would be sufficient to enable me to do without an Additional Magistrate. I have done without an Additional Magistrate, because I have only had one within the last two months; but if I am to work really efficiently and well, I doubt, considering the size and the enormous population of my district, whether I could get on without him.

19883. What is the size and population of your district?—Three thousand and six hundred square miles, with a population of two and a quarter millions.

19884. So that, no matter what decentralization might effect for you, you require an additional European staff?—Yes, permanently. I have an additional European staff which have been put on for special purposes, but it is wanted permanently.

19885. A delegation of these duties both by yourself and to yourself would relieve you, but would not do more than that?—No.

19886. It would enable you to do your duties with more ease and more efficiency?—And it would leave time for thinking, which I have not got at present.

19887. You think that something might be done with regard to village communities?—I am very strongly of opinion that we should try and do something. I should like to be able to go to them for facts. The system has been tried of making the *panchayet* into a little Executive Officer, or Honorary Magistrate, but if you do that his power should be very small indeed. I should like to see them referred to, under proper supervision, for facts as to criminal cases, because they are the people who know the facts.

19888. Could they be trusted generally to deal fairly?—With proper supervision; of course, there is bound to be partiality unless the system is worked with the greatest care. That is where my Sub-Deputy Collector in charge of a thana would come in. I should make him responsible for holding inquiries of that kind, and in fact we are trying it to a certain extent now with our own men, and my Additional Magistrate, who is working the system, tells me that it is doing fairly well. We have been trying it for a month, and so far as we have been able to judge we like the result, but it requires constant supervision.

19889. Does it promise to take a good deal of work off the Magistrate's shoulders?—Yes, because

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in many cases, if taken on the spot, a compromise is effected, and it would really be a relief.

19890. In the generality of villages, though you would not like to make the system universal, could you get two or three responsible people to work the system?—Yes.

19891. You suggest that education in a district is over-centralized?—It is over-centralized in the way that the supervision is at present centralized at Dacca. My headquarters are 100 miles away from Dacca, and I have the best part of 2,700 schools in my district, but I have not sufficient supervision over them.

19892. Are you supposed to supervise them?—We do not give technical supervision, we give general supervision as Magistrates; we just look in, and questions of general importance and principle or of buildings are referred to us. What I want is someone close by me who can advise me and who would personally supervise the schools, because I look upon education as so very important that the closer supervision it has, the better.

19893. Are you satisfied that the system of education now being given in the primary schools is satisfactory?—I have no fault to find with it.

19894. Would you say the same with regard to the middle schools?—Yes, but there is too much teaching of English to my mind. You very often go into a school, certainly the larger schools, and find a small boy of four or five years being brought up to read English, while he does not know his own language.

19895. You would like to see somebody sent into your district who could, more or less, control the education going on there?—Yes, I want an additional adviser located in my district. At present I have not got a responsible educational officer; the whole of the education is under an inspector of schools who lives in Dacca, and of course he has many other districts to look after. The result is that although I have been in my district nine months I have never seen the inspector.

19896. Has he ever been in the district?—I think so before I came.

19897. (*Sir Frederic Lely.*) Is your actual experience of existing facts in this province confined practically to the time you have been in charge of the Backarganj district?—Yes, I was in Bengal before then.

19898. Do you not think the limitation of the right of appeal would be impolitic in that it would diminish the popularity of Government Service?—I can get fifty applicants for one appointment at the present moment, and I do not fear it for that reason. Government Service is so popular now that I doubt if the limiting of the right to one appeal would affect the popularity of it in any way.

19899. You do not think that the right of appeal is a very important factor in the present popularity of the Government Service?—No.

19900. You say that the District Officers are overburdened with correspondence—what would you say to the proposal to give a Collector, at any rate of a very large district, an assistant who could deal with the correspondence?—I am all in favour of that; I counted my correspondence the other day, and I think there were 200 letters of different kinds to deal with in one day.

19901. What proportion of them would be papers which you would practically only sign without even reading?—About fifty per cent.

19902. Is it not the fact that every day you have to initial a certain number of papers simply meaning that they are to be put in the record, the case having been disposed of?—Yes.

19903. Is five or ten minutes of the day employed in work of that sort which is purely and absolutely mechanical?—Quite that.

19904. You suggest posting Sub-Deputy Collectors to the charge of subordinate charges in sub-divisions; would there not be a further great advantage, namely, that it would remove the agency in general administrative matters from the police?—That is one of its chief advantages; in fact, it is very largely the up-country system of the tahsildar who has subordinate groups of villages under the Sub-Divisional Officer.

19905. Do you consider the change of agency would be extremely beneficial?—Extremely, and a counterpoise to the police; it would counteract the police and also lead to more interest being taken by the police in administration. Even now, where we have a Sub-Registrar living beside the thana, I look upon it as a certain amount of check.

19906. Would you also entrust the proposed Sub-Deputy Collector with the general work of developing village responsibility?—Yes, that is what I am anxious he should do principally, and of course he would have a large number of enquiries to make in connection with criminal cases.

19907. Have the municipalities in Bengal at present nothing to do with the management of schools?—They aid them, but beyond that they do nothing.

19908. Are you of opinion that the municipalities might take over the management of the schools with advantage, or would you still retain their management, more or less in the hands of the expert department?—I should feel inclined to keep it under the expert department. Municipalities very often have a School Committee who manage petty details, such as giving holidays, and so on.

19909. And the hours of attendance?—I think the hours of attendance is a matter which is dealt with by the department.

19910. That is a matter which concerns the convenience of the parents more than what one might call the art of education?—Yes.

19911. You say you doubt if there is sufficient work for a District Advisory Council; is that your only objection to it?—I am always very glad to be advised, but to have a standing Council seems to be superfluous at the present moment.

19912. Would it have an injurious effect on the relations between the Collector and the people?—No.

19913. You do not think it might tend to make their relations more rigid and formal?—I do not see that it should. I am all for consulting the people about what concerns them, but to have a standing Council, so to speak, would be useless; one would not have time to consult it, and there would not be enough work for it to do.

19914. Do you suggest that when a Collector calls in any gentleman of standing to consult him from any part of the district, that he should be able to pay him his expenses?—I think so.

19915. That is to say, you would do it in an informal manner; you would ask him to give you a note of his expenses, and hand it to his servant?—Yes; you would have to be very careful, because a native gentleman would not like to be offered money direct. In Baluchistan we did work that system to a certain extent, and if you asked a man to come and see you from a long distance you paid him a certain amount from what we called "entertainment allowance." I think the Collector should have a certain amount to use in that way, the same as he does with regard to what are called Secret Service grants.

19916. (*Mr. Dutt.*) Are you in favour of giving more extended powers to Sub-Divisional Officers placing them in charge of more revenue work?—Yes, I should like that.

19917. The income tax assessment is now done from the headquarters in every district? Do you suggest that within his own area the Sub-Divisional Officer, with such assistance as may be necessary, should be entrusted with the assessment of the income tax?—I do not see why he should not; he is the man on the spot, and he knows more about his assessees than the Income Tax Deputy Collector probably does.

19918. You do not see any objection to entrusting him with the work of the assessment of the income

tax?—No; of course, we have an assessor as well as the Income Tax Deputy Collector, and you would have to give the Sub-Divisional Officer the services of the assessor for a month or two when his turn came round for assessment.

19919. You have said that in the matter of appeals you would only allow one reference, but in the case of the dismissal of a clerk would you make any exception to that rule?—I think we should adhere to it—that is to say, that the charges would be brought up by the Collector; there is a regular set form in which the evidence has to be recorded, the charge drawn, the answer taken, the evidence discussed, and an order passed; that record should go to the Commissioner, and an appeal should be allowed on the facts to the Commissioner; after that, if there is a point of law, it may go to a higher authority.

19920. Have you the right of appointing your own head clerk in your district?—I think it has to receive the sanction of the Commissioner.

19921. And your *sharistadar*?—That also has to go to the Commissioner.

19922. You have the power of dismissing your *sharistadar*?—I think I have.

19923. Supposing you dismiss your *sharistadar*, a man receiving Rs. 200, would you allow him an appeal on facts beyond the Commissioner?—No.

19924. Are sub-Deputy Collectors now generally employed at the headquarters of districts or sub-divisions?—Yes.

19925. Is not the kanungo employed very often on survey work?—Yes.

19926. Have kanungos any territorial charge?—I have one kanungo posted to my sub-division at Bhola. I have a large number of Government estates there. His duties are to hold enquiries into settlement cases, to survey newly formed *churs*, and duties of that kind.

19927. Are tahsildars only employed on Government estates, and not on permanently-settled estates?—That is so.

19928. So that at present there is no officer between the Sub-Divisional Officer and the people holding charge of a circle and performing duties within that circle?—No responsible officer, and it is very desirable that we should have one.

19929. As District Magistrate you are Head of the police. Have you found that your control of the police has been modified in any way by the recent rules?—Yes, to a certain extent our control over sub-inspectors is not as large as it was, but on the whole I have sufficient control; it depends on one's relations with the Superintendent of Police to a certain extent.

19930. That is as regards your social relations, but so far as your powers are concerned, are they the same as they were before the new rules were framed?—No, they have been weakened to a certain extent.

19931. Is that a good thing?—I have not had to find fault with it so far.

19932. Generally speaking, has police work been a little more centralised by the new rules under the Departmental Head?—Yes; things go to the Inspector-General now that used to come to the District Magistrate; matters in regard to inspectors I think now go direct to the Inspector-General, whereas formerly we used to have a say in them.

19933. Is the District Engineer under the District Board a well-paid man?—Yes; he gets Rs. 600 to Rs. 800.

19934. Has he charge of the construction of most of the roads and bridges in your district?—Yes.

19925. When you have a big estimate, have you to send it up to some higher authority for sanction?—Yes; if it is over Rs. 2,500, it goes to the Inspector of Works at Dacca.

19936. Does that cause any inconvenience or delay to your work?—It delays our work.

19937. Would you like to remove that restriction?—The limit might be raised certainly to, shall I say, Rs. 10,000. The District Board could very well look after itself up to Rs. 10,000. Anything over Rs. 10,000 would probably be a pretty big scheme.

19938. Your district is full of natural creeks. Is a large part of the District Board's money spent in deepening those creeks and keeping them open for navigation?—It ought to be, but it has not been hitherto. The District Board intend discussing the question.

19939. For deepening these creeks and keeping them open for navigation have you to get sanction from the Inspector of Works at Dacca?—I think if we determine to carry out a work and prepare the estimates, beyond the actual technical estimate, the Inspector of Works does not interfere; his business is not to tell the District Board that they should take up such and such a work, but to advise on the technical part of it. We send our estimates to him with the report.

19940. You have three sub-divisions besides the headquarters sub-division?—We have a *sadar* Sub-Division, but we have not a *sadar* Sub-Divisional Officer.

19941. Do you suggest the appointment of a *sadar* Sub-Divisional Officer?—Certainly, it would be most important; at present the *sadar* sub-division is nobody's child; in the old days when the Collector was not overworked it used to be his child, but it has drifted away into the world and lost itself.

19941. In that case, would you require an additional officer, or do you think your Assistant Magistrates might be placed in charge of the *sadar* sub-division?—I would rather have a separate Sub-Divisional Officer; I think his establishment and his office and everything else should be quite separate, and he should be treated in exactly the same way as other Sub-Divisional Officers.

19943. You say that the small municipalities might be very well supervised and controlled by District Boards, but of course you are aware that the duties of municipalities are different from the duties of District Boards?—Yes.

19944. How would you like the idea of the work of the small municipalities being controlled by a body of non-official men at headquarters presided over by the Collector himself—I think that would lead to a multiplication of bodies, and the advice of the District Board would be quite sufficient for any control of that kind. I only wish to have the small municipalities under the District Boards. There are certain places which spring up in what I may call an artificial way; you put a little sub-division down, you appoint a Sub-Divisional Officer and a certain number of zamindars' agents and pleaders and people of different kinds are attracted to the spot; then you require to make some kind of sanitary arrangements, and it is in these small towns that I should like to see the control of the District Boards; it would lead to co-ordination. At present I have in my district one or two of these small municipalities, and they have difficulties with regard to supervising their works; they want their latrines repaired, and all that kind of thing has to go to Calcutta, whereas those little things could be done in a central workshop, and they could be helped by the expert advice of my District Engineer.

19945. Might there not be some difficulty under the Local Self-Government Act in a District Board controlling the actions of these smaller municipalities?—No; I should put them on a separate footing altogether.

19946. Would a District Board be justified at present in passing any sort of order in regard to a municipality?—No, there would probably have to be special legislation. I should not call them necessarily municipalities; I would call them Local Funds under the District Boards.

19947. But are there not municipalities of that nature now?—We have small municipalities which are really not self-supporting.

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19948. Are the primary schools managed and aided by the District Board?—A good number of them; a good many of them are cold-weather schools. Thus *maulvis* start a small school during the cold weather and then it is abolished again, and we give them aid in certain cases. We give them a monthly stipend, and then if they pass certain examinations, we add to it, or we give them a lump sum down.

19949. Who inspects those primary schools —The sub-inspectors and the assistant sub-inspectors. The sub-inspectors belong to the Educational Department; the asistant sub-inspectors are servants of the District Board. The sub-inspectors are more or less under the District Board now, but their appointments are certainly not sanctioned by the District Board.

19950. Are they paid by the Government or by the District Board?—All the education now practically comes out of the Government grant.

19951. Have you not sufficient supervision over these primary schools through the agency of the sub-inspectors and assistant sub-inspectors?—Yes, but I want supervision over the sub-inspectors and assistant sub-inspectors themselves.

19952. Supposing you found a sub-inspector neglecting his duty, as Chairman of the District Board have you any power to punish him?—I should report him to the inspector.

19953. Do you think a little more local control is desirable for the efficient inspection of schools in your district?—Yes.

19954. (*Mr. Hichens.*) Do you want a personal assistant belonging to the Imperial Service?—No, I am quite content with an officer belonging to the Provincial Civil Service, in the same way as the Commissioner has a personal assistant.

19955. Would he replace you if you went away?—No.

19956. Is it necessary to have a Joint-Magistrate in each district?—Yes. At present I have in my district an Additional Magistrate and a Joint-Magistrate, and in practice in all districts there should certainly be, if possible, a Joint-Magistrate, and where necessary an Additional Magistrate, too.

19957. Do you have much work personally in connection with returns?—They are made up in the office and I supervise them.

19958. Do you go through them in detail, or do you simply pass them as they stand?—It depends a good deal on what the return is; a return with regard to excise shops would probably not receive so much attention as a return with regard to criminal cases.

19959. Do you think that most of that class of work could be profitably delegated to somebody else?—Certainly.

19960. Have you a shorthand-writer to assist you in your correspondence?—I have at the present moment as a special case; owing to the conditions under which my district has been for the past year, which are somewhat special, I was given a shorthand-writer a couple of months ago, but it is an assistance which I believe in tremendously, and I think the work would be very much facilitated by having shorthand-writers, and by our office procedure being modernised to a certain extent; I refer to matters like carbon copies and that sort of thing.

19961. You have a correspondence clerk?—Yes, I have a large number; I think the clerical establishment under the Magistrate and Collector numbers 145.

19962. With regard to the 200 letters which you alluded to, could not your correspondence clerks deal with them and draft the answers for you without your having to instruct them as to what the replies should be?—Yes, as to a great many of them, and they do so now. You receive your post in the morning, you look through your letters, and with regard to letters on which you can pass orders at once you very likely do so; the rest go into the office and are distributed among the various departments, the routine drafts are made up, and the letters are answered, or enquiries are made and action taken as may be required.

19963. You have all the clerical assistance that you want, but is it as efficient as you could desire?—I have as much clerical assistance as I want, but I cannot say that it is as efficient as I could wish.

19964. You said that you thought the Collector should remain Chairman of the District Board because you thought there might be difficulty with regard to the execution of Public Works. Do you think it would be desirable that a District Board should have its own engineering staff?—It has. I have a District Engineer who is under the Chairman and who takes his orders direct from the Chairman; he belongs to the Public Works Department, or many of them do. Another difficulty might be that if you had a European engineer there might be friction between him and an unofficial Chairman.

19965. Have not municipalities unofficial Chairmen?—Yes, but they have overseers; they do not have engineers of the standing that a District Board has. Their overseers are paid perhaps Rs. 100 a month, whereas a District Engineer is a man who is probably a member of the College of Engineers and draws a pay, as my man does, of Rs. 600 a month.

19966. Is there no way out of that difficulty?—I think it would lead to difficulties, but I do not say that they are insurmountable.

19967. You would agree, broadly speaking, that it is desirable to develop a sense of responsibility as regards local affairs?—In consonance with the interests of the district, but I do not think we have a sufficiently large leisured class to undertake that kind of duty at present. My Vice-Chairman, who I presume would be Chairman in my absence, is a pleader, and the best men on my District Board are pleaders; and if you made one of them Chairman he has his own business to attend to, so that he could not get away and travel about the district as I can. It is part of my business to be in my district for 120 days in the year, and Public Works must receive the Chairman's special attention, so that my Vice-Chairman would not have the same opportunities of developing the district or providing for what is required.

19968. Have District Boards enough money to carry out their work properly?—My District Board happens to be very well off; it has an income of about four lakhs of rupees a year.

19969. With regard to Local Boards, could any further powers be given to them in sub-divisions?—I am inclined to think so, but that is a matter which a District Board can do of itself; under the present rules it can delegate any powers it likes to a Local Board. I raised the question only the other day in regard to giving a Local Board larger power to sanction works. At present it has only power to sanction works under Rs. 200, and I think they might at any rate be given powers up to Rs. 500.

19970. Are Local Boards institutions which are worth developing more?—Yes.

19971. With regard to municipalities you say that you think the control of the Commissioner is, on the whole, a good thing; do you mean from the point of view of efficiency?—Yes; inspection and supervision certainly are required in this country.

19972. As regards transfers, your view is that they are undesirably frequent at present. Do you suggest that the main remedy for that is to have a larger staff?—No, I do not say that is the main solution. I believe many heads have been searching for a solution for years and have not found it yet, but I say that it will at any rate be a palliative, if you have in selected districts a Magistrate and an Additional Magistrate, or a Magistrate and a Joint-Magistrate. It is quite possible to arrange that the one shall succeed the other which will lead *pro tanto* to a continuity of policy.

19973. Is it desirable to lay down a general rule that a Collector, on appointment, should remain a certain definite time in his district, say, three years or five years or some period of that sort?—But supposing he becomes entitled to promotion what are you to do; that is the difficulty.

19974. But would it be generally desirable?—Certainly it is desirable that a Collector should be ordered to remain in his district for at least three years, subject, of course, to the necessities caused by vacancies above him.

19975. Is it your view that three years would be a reasonable time for a man to remain in his district, and it is desirable to lay down as a standard that a Collector should remain for that time or longer?—Yes, three to five years.

19976. Assuming that the post of a Collector in a certain district falls vacant, and that the man who in the normal course of events ought to get the post is going on leave in six months, would you say to that man, "You are going on leave, you cannot be appointed to that post, and we are going to give it to B who is below you on the list," would that be unfair?—The difficulty would be that you would run the danger of disgusting your officers; you must always take the personal equation into consideration in laying down rules of that kind; if you disgust your officers, they will say "Why should I do more than I am paid for."

19977. Would you say to such a person: "You must either forego your leave or forego your appointment"?—You could say it, but you would certainly cause discontent.

19978. Then you do not think it desirable?—I do not.

19979. It might quite well be that the principle, if it were adopted, would act both ways, that is to say, at one time a man might get an unexpected lift, but at another time he might have an unexpected wait, and one thing might balance the other?—Possibly it might work that way.

19980. Have you any further suggestions to make whereby the frequency of transfers could be limited?—It is a very thorny question, and I confess it has baffled me.

19981. You say that you think the system of village headmen might be developed?—Yes, I should like to see that.

19982. But first of all, at any rate, you would rather use the village headman to investigate facts than give him any authority?—Yes, I think that would be more in consonance with Oriental politics, and that the actual executive order should be passed by the paramount power.

19983. But would it be possible to give him authority under very close supervision?—I understand the experiment has been made in this district, and, speaking subject to correction, it was not very successful.

19984. Do you think that there are prominent men who could be got to act as headmen in your district?—Yes, if you take the trouble to find them. We have what we call the *tahsil panchayats* now, who ought at any rate to be the principal men of the unions in which they work. Very great care has to be taken in selecting them, which I do not think we take.

19985. Speaking broadly, are they possibly under the thumb of the zamindars?—There is the difficulty; of course, they are to a certain extent under the thumb of the zamindars, but if you raise their status, they would act as a counterpoise to a certain extent to the influence of the zamindar.

19986. It has been suggested by some witnesses that there is strength in numbers, and that if a number of villages were grouped together various influences might be brought into play which would counterbalance each other, and produce a more independent Board—what is your opinion with regard to that?—We do group villages into unions at present, and I should continue that process. We have very often three or four villages in a union, I think the number of revenue survey villages in my district is 3,600 and the number of unions is 514, which gives nearly seven villages to a union on the average.

19987. Is the union a real community that appeals to the people, or is it a mere geographical expression?—It is a mere geographical expression. Each community or union has its name, and they know that their village is included in that particular union, but the union to the ordinary villager does not convey anything beyond the knowledge of the man who collects in it.

19988. Could you infuse more vitality into a small local community by reducing it to a single village or to smaller dimensions?—I do not think that is necessary at present. Some of the present unions are a little too big, and I should divide them up where necessary, but on the whole they work fairly well.

19989. Would you have a headman assisted by a Council?—There are what we call assistant *panchayats*—there are five of them; there is one *tahsil panchayat* and four assistant *panchayats* to each union, and it is those men on whom I wish to work.

19990. (*Mr. Meyer.*) You have served a good deal in Baluchistan?—Has the Baluchistan officer much work to do as compared with the Eastern Bengal Officer?—No, he has very much less work.

19991. Is that due to the fact that the country is a primitive one or to a better arrangement of the duties?—I should say it is because the country is more primitive. There are not the same number of departments; he has not a large Excise Department to attend to; his educational work is very small; his District Board, on what corresponds to it, is not large, and in many other ways he has much less work.

19992. When you speak of the Bengal or Eastern Bengal Officer being overworked, might you not be influenced by a comparison between him and the officer in Baluchistan?—I do not think so; it is a matter of common knowledge that the Eastern Bengal Officer is overworked.

19993. Apart from any comparison with Baluchistan, do you think that at Backarganj you are overworked?—I do.

19994. You spoke of having to tour for 120 days in the year, and in Bengal we were told that the Collectors toured as a rule three months—is there any difference here?—The rule in my district is 120 days; that is the minimum for a Collector.

19995. Are you in favour generally of territorial charge as against, what I might call, subject charge?—Yes.

19996. At present in your sub-division, the Sub-Divisional Officer, outside magisterial work, apparently does not do very much?—He does not.

19997. The revenue work is largely done by subordinates at headquarters. You have a Deputy Collector for income-tax, and another for stamps, and another for *khas mahals*?—Yes.

19998. Are you in favour of doing away, as far as possible, with those Deputy Collectors, and in place of them having more sub-divisions, giving each sub-division a Deputy Collector exercising all the functions of a Collector within his own charge?—Yes.

19999. Under the present system has an officer appointed to act as Collector of a district for the first time had sufficient training in the whole of the work of a Collector?—No, I doubt if he has; of course, it depends on the man he has been under a good deal, but our assistants at the present moment go to a sub-division when they have 18 months' service. They try nothing but criminal cases, and then they come back as Collectors, so that I think they are not sufficiently trained.

20000. Whereas under the other system we were speaking of, they would be much better trained?—They would.

20001. Do you consider that population is the sole criterion of the heaviness of a district charge?—No; there are a number of factors; what adds more to my work now than anything else in Backarganj is the fact that I have to deal with temporarily-settled and Court of Wards' estates.

20002. Speaking generally with regard to the Bengal and Eastern Bengal districts as compared

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with the districts of other provinces, in considering a demand for increased establishment on the part of Bengal, one would have to take into consideration, besides population, the revenue system and the existence of a permanent settlement?—Certainly, because the permanent settlement works automatically, so to speak.

20003. You desire to have powers to allocate functions to your subordinates on your own responsibility. Have you not such power now?—Not in every case; I have to get the Commissioner's sanction to appoint a Deputy Collector for land acquisition work; I have to get the Government sanction to authorise a Deputy Collector to do any income-tax work. I have to select one out of my staff and send his name up to Government for sanction to put the work in his charge.

20004. Do you mean you cannot transfer work which a Deputy Collector is supposed to do under present circumstances from A to B or C without having to go to Government?—Not in all cases; I can in most cases, but I am speaking of special cases such as income-tax cases; possibly it was because the Income-Tax Act required special manipulation, because it was not very popular, that rule was passed in Bengal.

20005. Suppose you had an important report to write to the Board of Revenue, and you knew you could trust a Deputy Collector who knew your opinion upon the matter, could you say to him, "My views are so and so; write a letter to the Board of Revenue and sign it for the Collector"?—I can do it, but I do not think I would. I have that discretion, but it is only in certain cases that I wish to have powers to delegate work to officers.

20006. Is it your experience that the high officials in your districts are doing work that a lower agency might perform?—A lot of detailed inspection work is done by the Bengal Officer that might be done by a lower paid man, somewhat on the lines on which the Registration Department is worked. Under our system in Bengal the Sub-Registrar's offices are inspected in detail by the special Sub-Registrar at headquarters, and also by inspectors deputed from the Inspector-General's office, and I am inclined to think that something of that kind might be introduced into divisions also. A large amount of my time, and the Commissioner's time, is occupied in the detailed inspection of offices. I go to a sub-divisional office and I inspect the criminal side, the revenue side, such as it is, and the Excise Department, so far as it is run by the Sub-Divisional Officer; that work I think might be done by a paid inspecting staff.

20007. But surely it is the elementary duty of a Collector to inspect the work of his subordinates when he goes on tour?—Quite so, but the detailed examination of registers is superfluous.

20008. Do you have to send detailed reports as to the registers to any higher authority?—Yes.

20009. Do you mean as to the state of the records and the number that can be destroyed, and that sort of thing?—As to the destruction of records there are certain rules, and those are more or less automatic, but I think the Collector is personally responsible for destroying a number of papers.

20010. Taking magisterial work, do not your Sub-Divisional Officers, and your Deputy Magistrates generally, have a good many second class cases to deal with?—I have Second and Third Class Magistrates—Deputy Collectors or Sub-Deputy Collectors.

20011. Is the Deputy Collector made a First Class Magistrate as soon as possible?—Yes, but Sub-Deputy Magistrates are not.

20012. Do the Sub-Divisional Officers hear appeals in their sub-divisions?—No, but I do not see why they should not. All appeals go now to the district headquarters.

20013. Would you like a Sub-Divisional Officer, as a Magistrate, to be the appellate authority for his sub-division?—Yes, as a rule; if you could trust a man to run a sub-division I do not see why he should not be trusted to hear appeals.

20014. You have expressed a desire to have power to sanction works up to a limit of Rs. 1,000—what sort of works do you refer to?—Tanks and the fencing of tanks are the principal works, building little ghâts and making village roads inside the Government estates.

20015. Do you mean works which are paid for from local funds or works which are paid for from provincial funds?—They are works which are paid for from provincial funds given us for the *khas mahals*; we get a grant. This year I got Rs. 20,000 to spend on my *khas mahals* for general improvements.

20016. But you cannot sanction an individual work beyond some limit?—I think it is Rs. 200.

20017. Besides the Rs. 20,000, is there other expenditure for which you have to get a further grant from your Commissioner, or would your Rs. 20,000 do for you?—It does not do for me, but it is all I could get. There is another sum of one and-a-half per cent. paid from the *khas mahal* collections to the District Board fund, and that is supposed to be spent on communications in *khas mahals*; as a matter of fact, I do not think it ever has been spent on *khas mahals* hitherto, but I got it this year.

20018. Is there any ear-marking of the *khas mahal* expenditure or is it a part of the regular budget allotment under Public Works?—The Board of Revenue has a sum alloted to it for *khas mahal* improvements, and they dole it out to the different districts—to the divisions in the first instance, and then it is allotted to the districts.

20019. Have you got power to grant loans under the Agricultural Loans Act at present?—We have powers to grant loans.

20020. Is there much demand for loans in your district?—There has been recently. Last year there was a certain amount of scarcity and the people took loans very freely; we have outstanding over a lakh of rupees if not a lakh and-a-half.

20021. You spoke of having introduced a new system of giving loans on the spot—will you explain that a little more fully?—I do not claim any particular originality with regard to it.

20022. Was that not recommended by the Government of India to the provinces generally two or three years ago?—Possibly.

20023. Have you any power of remission of agricultural loans?—No, I have to go to the Commissioner. I see no reason why we should not be allowed to remit in cases of small sums.

20024. Would there not be a danger if a Collector had power to remit largely?—I hardly think so—we must have some sense of responsibility.

20025. Might not some idle officer relieve himself of trouble in collecting his outstanding loans if he made too liberal remissions?—I hope the sense of responsibility in officers is sufficiently developed to guard against that.

20026. Are the *khas mahals* all under temporary settlement?—Yes.

20027. With regard to re-appropriation under different heads of your budget, do you refer to the major heads of the provincial budget, such as land revenue and education and so on, or do you refer merely to sub-heads?—To sub-heads.

20028. You would not propose that you should have power to appropriate a sum from land revenue to education, or *vice versâ*, for instance?—No.

20029. With regard to petty settlements, you say you wanted to commence a work in October 1906 and that you did not get sanction till March 1907?—For the money—we want to get sanction for certain monies.

20030. Are not the figures in your budget allotment?—No, I do not think so; it is not in the regular budget allotment list.

20031. Is it not under contingencies, or anything else?—No.

20032. It is not the fact, then, that your district budget of 1906-07 was not sanctioned till March

1907?—No, not the district budget; this comes, as far as I know, under the Board of Revenue, and they have a special grant for petty settlement which they distribute.

20033. It has been suggested that Collectors might have small grants from which to engage special clerical assistance when work was specially heavy. Would you approve of that?—Yes; it is what I call "job and contract." I have to get some maps prepared which are wanted urgently and have not got any money for it, and I cannot appoint the establishment without going up for sanction; that "job and contract" work is a thing for which we might have a small amount of money.

20034. Including the taking of an extra clerk or two into your office for a short period?—That, of course, would be a danger sometimes, because it might be overdone; the *sharistadar* might want to engage help which he really did not require and come to the Collector for some temporary establishment, but on the whole the advantages would outweigh the disadvantages.

20035. As regards District Boards and education, is primary education generally in the hands of the District Board?—Yes.

20036. That is to say, as far as the privilege of paying for it is concerned?—Practically all our primary grants come from Government. Government gives the money, and we distribute it.

20037. We have been told that in Bengal an educational officer went round and picked out various *gurus* and said "This *guru* is deserving of assistance, but this one is not," and the Board had to grant aid to schools or refuse it according to the inspector's discretion—is that your experience?—Yes.

20038. Secondary schools are entirely in the hands of Government, as far as they are aided or maintained?—Yes.

20039. Does your District Board do a good deal of medical and sanitary work?—Yes.

20040. Do you find any interference from headquarters with regard to it; does the Sanitary Commissioner come and say "You are not spending enough money on sanitation, you ought to spend more," or are you allowed your own way?—We get advice from the Sanitary Commissioner at times, but I have not found any undue interference.

20041. And in the same way with medical matters, do you get advice from the Inspector-General of Hospitals?—Yes. There is a question now about the number of hospitals. We have too many hospitals we think, and they are not well enough equipped; that matter will have to go before the Inspector-General, and his expert advice will probably be useful to us.

20042. Does not the Commissioner pass your budget?—Yes.

20043. Supposing the Inspector-General of Hospitals wished to make some representation with reference to your alleged inadequate expenditure on medical relief, would he report to the Commissioner?—Yes, he could.

20044. Would the Commissioner decide off-hand on the point, or would it have to go to Government?—I cannot tell you.

20045. Have you a right to punish any member of the District Board staff?—Yes, as Chairman.

20046. To whom does an appeal lie in that case?—To the Commissioner of the division.

20047. Is there no appeal from you as Chairman to the collective Board?—No.

20048. Might that system be adopted, and the system of appeals to an outside authority, such as the Commissioner, restricted?—It would lead to a great waste of time if, in every case in which I punished a subordinate, he went to the District Board; there would be a tremendous discussion about it.

20049. But conceivably every case can go to the Commissioner?—Practically every case can go to the Commissioner.

20050. Would appellants go more freely to the District Board?—I think so, certainly.

20051. On the other hand, might you not talk over the question at the Board and not have to send in voluminous reports to the Commissioner?—In any case that came before me I should prefer to consult the District Board in the first place, rather than have an appeal to the District Board.

20052. Does it conduce to the responsibility of Local Self-Government if an appeal of a Rs. 10 or Rs. 15 man who has been punished by you, as representing the District Board, can go to the Commissioner of the division?—Perhaps not.

20053. As regards a high officer such as a District Board's Engineer, have you any power of punishment—could you dismiss him, for instance?—The District Board would act in a case like that; I should certainly take it before the District Board.

20054. Would that be a matter of personal discretion, or is there any rule laid down?—It is a question of personal discretion.

20055. Then, as regards the higher appointments, the District Board must act collectively and in the smaller appointments the Chairman can act individually?—As a matter of practice, he does.

20056. You said that the District Board Engineer might be dismissed by the collective Board. Could he then appeal?—My impression is that he could go to the Commissioner then certainly, and to Government probably as a member of the Public Works Department.

20057. You might have a man from outside not connected with Government Service at all. In that case if you dismissed him, would an appeal lie?—I think so, certainly.

20058. You have spoken of the *tahsil panchayat*—does that mean the headman or the chairman of the *panchayat*?—It means the principal *panchayat*.

20059. Have you any Local Fund unions?—No.

20060. You say that the right of appeal with regard to a ministerial officer extends right up to the Local Government, but has there been no limitation, that the Local Government will receive no second appeal from a man who is in receipt of less than Rs. 50?—No, the Board's rules practically allow an appeal right through.

20061. You suggest that there would be some advantages to the administration by Civilians and Deputy Collectors seeing the working of other provinces—would you make it a regular thing to depute an Eastern Bengal Civilian to work in other provinces during the course of his service?—I think it would be an excellent thing if something of the kind could be done. For instance, I am entirely in the dark with regard to the Madras system of administration. I happen to know something about the Punjab system of administration, because I have been in Baluchistan, and there we worked on the Punjab principles, but it would be of great advantage to an officer to see other parts of India, especially now that the means of communication have increased so enormously.

20062. That is to say, instead of leaving it to the chance of an officer being selected by the Government of India, you would make it an understood thing that each officer should have some work in other provinces?—I do not know whether it could be managed in every case, but my idea would be that there should be an exchange of Civilians and possibly of Deputy Collectors, to the extent of half a dozen or so, between the different provinces, and I do not think the difficulty as to language, which is the principal difficulty, would be felt in these days.

20063. How long would you depute your Eastern Bengal Civilian for service in another province?—I should think six months or a year.

20064. Do you mean that he should go for six months or a year to some other province?—Yes, that is to say, I would send my Joint-Magistrate, now a man with about three years' service, to another province, and it would be an excellent thing if he saw something of the working of another province for a year.

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20065. Would that conduce to the general efficiency of the administration of a province?—It would give us new ideas.

20066. But you might have rather a conflict of experience, and differences of opinion between the men who had gone to the Punjab, and the men who had gone to Madras; would there not be some danger of that?—I think the experience would be distinctly beneficial.

20067. In this province until lately there was rather a complicated system of appeals in police cases; and if a head-constable were punished by the District Superintendent of Police he might appeal direct to the Deputy Inspector-General, or he might appeal to you? Has that system been put an end to, and is there only one appeal straight to the Departmental Head?—Yes.

20068. Do you regret that?—I should be glad to have some say in the matter

20069. Are you not grateful for being relieved of a part of your extra work?—I think the men would like it, too; some of them have spoken to me about it.

20070. Is it not an extremely chaotic arrangement by which a man may take two roads by way of appeal?—I only ask for some say in the matter, and at present I have none; I do not necessarily refer to head-constables, but to sub-inspectors.

20071. Do you desire that every case with regard to a sub-inspector should come to you?—We are consulted now in certain cases; we are consulted about the transfers of sub-inspectors, not punishments.

20072. Supposing a sub-inspector is thought by the District Superintendent to be quite an upright man, but to be very slack in matters of discipline, would that be a case in which the District Magistrate ought to be consulted?—The District Superintendent knows best, naturally, in a matter of that kind.

20073. Would you discriminate between matters which affected the welfare of the people, and law and order generally, and matters which might be called pure police administration?—Yes, perhaps so.

20074. And as regards the first, the District Magistrate should be consulted, but not necessarily with regard to the second?—Yes

20075. The general power with regard to the municipal budget, and so forth, rests with the Commissioner?—Yes, general supervision is all we exercise; I inspect the office; I look into questions of sanitation and other matters and record a note, and they accept it or not, as they like.

20076. In a matter which the municipality have to refer to the Commissioner, such as the sanction of the municipal budget, or the sanction to a proposed tax, would it come through you to the Commissioner, or would the Chairman address the Commissioner direct?—It would come through the Magistrate.

20077. And if you have any special opinion to record are you supposed to record it?—Yes.

20078. Would it be possible to give the control more to the Collector than to the Commissioner?—Yes, I do not see why it should not be so.

20079. If a municipality wanted to impose a tax which it can impose by law, ought they to go to the Commissioner first?—Yes.

20080. Is one of your reasons that it is possible a municipality might not have taken into account, or might not sufficiently represent, some class on which the tax might fall?—Yes, some class might be in the minority.

20081. Is the Inspector of Works the same person as the Superintending Engineer?—As a matter of fact, he is the Executive Engineer.

20082. Is there no Executive Engineer at Backarganj?—No; we have only one Executive Engineer for the whole division.

20083. Then who does your buildings and such provincial work as you have to do in the district; do you employ the District Board agency at all?—It was employed until two years ago, when I think Sir Bampfylde Fuller initiated the system of putting all works under the Executive Engineer.

20084. Was the change a matter of necessity?—Yes, things had not been going on so well as they might have been, but personally I would like to see the District Engineer again employed.

20085. Do Government pay some commission?—Yes.

20086. Could not transfers be reduced by making acting promotions locally more than is now done?—For instance, when the Collector takes three months' privilege leave only, and there is a Civilian in the district fit to take charge during the time, he is put in though he might not be the senior man?—Yes, there are orders to that effect.

20087. Could that not be extended to periods of six months at any rate?—Yes, possibly so.

20088. Is it not an understood principle that a man has no right to accumulate leave?—Of course, it is, but at the same time you might cause discontent although it may not be a principle.

20089. Is it not also an understood principle that no man has a right to a mere acting appointment?—Yes.

20090. Therefore if Government said, "We are dealing with two things to which you have no positive right; we will give you one or the other, but not both," would that be unreasonable?—No.

20091. (*Sir Steyning Edgerley.*) Are the committees of Local Boards efficient?—They are fairly efficient, I think.

20092. Are any of the Chairmen promising men?—They take somewhat more interest than other members in their work. It is sometimes rather difficult to get a quorum of members.

20093. We have heard from a witness that he had been Vice-Chairman of a District Board and that for two years the Collector had delegated the whole of his powers as Chairman to him, though he had informally kept watch over the proceedings; have you any one in your district whom you would be prepared to trust in the same way?—My present Vice-Chairman is a most worthy man, and I have delegated fairly large powers to him, but important questions come to me; he takes a good deal of the work off my shoulders.

20094. Do you find that there is more interest being shown in regard to public affairs and the people are becoming more and more acquainted with them?—I can hardly say that there is more interest being shown.

20095. Then you do not think Local Self-Government is growing in the country?—All I can say is that three of the elections for my District Boards failed last year. There were candidates, but the electors failed to turn up; there was no interest taken in the election.

20096. Was that because there was no contest?—The elections do not create any interest at present.

20097. You said you would have only one appeal in certain cases, but supposing the original authority and the appellate authority differed, would you accept the appellate authorities' decision without anything further?—I think so.

20098. Do you not think you ought to get two concurrent decisions?—But you must have finality somewhere.

20099. What is the calibre of your chief educational officer?—The deputy inspector of schools is a B.A. His salary would be about Rs. 200 a month. It is a graded post rising to about Rs. 250.

20100. Have the results of the inquiry of the Police Commission been applied to your district yet? Have you got your new establishment?—Yes, we have a certain amount of new establishment.

20101. Is your Superintendent of Police satisfied with the establishment he has been allowed?—At present I have had no complaint; we were pretty

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fully policed as a very criminal district before the Commission.

20102. We were told at Mandalay and elsewhere that occasionally sanction had been refused to the creation of a certain number of head-constables, and that an inspector had been cut out where he was very much wanted ; in your district have the local needs been sufficiently met or have you been rather driven by formula?—The number of thanas is 27 ; the number of police inspectors 10 ; the number of sub-inspectors 68 ; the number of constables 588, including 50 head-constables, so that I do not think we are badly off.

20103. And you have a number of chaukidars besides?—We have 5,466 chaukidars.

20104. What do those chaukidars get?—Rs. 5 a month.

20105. You say that special legislation would be required to give small powers to the village headman? In Burma they have a special Act as to that, have they not?—Yes, the Village Administration Act.

20106. Would you prefer to build up a system under an Act like that, or would you have a few general clauses allowing you to make any necessary rules?—We have a Chaukidari Act now under which we work, which constitutes the basis of our system, and probably an extension of that Act would be sufficient.

20107. Is that all laid down section by section, or is there a power given to make rules?—It is laid down section by section ; in fact, it is not sufficiently elastic in many ways. It lays down, for instance, the maximum pay of a chaukidar as Rs. 6, which is not sufficient in my district.

20108. In trying any development would you prefer an Act giving rule-making power, or would you proceed by a detailed Act?—Certainly I should prefer rule-making powers.

20109. We were told in Burma that it would help the heads of districts considerably if the technical examination of treasury and records was taken off the shoulders of the District Officers ; would you be in favour of anything of that kind?—I have thought about it, and it seems to me that the amount of treasury work on the shoulders of a Collector is very small now-a-days. With regard to the examination of record-rooms, I myself suggested that it would be part of the work which I should like to put on to a special staff.

20110. Since you have been in Backarganj have you been visited by any members of the Board of Revenue?—A member was in my district for the Christmas holidays.

20111. Did he come on duty?—Yes, he wanted to see something in connection with the Sundarbands.

20112. Does a Commissioner come on regular inspection work and a member of the Board of Revenue too?—Yes.

20113. Does that lead to over-inspection?—The member of the Board does not go into great detail as a rule.

20114. He practically does not inspect, but he comes to inform himself?—Yes ; that is more what he does.

20115. Do you work on daily travelling allowances or on a permanent travelling allowance?—A limit of Rs. 45 a month has been fixed as the maximum monthly allowance for my excise sub-inspectors, and I find they have been drawing that amount. We all travel in boats in my district, and where you have to hire a boat I am not quite sure that for a peripatetic officer a fixed travelling allowance is not most suitable ; we give fixed travelling allowances for the sub-inspectors of schools.

20116. What system do you think causes most work to control?—The most work is caused by the ordinary daily allowance rules. A good deal more has to be done especially in checking, and the distances are very difficult to check sometimes.

20117. Would it be an entirely inaccurate statement to say that the daily travelling allowance system does not give more work than the permanent allowance system?—I should certainly say that the daily travelling allowance system gives more work.

(*The witness withdrew.*)

Babu JATRA MOHAN SEN was called and examined.

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20118. (*Chairman.*) What is your profession?—I am a High Court pleader and land-owner at Chittagong. I have been a municipal Commissioner at Chittagong where I was Vice-Chairman for about a year.

I am in favour of giving larger powers to provincial Governments as to details of expenditure leaving the principles to be dictated and controlled by the Imperial Government. There should be some definite rules laid down for contribution by Local Governments of fixed amounts to imperial funds, leaving ample funds to provincial Governments, but so far as the new province of Eastern Bengal and Assam is concerned, the Government of India should assist the Local Government with sufficient funds to effect necessary improvements as rapidly as they can be made till the land revenue of Assam proper is developed and placed on a firm basis.

Provincial Government may be vested with authority to borrow within certain limits, say, two lakhs of rupees.

I am not in favour of the curtailment of the right of appeal to the Government of India and Local Governments, and would not require any certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

The Secretariats both of Imperial and provincial Governments are dominated too much by considerations of revenue, and they regard matters too much from a purely departmental standpoint. The Board of Revenue is not of much use.

District Officers are not in touch with the people. Advisory Councils may be usefully employed, but the members must be elected by the people. Nomination by Government has a demoralizing effect. Such nomination generally would lead the nominated members to court the favour of District Officers with a view to future re-election. District Boards, as at present constituted, are not representative bodies. The District Officers generally see that their own whims and caprices are carried out. Selection of members is generally made on wrong principles and personal considerations. If the present system is allowed to continue, I am not for extension of their powers. Indeed, the District Officers should rather be placed exclusively in charge of the affairs, so that they may be held responsible both to the Government and the people. The present system has the effect of dividing responsibility and exonerating the District Officers of sole responsibility, although the whole affairs are practically conducted by them.

The District Boards should be elected bodies, and the Chairman should be elected from the elected members. The Chairman, to secure effective work from him, may be paid a sufficient salary. The District Officers and the Advisory Council should have the power of criticising and reporting to Government to suspend resolutions of the Board which may be unreasonable and objectionable. They may also temporarily suspend action. The same observations apply to municipalities, and District Boards and municipalities should be independent of each other.

Three years should be the general rule for an officer to remain in one district. The people may be given the right to present to Government for retention of popular officers for another three years, and not longer. They may also move Government for transfer of officers who are not popular.

Panchayats are practically useless bodies now. Respectable people avoid being members of *panchayats*. They are generally oppressed by the police, being more their servants than anything

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else. They are generally made to serve as touts to secure bribes to the police officers. People, in whose houses thefts are committed or whose houses are burnt down by incendiaries, do not as a rule give information to the police, for fear of police oppression. The chaukidars, daffadars and *panchayats* are generally warned by the police officers against reporting such cases, leaving the parties to personally report them, in which case they are subjected to oppression and harassment. If *panchayats* are elected by the people and made independent of the police, really substantial and independent men can be obtained and powers may safely be vested to them to try small civil and criminal cases. Indeed, it will be a great boon to the village communities to do so. Arbitration and decision of cases on the spot by men of the locality are very much appreciated by the parties. Real and substantial justice is done in such cases.

20119. Are you in favour of any curtailment of the right of appeal?—I am rather in favour of an extension. I think a ministerial officer ought to have a right of appeal to the Government of India. A limit might be made as to certain classes. I would suggest, after Rs. 25.

20120. You think Advisory Councils might be usefully created?—Yes, I would have small Councils of not more than five members.

20121. Should they be constituted in addition to the existing Local Boards, or in substitution for them?—If the District Board and the municipality are not entirely elected bodies, then they should be in addition to them, but otherwise in substitution for them.

20122. You think that District Boards are at present rather negative bodies, because the Chairman is always a Government official?—Yes, and the members are all nominated.

20123. Have you been a member of a District Board?—No; I was suggested several times.

20124. How do you get your experience with regard to District Boards?—I live in a district where there is one, and I see the working of the Board.

20125. But still how do you get your experience that the Board are unwilling or afraid to contest the autocracy of the Chairman?—I know of one recent special instance as to granting certain subsidies to a small company in which the whole thing was settled between the Collector and the company, and all the members had to yield. Moreover, at Chittagong, the selections are made entirely from personal considerations, and most of the members who are no doubt intelligent people are tea-planters, paying very little in the way of cesses to the District Board, and having no sympathy with the institutions of the people.

20126. Therefore you think that members are afraid to contest the authority of the Chairman?—In the case I mention several did contest it.

20127. But the majority of the members might have agreed with the Chairman?—I think they did not. I discussed the matter with two of the members, and they said that they could not go against the Chairman, as he said he had already made an arrangement.

20128. How many members of the Board are there altogether?—Eighteen.

20129. Have municipalities as much freedom as you think they ought to have at the present time?—No, the entire body should be elected. I would extend their powers in the direction of controlling the finances.

20130. They send their budget at present to the Commissioner; is the control of the Commissioner at present undesirable?—No.

20131. Then in what direction would you give them greater financial freedom?—Up to a certain extent, say, Rs. 1,000, they might be left to deal with the expenditure, without the sanction of the Commissioner, subject to the total budget not being exceeded, but it is difficult to fix a limit.

20132. What is their power of sanction now?—They have no power whatever at present.

20133. If they say they do not want to spend a certain amount of money and the Commissioner says he wants them to do so, they have to spend it?—Generally that is the case.

20134. Do you wish first that municipalities should be free to spend up to Rs. 1,000 within the limit of the budget, and, in the next place, if they do not want to spend any money that the Commissioner should not have the power to make them do so?—If the Commissioner thinks that the Municipal Commissioners have not been doing their duty, he may report to Government, if they are unreasonable or objectionable; but generally I do not believe that they would be unreasonable.

20135. You think that the *panchayats* of a village are at present useless? Should something be done to create a communal spirit in the villages, or has the day passed for doing that?—If the *panchayats* are in any way dependent upon the police, it is impossible to effect any improvement.

20136. If there was a complete separation from the police, what do you think?—Then they would be very useful.

20137. Should a District Officer be retained in his post if possible for three years?—Yes, and up to six years, supposing he is beginning some very useful work. He ought to be continued then, especially if the people desire it. Government might not accede always to their request, but they ought to be given an opportunity of making a representation to Government that an officer should be retained longer; but perhaps he ought not to be in a district generally more than three years.

20138. (*Sir Steyning Edgerley.*) You think that *panchayets* should be entirely elected?—Yes.

20139. Is there any other agency to co-ordinate work in districts except the police?—*Panchayats* might be under the supervision of the Magistrate—the District Magistrate in the case of districts and the Sub-Divisional Magistrate in the case of sub-divisions.

20140. With anyone else between them?—No.

20141. Could the Sub-Divisional Magistrate give enough supervision? Could you utilise Sub-Deputy Collectors for that work?—Sub-Deputy Collectors are not independent enough.

20142. You seem to hold the opinion that the connection of Government with these local bodies is demoralising; is that a general opinion amongst the people in your part?—That is so.

20143. Do they regard a gentleman who is nominated to a local body by Government as losing caste?—Not exactly losing caste, but he is looked upon with a little distrust in regard to matters of public interest.

20144. (*Mr. Meyer.*) Is a Munsiff or a Subordinate Judge, or a High Court Judge, looked upon with distrust because he is appointed by Government?—No.

20145. It is only when men become members of Boards?—Yes, and the reason is that they can try cases independently between the Government and parties, while the people look with distrust if the Government has direct control over them. For instance, nowadays the District Judge is made subject to the Commissioner.

20146. How is he subject to the Commissioner?—So far as his morals are concerned, as the wording goes.

20147. Are you speaking of what is known as the Carlyle circular?—Yes.

20148. Does that apply to this province?—Yes, and the people generally have a distrust of the decisions even of District Judges, not because as a matter of fact they decide wrongly, but because there is a feeling amongst the people of distrust, especially in judicial matters in which Government is interested.

20149. Are you acquainted with the principles of the present financial settlement between the Government of India and provincial Governments?—I have very little experience.

20150. Are you aware that the present settlements differ from previous ones, and that they are not subject to revision at the end of five years?—I was not aware of that.

20151. Have you considered how the provincial Government is going to borrow two lakhs of rupees?—I have simply fixed that as an arbitrary sum.

20152. (*Mr. Hichens.*) You think the Board of Revenue is not of much use?—Yes. I think a Commissioner who is locally on the spot knows more about things and is better able to dispose of all matters of finance; if he were given larger powers, his decisions would be more satisfactory.

20153. Would you allow appeals to be settled finally by him?—Yes.

20154. But personal appeals, that is appeals of individuals with regard to dismissal and so forth, you would extend?—I would extend them right up to Government.

20155. But why would you make any distinction?—It is just to give the people consolation. We have known of instances in which the Government of India have restored an officer whose appeal had been dismissed by the intermediate authorities.

20156. Your point of view is, not so much that the Commissioner is likely to make a mistake in regard to appeals, as that it would satisfy the *amour propre* of the man dismissed?—As a matter of fact, everyone is liable to err sometimes; we have known the highest Courts of Appeal make mistakes. In the High Court, where it is only the Judicial Officers who have a right to grant the certificate, we have known instances where the Privy Council have admitted appeals where the High Court has refused.

20157. At any rate, you think that, as far as the Board of Revenue is concerned, the appeals they deal with might equally well be settled by the Commissioner?—Yes; the Commissioners cannot now do much in the matter because of technicalities.

20158. You say that the chaukidari *panchayats* ought to be made independent of the police; but do you think they can be made independent?—They should be entirely under the District Magistrate independent of the police. Nowadays, where a police officer goes to a village, these *panchayats* have to work as his servants.

20159. Do you want to abolish chaukidars?—The chaukidars may be under the influence of the Magistrate—daffadars and chaukidars are at present useless. Recently there have been a great many attacks in my own village, and not a single case was reported to the police so that the police might come and personally investigate: in many cases it was I who stopped all these things by threatening the people.

20160. (*Mr. Dutt.*) Were you a member of the Bengal Legislative Council for some time?—Yes, for two years. I am not now a member.

20161. You suggested that the provincial Government should have authority to borrow up to two lakhs of rupees; do you think that that would lead to any good result?—It would avoid delay.

20162. Is there ever any necessity for the Government of Bengal or of Eastern Bengal to borrow that amount?—I have merely put it down as an arbitrary figure.

20163. Might it not lead to a multiplicity of loans all over the country if all the provincial Governments were allowed to borrow on their own account?—If the Government in Council were the Local Government I think it would not, because it would be responsible for its own province.

20164. Is it a fact now that the existing right of appeal is practically unlimited?—I do not know, but appeals do go up to the India Government subject to some restrictions, if the Local Governments choose to send them.

20165. Are they appeals which go up to the Government of India, or are they memorials?—Whatever name is given to it; I call them appeals.

20166. I am speaking now of the right of appeal only; are you aware of the limits which exist as to the right of appeal?—No.

20167. Without such knowledge, are you in a position to recommend either a curtailment or an extension of those rights?—Whether there is any right of appeal or not, I would be for giving a right of appeal to the highest authority.

20168. Would not a memorial to the highest authority answer the same purpose?—It is difficult to say.

20169. Are the members of the Chittagong municipality elected?—They are not all nominated. Two-thirds are elected, and the rest are nominated. I ceased to stand as a candidate for the municipality because I thought it was useless under present circumstances.

20170. Should the Chairman of a District Board be elected by the members of the Board?—Yes.

20171. Would it be possible to find in all districts men who are fit to be Chairmen?—I think they would always be easy to find, provided they are paid.

20172. Should they be paid salaries, or a liberal travelling allowance?—They should be paid liberal salaries.

20173. Should they also be paid travelling allowance?—That would be very small, but they ought to be paid.

20174. Was the District Magistrate the Chairman of the Chittagong municipality?—No; the Chairman was a non-official, one of the elected members, during my time.

20175. Was the work of the municipality distributed among different committees, one dealing with schools, another with assessments, and so on?—Not in my time.

20176. Was the work all practically done by the Chairman and Vice-Chairman?—Yes, and the Ward Committees.

20177. Did they give you substantial help in the work of administration?—Yes.

20178. Were there any dispensaries in the town?—Yes, there is a very big dispensary there.

20179. Did you contribute towards its maintenance?—Yes.

20180. Did you have any sort of supervision or control over it?—The municipality had control, but now it is chiefly made over to the District Board, because it also contributes.

20181. Is there a Dispensary Committee consisting of some members of the District Board?—Yes.

20182. Have you any primary schools in the municipality?—There are; the municipality contributes something to the girls' school.

20183. Were assessments made with the help of the Ward Commissioners?—Formerly.

20184. Who disposed of the appeals?—A subcommittee was appointed.

20185. Did that system give satisfaction to the people generally?—In my time it did.

20186. If the police had no power over *panchayats*, do you say that arbitration and the decision of cases on the spot by them would be satisfactory?—Yes, in fact we have been doing that.

20187. Would you in that case entrust the *panchayats* with small civil and criminal powers?—Yes, and not only that, but also power to see that no rioting takes place, and they could very well deal with it by interfering.

20188. Would you entrust them with more power over the village chaukidars?—I think so; now they have practically no control.

20189. At present is there any sort of link between the villages themselves and the Sub-Divisional Officer, outside the agency of the police? Supposing a Sub-Divisional Officer wants to deal with the people generally in the way of sending relief in times of distress, or distributing pills in times of cholera, through what agency does he

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reach the people?—So far as the distribution of medicine is concerned, they do it through the doctors.

20190. But how does the Sub-Divisional Officer generally reach the people?—Through his own agency when he personally goes and inspects, and through some of his subordinates.

20191. Would you suggest the creation of smaller circles within a sub-division: supposing each circle were in charge of a junior Deputy Magistrate or a senior Sub-Deputy Magistrate, so as to form a sort of connecting link between the people and the Sub-Divisional Officer, would that meet with your approval?—It would be desirable, but very expensive, I think.

20192. If they were created, would it improve the administration to some extent?—Certainly.

20193. (*Sir Frederic Lely.*) You say that a member of Local Board, if nominated, is distrusted by the people, while a Subordinate Judge is not distrusted although they are both appointed by Government. Is the essential difference between the two that a member of the Board comes up for reappointment at certain periods, whereas the Judge is appointed during good behaviour?—Yes, that is the essential difference between the two; civil administration is rather on a sounder basis, whereas these honorary posts depend on the pleasure of the officials.

20194. You said you would abolish the Board of Revenue because the Commissioner is more reliable as knowing more of local matters; but you would abolish the Commissioner also—you would abolish all control over the District Officer?—I think if the District Officer is given more time and assistance he would be more useful.

20195. Should be subject to no control at all?—None except the Secretariat.

(*The witness withdrew.*)

Mr. R H. HENDERSON was called and examined.

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20196. (*Chairman.*) You are a member of the Legislative Council of Eastern Bengal?—Yes. I am a tea-planter.

The Local Government should be given borrowing powers. Such powers are elsewhere entrusted to bodies whose status and resources are comparatively insignificant. Provincial loans might be issued for well approved local schemes and a freer use of guarantees of interest would attract local capital and would materially assist in development of the province. The absence of such guarantees, which have been customary, prejudices investors who look upon any scheme, from which these are withheld, with suspicion.

There is a natural tendency on the part of provincial Secretariats, which are not necessarily in touch with the public, to regard business matters too much from the point of view of the routine of their department, and transaction of business would be facilitated and expedited by the more direct personal control of the Divisional Commissioner.

Some increase is required in the administrative staff: for instance, a very extensive and populous district such as Sylhet with four sub-divisions should have at least a Collector and a Joint-Magistrate, or, preferably, the district should be subdivided into two districts giving each portion the benefit of the supervision, of at least one experienced officer, if not of two. The natural development of cultivation of trade and of the resources of the district has increased the volume of work of District Officers, and has made it more complex, and the demands on them for information and returns have increased, while the staff remains the same, or has been reduced. My remarks as to the unwieldy district in charge of the Deputy Commissioner of Sylhet, apply equally to the duties of Civil Surgeon. The thorough supervision which is required cannot possibly be given by either. The Executive Engineer of Sylhet combines with his almost impossible duties in Sylhet those of Cachar, where his headquarters are situated. Efficient supervision of such an area is impossible.

Transfers of officers are too frequent in the Surma Valley, which is not a popular one, and from which officers seem anxious to escape. This applies to every Department of Government Service-Administration, Public Works, Police, and Medical. The objections to such frequent changes are too obvious.

Local Boards should be empowered to borrow money for the carrying out of urgent public works. The necessity for this is now becoming more acute. The expenditure on education by the Boards has trebled, that on medical has increased sevenfold in the last 20 years. The available resources have been practically stationary. In consequence many urgent requirements, in the shape of (1) new roads in newly opened out parts of the district, (2) metalling rendered necessary by increased traffic, (3) the substitution of bridges for ferries, are necessarily neglected or indefinitely postponed. Even assuming that these startling increases in the claims of these two departments are arrested, as to which there is no assurance forthcoming, and the amount available for original works is not further curtailed by fresh inroads, it is estimated that the programme of absolutely urgent works of the Cachar Local Board cannot, with the income available for the purpose, be completed in less than 20 years, leaving out of consideration fresh projects which the development of the district will certainly bring forth. I am not in favour of larger powers being conferred on Local Boards beyond that of borrowing, nor of any extension of their functions.

The supervision and control of municipalities might be beneficial in so far that sanitation, water-supply, &c., might be run on more up-to-date lines; but, on the other hand, the sources of revenue of Local and Municipal Boards are entirely distinct. In cases where Local Board members are drawn from widely scattered communities, and where even the performance of their present duties (attendance in many cases involving long journeys) is a heavy tax on their time, to further increase their duties would be inadvisable.

I do not consider that it would be desirable to give village communities in the Surma Valley increased powers in the direction indicated. They are not, in my opinion, qualified to exercise such. I am strongly against the establishment of Advisory or Administrative Councils. These would weaken the authority of District Officers. They would possibly hamper them in emergencies where entire freedom of action, in circumstances demanding prompt and decisive measures, was required. Apart from these defects the knowledge that there had been any dissension in such a Council would have the effect of encouraging those in conflict with authority.

20197. Have you any experience of Local Government?—No, except as a member of the Local Board for 20 or 25 years.

20198. You say that Local Governments should be given borrowing powers; is there any local market in which they could borrow money, apart from the market which is open to the Government of India?—I do not think there is.

20199. Then the borrowings of the two would probably have to overlap?—Yes, and perhaps the security would be better, though I suppose the Government of India would be responsible for provincial loans.

20200. How long do you think a Collector ought to stay in a district?—Four or five years at least.

20201. Would you keep him any longer?—Not necessarily, although I see no objection to his being kept a longer time in special cases.

20202. How long do you think it would take a Collector of ordinary industry and activity to get to know his district thoroughly?—In some cases—for instance, in the Sylhet district—it would be impossible for him to know it, but in smaller districts from one to two years would be necessary.

20203. Is the work of a Collector pretty heavy?—It is almost too heavy now. I am judging by previous standards; I think the work is much too severe now; it is more complicated and necessarily so, because everything was much simpler before, and there have been great developments of late in every direction; then the European staff has been reduced in this province, and I should look mainly to that staff; for instance, there was always an Assistant Commissioner up to 1903, but there has been none since.

20204. Is the work of the present District Officer too largely clerical?—He has barely sufficient time for his district work, and there are greater calls upon him from headquarters than there used to be.

20205. Speaking generally, do you see as much as you used to do of the Collector?—Yes, and probably more, because my circumstances are exceptional, but generally they have not so much leisure for going about as they used.

20206. We are told that there is a rule that a Collector has to tour 120 days in his district; does he get out for that number of days?—Yes, but it is a wide district. I am not sure whether the present Magistrate does or not; he does a fair amount of touring, but whether it amounts to as much as that I doubt.

20207. Have officers, as a rule, a pretty good knowledge of the vernacular?—Yes, I think so.

20208. Is the work of the Local Board done on the whole pretty efficiently?—The work is done very efficiently, so far as it goes; of course, there is the difficulty of want of funds.

20209. Who is Chairman of the Local Board?—The District Officer in the *sadar* sub-division; the Sub-Divisional Officer is Chairman in his own sub-division.

20210. Is that a good plan?—Yes, I see no possible objection to it; the District Officer knows the district better than anybody else, except when newly appointed. His tours give him knowledge not available to others.

20211. Taking the district in which you are, and in which there are a good many other Europeans, would it be advisable to get one of them as a non-official to take the Chair?—I do not think so, because you could not rely upon a non-official always being able to be present at the meetings.

20212. Would the same thing apply to a district in which there were Indians only?—I should think it would still more apply.

20213. You think too much provincial expenditure has taken place upon things like education, medical requirements, and so forth, in proportion to the available resources?—No, my argument rather is that we began with certain revenues and the developments in education and sanitation have been threefold, while our income has been stationary, and the amount available for communications has been greatly reduced.

20214. Unfortunately reduced would you say?—I mean it is absolutely preventing any original works being gone on with in the way in which they ought to be.

20215. Has that done anything towards diminishing or injuring the trade of the district?—It is seriously preventing development.

20216. Is that peculiar to your district, or would it be general throughout the province?—I am only acquainted with the tea districts.

20217. (*Mr. Hichens.*) What remedy would you suggest for that shortness of funds?—I would suggest that education should be taken out of their hands. One reason is that the members of the Local Board itself do not take any active part in the administration of the Education Department. We get very little information as to the working of it; we only supply the funds, and the drain is increasing, and we do not know when it will be arrested.

20218. Practically speaking, you give grants-in-aid, which are administered by the inspectors under the Government?—Yes.

20219. And the Board, as a whole, consequently takes little interest in education?—We are not allowed to practically, but in any case it would be a hardship for the Board to have to take any interest; I refer to my own district, where nearly all the members reside some 15 or 20 miles distant from the centre, and it is quite as much as we can do to come in and attend eight or nine meetings a year, so that it would be too much to ask us to attend more.

20220. Is there no Board corresponding to a District Board in the Assam districts?—No. I should prefer a District Board on account of its greater financial powers.

20221. Would it not have to administer too big an area?—No, I do not think it would.

20222. Would you be in favour of having a District Board with Local Boards under it, or would you merely have a District Board?—I think I should prefer a District Board with Local Boards under it.

20223. Dealing practically only with roads?—Yes

20224. You say that Local Boards should be empowered to borrow money? Cannot they borrow money from the Government to-day?—No, they have no borrowing powers.

20225. (*Mr. Dutt.*) What is the source of income of the Local Boards?—Local rates principally, and provincial grants, ferries and pounds, and rents.

20226. Are the local rates in the shape of road cess drawn from the cultivators?—Yes; they are partly paid by the zamindars also.

20227. There is no permanent settlement?—No, or *practically* none.

20228. Are the contributions made by the Local Government for the purpose of education or for any other special purpose?—To some extent they are for education, but they do not cover the increased expenditure.

20229. You said that education might be entirely withdrawn from the control of the Local Boards. In that case should the grant for education also be withdrawn?—It would greatly solve the financial difficulty if it were not withdrawn, and at the same time it would be better that we should not incur any loss.

20230. You want that grant as a contribution from the Government for the improvement of your roads?—Yes; of course the present grant is not made purely for educational works.

20231. Would you recommend the appointment of an Assistant Commissioner in charge of the *sadar* sub-division?—Yes.

20232. Who supervises the construction of the District Board roads in Cachar?—The Executive Engineer. The Local Board has no officer of its own.

20233. Does the Local Board make any contribution towards the pay of the Executive Engineer, or to the Government for his services?—No, I do not think so.

20234. If your income is adequate, would you suggest the appointment of a special District Engineer under the District Board, or under the Local Boards?—Unless the funds at our disposal were very largely increased, I do not think so.

20235. So that at present the Executive Engineer has to do the work with reference to Government buildings, and also to supervise the roads constructed by the Local Boards?—Yes, and that is why over provincial roads supervision is impossible; you have only to look at the map to see what an enormous district Cachar and Sylhet is.

20236. If you had any such arrangement as there is in the Dacca Division, namely, an Executive Engineer for Government works only and a District Engineer for the works done by Local Boards, would that relieve the Executive Engineer of much of his work?—Yes, that would be all right; I do not think the Local Board for the *sadar* sub-division of Cachar alone could support a District Engineer, but the combined districts of Cachar and Sylhet might do so.

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20237. What is the income of the Local Boards in the district of Cachar—I think about Rs. 85,000 for the *sadar* sub-division. Of the outlying sub-division it is about Rs. 40,000.

20238. (*Sir Frederic Lely.*) Does not the question of whether a Collector should stop more than five years in a district really depend on the personality of the man?—To a certain extent, yes.

20239. If a man has a good grip of a district, it is not well to remove it?—I do not think so.

20240. (*Sir Steyning Edgerley.*) You say that with the income available for the purpose, the programme of urgent works could not be completed in less than 20 years. How then would you provide for the re-payment of your Local Board loans?—Quite so; there is no margin; we want an increased revenue.

20241. The result therefore would be just the same if Government left the duty of education with you, and gave you an increased contribution?—Yes, except that the Local Board is not a satisfactory body to administer education, because the tea-planting community which forms a large proportion of the Board have not the leisure to attend to it.

20242. (*Mr. Meyer.*) Your Local Boards in Assam are not statutory bodies?—No.

20243. That would be one fundamental objection to their borrowing?—Yes.

20244. Assuming that they had funds on which they could contract a loan, it would also be necessary to give them security by law for the perpetual enjoyment of those funds?—Possibly.

20245. Are you aware of any proposals for legislation with respect to Local Boards in Assam?—No; there were proposals at one time—in Sir Henry Cotton's time—that we should have District Boards in which case we should have had the necessary powers. The question has been shelved, like a good many others.

20246. As regards the Board which you have experience of, the *sadar* Sub-Divisional Board directly presided over by the Deputy Commissioner, is there much interference by Government or by the Commissioner?—No; of course we have only had a Commissioner since the provinces have been amalgamated.

20247. Before that could you pass your own budget?—No; that had to be sent up, and it was altered occasionally with regard to details, but our principal grievance was that our hands were absolutely tied with regard to funds.

20248. Apart from that, would you be prepared to advocate a freer hand in the district in the administration of such revenue as they have?—It would be better if the control was in the Commissioner of the division, rather than in the provincial Secretariat.

20249. Could the Commissioner give such outside control as is required?—Yes.

20250. You spoke of your income being stationary; is it mainly derived from the land cess?—Yes; it is not absolutely stationary, but it is not increasing very rapidly.

20251. It does expand with a new settlement?—Yes. I think from 1885—1890 to 1906-07 it increased probably from about Rs. 20,000 to Rs. 32,000; that is the whole of our local rates income. Then we have lost money through the various lapses; ferries have been bridged, and that is a thing which is going on, so that there will be still further reductions. Ferries used to provide us with a considerable income which has been reduced.

20252. About three years ago did you not get a special grant amounting to one quarter of your land cess receipts?—Yes, but it was insufficient for the total requirements of the district.

20253. Has your Board charge of all the roads in the sub-division?—Not all; there are two provincial roads there in addition. Most of the roads are Local Board roads.

20254. There is one district in Assam where the Local Board subsidises a light railway; have you anything of that kind in your district?—No.

20255. Is it the practice to give out the work on the smaller roads to planters and other gentlemen?—Yes.

20256. Does that system work well?—It works very much more satisfactorily than if the work was done by Government or by ordinary contractors; it is much cheaper, because the manager takes no profit; he supplies the labour at actual cost, and the supervision is gratuitous, and most of the planters have practical experience.

20257. Therefore, in the planting districts at any rate, there is the less need for any special Board engineering establishment?—Yes, but of course the engineering difficulties are not great as a rule.

(*The witness withdrew.*)

The Hon. Rai Dulal Chandra Deb Bahadur was called and examined.

The Hon. Rai Dulal Chandra Deb Bahadur.

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20258. (*Chairman.*) You are Government pleader at Sylhet?—Yes.

Under the present system the revenue of a province is shared between the Imperial and provincial Governments. But the revenue allotted to the latter in the distribution is not entirely at its discretion. Invariably the sanction of the Imperial Government has to be obtained before any permanent and recurring expenditure or any work involving high expenditure can be incurred or constructed. This restriction should be removed subject to the following limitations:—No sanction of the Imperial Government should be obtained when the recurring and permanent expenditure will not exceed a certain limit to be imposed; no such sanction should be obtained for the construction of any original work whatever may be its cost if it can be undertaken with the revenue allotted to the Local Governemnt.

A more complete separation than at present exists might be effected between the imperial and provincial finances by assigning to the Imperial Government the entire receipts under certain heads, or by paying an annual contribution from the provincial funds. The provincial Governments should have the power to raise loans on the security of their provincial revenues.

I am not for curtailing the right of appeal to the Imperial or provincial Government now granted in respect of administrative or personal actions.

In the settlement of land revenue, and the administration of excise revenue, cess and partition laws, nearly the entire administrative powers are vested in the Board of Revenue, and the Local Government has reserved to itself very little power in respect thereto. No more powers should be vested in the Board, but the power of the Divisional Commissioner should be extended by making his decision final in those appeals which are preferred to him from appellate orders passed by the Collector or the Deputy Commissioner.

Except in matters relating to revenue, municipalities and Local Boards, the Divisional Commissioner in the Assam portion of the province has no direct hand in the other matters of administration. I think that in the Departments of Police, Education, Excise and Forests the Divisional Commissioner should have the power of supervision and control in order to make the administration more effective and popular than it is at present. But in all petty matters such as routine business and discipline it is not necessary that he should have the controlling power.

In the Court of Wards' matters, all the powers, excepting the power to declare a landholder to be a disqualified proprietor on his own application and to permit a ward to make an adoption, are vested in the Board subject to the control of the Local Government. This controlling power seems to be unlimited, and some limitation should be imposed on it by empowering the Local Government

to exercise it in those cases only in which the Board passes an order involving the sale of the ward's property, the contract of a heavy debt and other matters which may effect a change in the property prejudicial to his interest.

The influence of the Divisional Commissioner in matters appertaining to municipalities and Local Boards is sufficiently strong and his opinion guides these two administrations.

The Executive Officers have sufficient opportunities for personal contact with the people, but they are unable to avail themselves of the same. The obstacles are their ignorance of the dialects which the common people speak and their transfer after a very short term of service in a district. A long term of service may remove these obstacles. Though they know the vernacular, it is the book language and not the colloquial in which they are able to speak.

I am not an advocate for the reduction of the area of any district. It may create discontent among the people. For the administration of the heavier districts the District Officers may be associated with additional District Officers.

The transfers of officers are very frequent. The term of the service of an officer in a district should be increased to a period of not less than three years. Temporary vacancies occasioned by leave or otherwise may be filled up by the provisional appointment of an officer in the district who in rank is next below him.

Under the present law the municipalities have no hand in the ward and watch of the town. The town police should be placed entirely under the control and order of the Municipal Commissioners.

Advisory Councils are not likely to be useful to the District and Divisional Officers. But I am an advocate for the creation of Administrative Councils if the votes of the members constituting such Councils decide the matters that may be laid before them. Such Council for a district should consist of five members, of whom three should be elected by the Municipal Committees, the District and Local Boards, and the remaining two nominated by the Government. The District Officer should be the President of the Council with vetoing power in the cases in which any matter is decided against the policy of Government. The Council for a Commissioner's division should be constituted of seven members, of whom four should be elected by the municipalities, District and Local Boards, industries and landholders, and the remaining three nominated by Government. The Commissioner should be the President of the Council, with vetoing power. The matters to be disposed of by these Councils should be—relief in cases of famine and scarcity; any matter affecting public health; communication; primary education; any matter of public utility or convenience which the District Officer or the Divisional Commissioner, as the case may be, may think it expedient to put before the Council.

I do not think it expedient to invest the District Boards with the power of control over the small municipalities, because the members constituting such Boards have no primary or substantial interest in the municipal affairs.

The following is the outline of a scheme which I suggest to carry out a decentralization policy in this province. The start may be made from such a small unit as the sub-division of a district:—

(1) There should be a Board for each sub-division, each district, each Commissioner's division and each province to be called the Local Board, the District Board, the Divisional Board, and the Provincial Board respectively.

(2) Each Local Board to be constituted of members selected partly by nomination and partly by election, and the other Boards to be similarly constituted of members to be nominated in certain proportion by Government and elected by the Boards next below them.

(3) Of the Local Boards the Sub-Divisional Officer shall be the President and of the other Boards the District Officers, the Divisional Commissioners and the Lieutenant-Governors concerned.

(4) The fund at the disposal of the Local Board, District Board, Divisional Board and the Provincial Board to be called the Local fund, the District fund, the Divisional fund and the Local Provincial fund, respectively.

(5) The Local Fund is to be formed of those items of revenue which at present constitute such funds, and the funds of the other Boards are to be formed by contribution from the Boards next below them. All these funds may be supplemented if necessary by grants from the provincial revenue.

(6) The function of the Local Boards will be the execution of those works which are now performed by them within the limits of a sub-division and that of the other Boards will be the execution of those works which may commonly concern two or more Boards next below them.

(7) Each Board shall have the power of control over the works of those Boards which are next below it.

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The revenue of a division is now appropriated by three administrative authorities, namely, the Imperial Government, the provincial Government, and the Local Authorities. Under the present system the Local Authorities can spend that portion of the local funds only which is to be spent within the limits of a sub-division of district. But the fund which is now spent for the execution of those works of the like nature which commonly concern two or more districts or two or more Commissioners' divisions is entirely at the disposal of the provincial Government. The object of the proposed scheme is to eliminate the money thus spent by the provincial Government from the provincial fund to form therewith two separate funds and to place them at the disposal of the Divisional and Provincial Boards to be constructed. The decentralization of the revenue which is purely imperial and provincial is not possible consistently with a vigorous and effective administration of the Indian affairs.

20259. Have you any experience of Local Government?—Yes; for some time I was Chairman of the Sylhet municipality.

20260. Would you like to see the Commissioner freed from various small duties that he has to perform now?—As regards the routine business and discipline, I think they should remain with the Departmental Heads.

20261. Just as you propose to extend the powers of the Commissioner, do you want to see the powers of the Collector increased?—No, the power of the Collector should remain as it is, but in regard to certain appeals, the Commissioner's orders should be final.

20262. You say that the Executive Officers have sufficient opportunities for personal contact with the people, but that they do not avail themselves of them?—Yes, there are obstacles. One obstacle is that although they know the vernacular, they are not acquainted with the dialect of the people, and another obstacle is that there is a difference in the manners and customs of the people whom the officer meets while he is touring, which is the reason why the touring officer cannot mix with the people.

20263. He does not know the customs and manners and social etiquette?—He may know them in one district, but in different districts there are different manners and customs, and when officers are transferred they are ignorant of them. In my experience I have not seen a District Officer remain in one district more than three years.

20264. How long ought an officer to remain in a district?—Not less than three years, and not more than five.

20265. In that time he ought to get to know the district thoroughly?—Yes, and in that time he can mix with the people.

20266. Are the districts too large? All the districts are not very large.

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20267. Therefore, if there is to be any relief with regard to the work, it must be by an increase of the staff, and not by a reduction of the area of the district?—That is my opinion ; I think some additional officers might be appointed when there is a pressure of work.

20268. You are in favour of the creation of an Administrative Council, and you also wish to see a Local Board, a District Board, and a Divisional Board. Do you think that in any one district there would be enough responsible people to fill all the positions on those Boards?—There are competent men to fill them. I do not think there would be any difficulty in finding them.

20269. Are the present powers of municipalities sufficiently large?—I do not think so. The ward and watch of the town by the town police should be under the power of the Municipal Commissioners.

20270. Is there any other direction in which they might have more power?—I do not think it is necessary.

20271. Should the financial control of the Commissioner over municipal budget remain?—Yes.

20272. (*Mr. Meyer.*) Is there no local Boards Act in force in Assam?—No, there is a Regulation in Assam which simply says that the Government are to have the right to appoint district committees and sub-divisional committees, and under this Regulation the Government appointed Local Boards in Assam.

20273. Do you want a District Board in Assam?—Certainly, because there is a provision in the local Regulations.

20274. Do you know anything about District Boards in Eastern Bengal?—From the papers I do, but I have no personal experience.

20275. There we have been told that the District Board has all the powers, and the Local Boards very little power. In Assam you have Local Boards which exercise a good deal of power, and you want a District Board over them ; do you intend to cut down the powers of the existing Local Boards?—Certainly, if there is a District Board, the power of the existing Local Board must be curtailed.

20276. What is the control of the Deputy Commissioner over a Local Board in Assam, which is not in his own sub-division?—The Deputy Commissioner has control over all the Local Boards, and Sub-Divisional Boards, in his district.

20277. But he is not Chairman of the Board in an outlying subdivision?—No, he controls it as District Magistrate.

20278. Does he give orders to the Board which they have to obey?—Yes.

20279. You are dissatisfied with the present system of the revenues being divided between the Imperial and provincial Governments?—I am not dissatisfied, but if there is any possible way of separating them it should be done.

20280. Do you consider the existing system bad?—I think that both Governments should share the profit.

20281. You do not think an Advisory Council for a Collector is necessary, but do you want an Administrative Council?—I have qualified my statement.

20282. To put a legal analogy, you want a Board that would stand in the same relation to the Collector as a jury does to a Judge?—I do not want a Board which would merely stand to the Collector as an assessor would to an Indian Judge, but a Board that would stand to a Collector as a jury stands to a Judge.

20283. Would you still say that the Collector should have a vetoing power in a case in which any matter had been decided against the policy of the Government, and that therefore he is to overrule his jury in certain cases?—Yes, of course, there may be such a case in which the majority of the Council would decide a matter against the policy of the Government.

20284. Then all the Collector has to say, if he does not like something that the Board has voted, is "Gentlemen, this is against the policy of the Government"? Do you propose to allow the Board power to appeal to the Commissioner?—If such a plan is to be introduced, the first thing would be that the Collector would be told of the resolution of the Council, which he would have to report to the Commissioner for confirmation.

20285. Do you desire that before he can veto he must report for confirmation?—Yes.

20286. Could not the District Board serve as the Advisory Council?—Yes, but I think they would not be a useful body.

20287. I am speaking of the District Board which now exists in Eastern Bengal and which you want to call into existence is Assam ; would not that suffice for the purposes of your Administrative Board?—They would be a fresh constitution and they might serve.

20288. You mention as matters with which your Administrative Board would deal, matters affecting public health, communication, and primary education ; are not all these matters which are at present dealt with by District Boards and Local Boards?—Yes.

20289. Is your Council then to have a superior authority over the Local Fund District Board?—Yes ; I answered the question with regard to Assam.

20290. Is the Local Board in Assam to be under the Administrative Council?—Yes, of course it would be under the Administrative Council.

20291. You say you want to put the town police under the Municipal Council ; would that be quite safe? Are there not occasionally big riots in towns?—Yes, but the town police should be under the Municipal Commissioners, and in addition in every district there should be a provincial police thana.

20292. Do you want both forces?—No, I want the town police.

20293. (*Mr. Dutt.*) How long have you been Government pleader?—For the last fifteen years. I have been a pleader since 1870.

20294. Do you remember when the Road Cess Act was passed in 1872 or 1873?—Yes.

20295. At that time Assam was part of Bengal?—It was.

20296. Therefore the Road Cess Act applied to Assam as part of Bengal?—Yes.

20297. And Road Cess is realised in Assam under that Act?—Yes.

20298. Were Road Cess Committees formed in Assam under that Act?—I do not know.

20299. Do you know whether the Local Boards are a development of the Road Cess Committees?—I do not.

20300. Do you get any contributions from Government, besides the income from the Road Cess?—Yes, each Board receives some contribution from the provincial revenue.

20301. Are they made for any special purposes, such as education?—Yes.

20302. And you also have income from ferries?—Yes ; there is an income from ferries, an income under the Cattle Trespass Act, and from the local rates—the Road Cess.

20303. Is the total income for the district of Sylhet, or for each of the sub-divisions, sufficient?—No, it is not sufficient.

20304. What suggestion would you make to remedy that defect?—The Local Board should have a grant from the provincial Government.

20305. Would you like to have large contributions from the Local Government, or would you like to have primary education withdrawn altogether from your hands?—We should like to have further grants from the Local Government keeping control over primary education.

20306. You have suggested that there should be a Local Board in every sub-division, a District Board in every district, and a Divisional Board at the divisional headquarters, what would the Divisional Board do?—It would have control over the District Boards.

20307. In that case, the Divisional Board would have to keep an Engineer?—Of course, if necessary, or if the work could be done by the District Engineer it would be advisable.

20308. Would the main duty of the Divisional Board be to control the operations of District Boards?—Yes.

20309. Cannot the Divisional Commissioner do that efficiently?—Of course the Commissioner can do it, but the scheme I suggest will popularise the thing.

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20310. Do you want a Divisional Board in addition to the Administrative Council which you have recommended?—No; of course if there is Administrative Council I do not want a Divisional Board.

20311. In the same way, if there is a provincial Administrative or Advisory Council, you do not want a provincial Board in addition to that?—It depends upon the authority of the Advisory Council.

(*The witness withdrew.*)

BABU JAMINI MOHAN DAS was called and examined.

20312. (*Chairman.*) You are Deputy Magistrate and Deputy Collector at Mymensingh?—Yes.

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No extended powers in regard to revenue general administration or the Court of Wards are required by the Board, the Commissioner, the Collector or the Sub-Divisional Officer. I do not think extended financial powers can be given to the Commissioner and the Collector except in regard to petty matters.

I do not think any curtailment of the existing right of appeal is necessary or expedient.

The influence of the provincial Governments has some tendency towards rigidity and uniformity, but I do not think it is excessive. The remedy that can be suggested is that the Government should be in closer touch with the officers charged with actual administration and the people. With the Commissioner as a connecting link between it and the people, the Government is not open to the charge of being too impersonal and too much dominated by considerations of revenue. The degree of influence exercised by the Commissioner is to some extent a matter of personal equation. As a rule, his influence is fairly strong, and sufficient weight is attached to his views.

Owing to increase of work, the superior Executive Officers do not now get sufficient opportunities for contact with the people. The close personal contact of the District Officer with the people is specially desirable, and it is necessary, therefore, that he should be relieved of some of his clerical and judicial duties. A senior officer at the headquarters station of each district should have the power to dispose of all but the most important matters in which the Collector's own responsibility must be maintained or in which his own opinion is necessary. Besides general supervision and control, the Collector should remain personally responsible for the treasury, revenue sales, agricultural calamities, political disturbances and other matters of similar administrative importance. He should, as far as possible, be relieved of all other duties. Similar relief is also required by the Commissioner. This can be given to some extent by relieving him of the task of compiling statistical reports and returns which may go direct from District Officers to the Board or the Government, his opinion being asked for, where necessary, after compilation.

European Executive Officers, as a rule, do not now possess sufficient knowledge of the vernaculars and the habits and prejudices of the people. Relief from work at headquarters with an inclination for closer association with the people, is the remedy that can be suggested.

No absolute standard can be suggested for the strength of the administrative staff. It must gradually increase with the increase of work consequent on the growth of population and other complex causes. There should be periodical reorganisation of the services. Division is necessary in the case of inconveniently large districts which cannot be administered on the sanctioned lines without loss of efficiency.

The rule under which privilege leave may be combined with other leave and local officers employed to fill vacancies of short duration has caused some reduction in transfers, but they are still frequent enough to cause some loss of administrative efficiency. As, however, they are due chiefly to the leave rules and the exigencies of the service, I do not think much further reduction is possible.

There is no need to enlarge the powers of municipalities.

Improvement of agriculture may be added to the duties of the District Boards. They can deal with famine relief and hold exhibitions of cattle, country produce and agricultural implements. As a fitting complement to these duties, they should be empowered to take measures for the improvement of agricultural methods, introduction of new crops and distribution of selected seeds, maintaining a staff of agricultural experts for the purpose, under the supervision of the provincial Director. Very small municipalities, specially those which are in need of financial help, may be placed under the control of District Boards. The powers of Local Boards do not require any extension. Union committees have hitherto been a failure, owing chiefly to their unwillingness to utilize the powers of taxation given to them. A more acceptable scheme for provision of funds is required.

I am not in favour of the creation of separate Advisory or Administrative Councils to assist the District Officer. The District Board, if fairly representing the four great divisions of the people—(1) agricultural, (2) industrial, (3) commercial and (4) professional—should be able to give advice which, supplemented by the advice of the different classes of people who come into daily contact with the District Officer, would be sufficient for all practical purposes. Neither should the Divisional Officer who is expected to be in close touch with the corporate bodies and the people in his division require any such Council.

In this province, the old binding elements of the village community have been entirely destroyed, there being no common head to whom the villagers render willing obeisance. If any acceptable scheme for the provision of funds can be devised, they may be started in all but very backward tracts with sanitary, educational and very limited police powers; and when they have attained sufficient stability and developed a proper sense of responsibility, powers for the trial of petty cases may be gradually extended under proper checks.

20313. At one time had you considerable knowledge of irrigation work?—In the Settlement Department I made considerable enquiries with regard to irrigation in Orissa.

20314. Who distributes in Eastern Bengal the water from the irrigation channels to the actual fields?—There is very little irrigation in this province.

20315. You are opposed to any extended powers being given in matters of revenue general administration, or the Court of Wards, either to the Board of Revenue, the Commissioner, the Collector or to any Sub-Divisional Officers?—The powers they already have are quite sufficient, and what they now require is more time to do their work efficiently.

20316. Is the actual remedy an increase of staff and not a delegation of powers?—Yes. The subordinate staff must be increased.

20317. In the Provincial Service, or in the Subordinate Service?—In both.

20318. You think there ought to be no curtailment of the existing right of appeal?—Appeals are so few that I think it is not expedient to do so, and the right is also very much appreciated.

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20319. But if there are few appeals, how can the right be appreciated?—But there are some appeals.

20320. But the right is not often exercised?—No, because dismissals are so very rare and other punishments are also rare.

20321. Would dismissals increase in number if the right of appeal was done away with?—I do not think they would increase very much, but there would be some increased discontent.

20322. But if the right is rarely exercised how can there be discontent?—Because in the few cases in which punishments are inflicted the right would be restricted.

20323. Is it desirable that the District Officer should be in close touch with the people of his district?—Yes.

20324. Are they in close touch now?—Not very much. The District Officer is very much overworked. He is out for three months, but even when he is out he has to inspect so many places and things that he has not sufficient time for association with the people in general.

20325. Is there any disinclination on his part to see the people of a district?—I think sometimes he is not sufficiently acquainted with the vernacular, and cannot talk freely with the people, and he does not therefore feel any interest in their customs, habits, and so forth.

20326. What part of Bengal do you come from?—I belong to the Dacca district.

20327. How many vernaculars are spoken in this district?—Only one—Bengali.

20328. Is that a difficult language to learn?—No.

20329. In other districts there are a great many vernaculars spoken, for instance in Bengal proper; therefore, the language difficulty is not really so great here as it is in other provinces?—No.

20330. If the difficulty with regard to speaking the language is removed, is there any other obstacle in the way of friendly intercourse between the officers and the people?—I think there should be greater inclination on the part of an officer to associate freely with the people.

20331. On the other hand, ought there not to be a greater inclination on the part of the people?—Yes; I think they should approach the officers more freely.

20332. Are they afraid of doing so now?—Yes, because they are very ignorant and do not usually come into close contact with the high officers.

20333. Do they come into contact with the Deputy Collector?—Yes.

20334. Do you find that he sometimes shows want of sympathy?—It may be the case with regard to individual officers, but not with all of them.

20335. Is it the case with all superior officers that they show a want of sympathy?—Not all of them. It is only occasionally.

20336. You say that the District Officers are prevented from being sympathetic and being able to talk in the vernacular by the amount of office work which they have to do, especially with regard to statistics; have you ever been called upon to compile statistics?—Yes, I was in charge of a big census office, and had nearly 500 clerks under me.

20337. Did you find then that the statistics which were sent in to you by other people were accurate?—That was special work, the census is only taken once in every ten years.

20338. Were the statistics which were sent to you in regard to the census accurate?—They were prepared under special supervision and were fairly accurate.

20339. Are the statistics which are sent to the Commissioner fairly accurate?—Yes.

20340. What proportion of error do you think there would be?—It is difficult to give any percentage; it varies according to the nature of the return; I think the old returns which have been submitted for a long time and which are subject to constant check, do not contain many errors.

20341. But are the new returns inaccurate?—Yes, occasionally, because it takes the clerks some time to understand them.

20342. Do they begin by putting down anything?—No, not quite anything.

20343. Are you of opinion that some of the districts are unnecessarily large?—Yes.

20344. You are against the desirability of enlarging the powers either of municipalities or Local Boards?—Yes, and District Boards also.

20345. In fact, you would practically leave the system very much as it is, but you think there should be an increase in the number of officers?—Yes.

20346. (*Mr. Dutt.*) How long have you been in Mymensingh?—About a year and a half. I was in Orissa for about 13 years.

20347. Is not Mymensingh a very heavy district?—Yes. Its population is about four millions.

20348. How many Deputy Collectors are there in the *sadar* sub-division?—There are some Sub-Deputy Collectors besides the Deputy Collectors; there are about five Deputy Collectors employed on general work. There is also an Excise Deputy Collector besides a Deputy Collector employed only on settlement work, and another employed on partition work.

20349. Do the Deputy Collectors who do the criminal work perform other work also?—Not much.

20350. Could part of this work, which is now all done at headquarters, be transferred to sub-divisions and done by the Sub-Divisional Officers, strengthened by the addition of other officers under them?—I do not think that would be very economical, and it would also be inconvenient, because the revenue records are located at the headquarters station.

20351. Could work like the assessment of the income-tax be done by the Sub-Divisional Officer, if he received sufficient help in his own sub-division?—That is work which is done better by an expert.

20352. Would not a Sub-Divisional Officer be likely to be better acquainted with the means and circumstances of the people of his own sub-division, than an income-tax assessor at headquarters?—That might be, but he would not have sufficient time to devote to the work.

20353. I said, if he was helped by other officers; are you in favour of that plan?—I am not.

20354. Is there any other revenue work done at headquarters which could be delegated to sub-divisions to be performed by Sub-Divisional Officers?—I am not in favour of giving much more work to Sub-Divisional Officers. I would rather have it done at headquarters.

20355. Some of your sub-divisions are very large and thickly populated?—Yes.

20356. Is there any Executive Officer between the Sub-Divisional Officer and the people of those sub-divisions?—None.

20357. So that if a Sub-Divisional Officer has to reach the people or to send any orders to them, through what agency does he send those orders?—He generally sends them either through the *panchayet* or through the police.

20358. Is it a satisfactory state of things that the police should be the only link between the people and the Sub-Divisional Officer?—No, I do not think it is.

20359. Would you suggest the creation of other agencies to bring the people more into touch with the executive administration?—I would try if I could to strengthen the village unions and start them in every sub-division.

20360. Would you suggest the creation of other officers in charge of larger circles than village unions, for instance one or two thanas made into a circle and placed in charge of an Executive Officer?—I think that would be very costly.

20361. Do you do a considerable amount of criminal work?—Yes. I have first class powers and also appellate powers; I hear appeals from the

decisions of all Second and Third Class Magistrates.

20362. Are you also in charge of any special Revenue Department?—I am not at present in charge of any Revenue Department.

20363. Has the present District Magistrate sufficient control over the police work of his own district?—Of course he does not look very much into details; he cannot, because he has not much time to do so.

20364. But if he had the time to do so, has he sufficient power in his own hands to control the work of the police?—I think he has sufficient powers.

20365. Has the new scheme, introduced according to the recommendations of the Police Commission, appreciably improved the work of the police?—It is as yet too early to judge.

20366. Are you a member of the District Board? Yes.

20367. Who is the Vice-Chairman of your District Board?—He is the Public Prosecutor.

20368. So that he is a *quasi*-Government officer?—Yes.

20369. How is the budget prepared in your District Board?—There is a Finance Committee which prepares it and it is then submitted to the Board for approval.

20370. Who appoints the District Board officers—the engineer, etc?—The District Board, subject to the Commissioner's sanction when the pay is Rs. 100 or more.

20371. Have they power to appoint all the higher officers?—Yes, subject to the above limitation.

20372. Who appoints the lower officers, such as clerks and ministerial officers?—All appointments are made by the District Board.

20373. Are there any other sub-committees of the District Board which take charge of the different departments?—Yes; there is an Educational Committee. They deal with all educational matters and submit their reports to the District Board. There is also a Public Works Committee.

20374. Is the District Magistrate the Chairman of the Education Committee?—No. The Vice-Chairman or a member of the Board acts as Chairman.

20375. Is the work done satisfactorily?—Yes.

20376. Are your primary schools inspected by servants of the District Board, or by the Education Department?—By Government officers and sub-inspectors of schools.

20377. Has the District Board any control over those officers?—None, but there are some sub-inspectors now under the District Board.

20378. How is the work divided between the District Board sub-inspectors and the departmental sub-inspectors?—There is a territorial division between them; some are under the District Board and some are under the department.

20379. Is it a satisfactory arrangement that the inspection of primary schools for which you pay should be in the hands of officers who are not your subordinates?—It is necessary to retain departmental control.

20380. You do not propose any change in the system?—No.

20381. Who is the Chairman of the Mymensingh municipality?—He is a pleader of long standing. He was elected.

20382. Is the Vice-Chairman also non-official?—Yes; he is a pleader.

20383. Have you water-works in Mymensingh?—Yes.

20384. Is a water rate levied?—Yes.

20385. (*Mr. Hichens.*) Are the debates of the District Board conducted in English?—Yes.

20386. Do all the members understand English?—Some of them do not, but things are explained to them if they wish it.

20387. With regard to union committees, you say that they have been a failure owing to the power of taxation. Do you think they would succeed if they were not taxed at all?—Yes.

20388. Would it be possible, for example, to establish union committees and give them a grant from the District Board fund to begin with?—I think that is a good idea, and that might be done.

20389. What kind of work would they have to do?—Under section 45 of the Criminal Procedure Code, every headman has to send certain information, and the President of the union should have that responsibility; then there might be small sanitary powers vested in them, and primary education also might be entrusted to them.

20390. Would you give them small powers in criminal cases?—Yes, after a time.

20391. Would it be necessary to appoint a special officer in a district to look after them and to instruct them?—Yes.

20392. What class of officer would you appoint?—An officer of the rank of Deputy Collector might do.

20393. If that were done there would be some chance of getting them to do good work?—Yes.

20394. We have been told from time to time that they are too much under the influence of the big zamindars of the neighbourhood and are rather afraid of them—what do you say as to that?—That difficulty might be overcome, I think, by periodical election or nomination.

20395. Would you for that reason make your unions fairly large?—I would base them mainly on population.

20396. (*Mr. Meyer.*) You say that union committees have hitherto been a failure—do you refer to the Local Fund unions or to the chaukidari unions?—I mean the unions constituted under the Local Self-Government Act.

20397. Are there many in this province?—Very few. There are none in Mymensingh.

20398. Where was your experience of them obtained?—From what I have heard of such unions in other places. I have no personal experience of them. There is a proposal to start one in the district of Mymensingh at the terminus of the railway.

20399. Are you doing work which would ordinarily be performed by the Joint-Magistrate at headquarters if there was one?—Yes.

20400. That is criminal work, including the hearing of appeals in the district from Second and Third Class Magistrates, but not revenue work?—Yes.

20401. Therefore the Joint-Magistrate becomes Collector and District Magistrate, dealing with revenue work, but having had no experience in it?—Joint-Magistrates do not do much revenue work except when they are left in charge of a district when the Collector goes out on tour.

20402. When a Collector goes out on tour does he depute the Joint-Magistrate to do his work?—Yes.

20403. But is the Collector out for long periods on tour or only a few days at a time?—Only a few days at a time.

20404. You say that you also deal with all matters relating to the *panchayet's* work—do you mean the chaukidari *panchayets*?—Yes.

20405. Do they all come to you throughout the district?—No, throughout the *sadar* sub-division only.

20406. Who deals with the others?—The Sub-Divisional Officers.

20407. And you want a Deputy Collector to deal with all of them from headquarters?—Yes.

20408. With regard to appeals, can you dismiss any clerk receiving Rs. 15 a month?—No Deputy Collector has any power, only the Collector.

20409. Can you dismiss a chaprasie or a peon?—That is not regulated by any rule, but I do not think a Deputy Collector can dismiss even a peon.

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20410. If the Collector has dismissed a clerk in receipt of Rs. 15 per month, that man can appeal to the Commissioner?—Yes.

20411. And from the Comimssioner to the Board of Revenue?—Yes.

20412. Can he go beyond the Board of Revenue to Government?—No.

20413. Is there a definite rule laid down to that effect?—Yes, it was issued lately.

20414. I ask the question because one official witness said that there was no restriction of appeal in this province?—It is in the Board's rules which I can produce. My note is "All officers have one appeal; inferior officers have no second appeal in any case; superior officers have a second appeal against dismissal and punishments for more than six months." If a man is suspended for more than six months he has a second appeal—if he is a superior officer.

20415. A "superior" officer is, roughly, anybody in receipt of more than Rs. 10 a month?—Yes.

20416. He has no third appeal?—No. I think this right ought not to be curtailed, because it is very much appreciated by the lower officers.

(*The witness withdrew.*)

Adjourned.

TWENTY-NINTH DAY.

DACCA, *Wednesday, 8th January*, 1908

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S
W. L. HICHENS, Esq.

Mr. ROBERT NATHAN, C.I.E., was called and examined.

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20417. (*Chairman.*) You are a member of the Indian Civil Service and at present on special duty in the Eastern Bengal Secretariat?—Yes.

Larger powers should be given to Local Governments to sanction expenditure and to create appointments, etc. Financial restrictions have hitherto been narrower than those imposed with respect to other aspects of public business, and as a result the discussion of financial details occupies an undue share of public time. This has been largely due to the comparatively narrow limits placed by the Secretary of State on the financial powers of the Government of India. These limits have recently been widened by the orders published in the Finance Department Resolution of the 1st November. Great relief will be experienced if the limits now prescribed for the Government of India be applied without reduction to the powers of provincial Governments.

The powers exercised by the Government of India under the Civil Service Regulations without reference to the Secretary of State may in general be delegated to Local Governments in respect to officers appointed by them and paid from provincial revenues.

A large proportion of the detailed references to the Government of India arise out of questions of financial sanction, and apart from this aspect of the case I do not think that, speaking generally, larger administrative powers, more particularly in matters of internal administration, should be given to Local Governments.

I do not consider that, in the Home Department, the influence of the Government of India is in the direction of excessive rigidity or uniformity. In the main its influence is not restrictive but stimulating and encouraging. Were that influence removed progress and reform would be retarded.

The main sphere of work of Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should be to furnish expert advice. The Director-General should have the widest and most up-to-date information of any person in the country regarding the conditions prevailing not only throughout India but also in other countries, and his knowledge and experience should be at the disposal of the Government of India, of the Local Governments and of the provincial Heads of Departments. In addition to their general functions Directors-General and other similar officers may have special duties arising from the conditions of their department or appointment. Thus the Director-General of the Indian Medical Service is the administrative Head of that Service and the Sanitary Commissioner is entrusted with the general organization and direction of research connected with disease. Officers of this type perform most important service, and their special knowledge enables them to promote initiative as well as to maintain the policy of Government on sound lines.

In matters touching special local characteristics, such as the relation between landlord and tenant, the initiative in reform is often due to the Local Government, but in the main the administrative reforms of recent years in matters such as education, medical administration and research, police, sanitation, jails, and lunatic asylums have been initiated by the Supreme Government.

I am in favour of a free right of appeal for Government officers, and I would make no general alteration in the existing rules relating to appeals to the Government of India or Local Government.

More power and direct authority should be given to Commissioners of divisions. In an unduly large proportion of cases he merely submits proposals of District Officers to the Board of Revenue or Government. The various legislative Acts take little account of the Commissioner, and usually proceed direct from the Collector or District Magistrate to the Board of Revenue or the Local Government. Reform can be affected by an examination of the details of Acts and rules rather than by a general statement.

The powers of District Officers are more clearly defined and are very wide. I do not consider that

any general extension is desirable. The one direction in which wider authority may with advantage be given to District Officers is in the matter of Public Works. The present system for the execution of lesser Public Works in Districts is not successful and involves great delay. District Officers should be given enhanced powers to initiate works, to sanction their execution, and to pass estimates. Moreover, I would allow all works not of first class importance to be carried out by a District Engineer under the control of the District Officer. One engineer might be employed both for the District Board and the District Officer with a sufficient subordinate staff to enable him to perform the double duties. This would make it possible to employ an officer of higher status and qualifications for district work than is at present practicable. Such a system would greatly stimulate the execution of necessary Public Works by giving local officers greater interest in them.

It is desirable to give more extended powers to Sub-Divisional Officers both to relieve District Officers and to bring the administration into closer touch with the people. The Sub-Divisional Officer should, in such case, be given more subordinate assistance. He should exercise the powers of a Collector for *khas mahal* work and should carry out all *khas mahal* duties under the general supervision of the Collector. He might also perform the functions of the District Officer for chaukidari work and possibly for land acquisition and income-tax, it might also be possible to give him some powers with regard to lesser Public Works.

The powers devolving on Commissioners and Collectors under the Court of Wards Act and rules are inadequate, and the correspondence relating to Courts of Wards' estates is therefore out of proportion to that entailed by the administration of other departments of not lesser importance.

Government consults Commissioners on all important matters, and they have every opportunity of exercising their influence.

Executive Officers have not sufficient opportunities for personal contact with the people. This is due to the growing volume and intricacy of office work resulting from the progress of the country and the introduction of a more modern system of administration. Rougher methods which would suffice in the case of a backward community are inadequate to meet the needs and the criticism of a more educated population. The evil cannot be removed by relaxing the control of the superior authorities over the District Officer, nor by any mere redistribution of work. Change of method must be accompanied by larger establishments. The following remedies suggest themselves:—

(i.) Reduction of the size of unwieldy districts. In Eastern Bengal the Mymensingh and Backarganj districts should be subdivided and possibly one or two more. No general reduction need be made if other measures for relieving District Officers are carried out.

(ii.) Enhanced powers should be delegated to Sub-Divisional Officers accompanied by an increase of their staff.

(iii.) More extensive powers should be devolved upon Deputy Collectors in charge of departments, and where necessary special officers on enhanced pay should be appointed to the charge of departments. Such officers should have the power of issuing orders on minor matters on their own authority and should submit under their own signature the annual and other reports through the District Officer. This would diminish the time the District Officer has to spend on the preparation of reports. An excellent suggestion is at present under consideration for appointing to each district a superintendent of excise who will stand towards the Collector in the same position as the Superintendent of Police. I recently made a proposal for the appointment in the Backarganj district of a special Deputy Collector with a local allowance to aid the Collector in the charge of Wards' estates. Similar expedients should be tried freely. For one thing they will form a useful and practical means of giving the natives of the country a more important share in the administration. The proposal involves some increase in the establishment of Deputy Collectors.

(iv.) The Collector should be relieved of such portions of his duties as do not assist him in maintaining control of the district and in keeping touch with his people. It would be an excellent thing if the Collector could be entirely relieved of the responsibility for treasury, accounts and stamps, both at headquarters and at sub-divisions. The Treasury Officer would then be the direct subordinate of the Accountant-General, and it would presumably be necessary to appoint inspecting officers of the Accountant-General's Department.

(v.) Sub-Divisional Officers should be appointed for *sadar* sub-divisions.

(vi.) In heavy districts the Collector might be given the services of a Deputy Collector or of a skilled office superintendent as his personal assistant.

(vii.) The quality of the ministerial staff might with advantage be improved. Many of the lower paid clerks are inefficient.

(viii.) More modern office arrangements might be introduced, the use of typewriters should be extended, and an efficient shorthand writer would be of great use to the Collector.

I am in favour of creating Advisory Councils to assist the District Officer. District Officers are at present in the habit of seeking the advice of influential persons on important subjects. They would be able to get better opinions from a discussion in a Council of the kind contemplated. Moreover, the institution of such a Council would help the District Officer to get into touch with the people and would secure his more intimate association with the leading men of the district. The Council should be constituted by election and nomination. Zamindars, Municipal and District and Local Boards, and local associations should elect members, and the District Officer should make a considerable proportion of nominations. In this manner he would gather the really influential and useful men of the district round him. For the present at any rate the Council should be merely advisory, and its responsibility should not be confined to definite subjects. The District Officer should be able to call on his Council for advice on any subject, and any member should also be able to suggest to the District Officer subjects for discussion.

20418. For a considerable part of your service you have been employed in the Secretariat of the Government of India. From March, 1895, until November, 1904, you were practically almost without a break engaged on duties connected with the Government of India or on special duties connected with their work?—That is so.

20419. Is there any rule in the Government of India Secretariat which governs the length of time which an officer may remain there?—There is no rule regulating the total time he may serve directly under the Government of India, though there are rules regulating the period which he can spend in any particular appointment. They vary from department to department. The Deputy and Under-Secretaries in the Home Department may only occupy those posts for three years, and all Secretaries to the Government of India now hold their appointments in the first instance for three years only, but the time may be extended if the Governor-General wishes.

20420. But there is no rule requiring officers in the Government of India Secretariat to return to provincial duty after the appointment to which they were first sent has terminated?—Not that I am aware of.

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20421. You have been Private Secretary to the Viceroy?—Yes.

20422. And there is no rule likely to have been made of which you are not cognizant?—No, unless it has been made since the end of 1905.

20423. Is it a good system by which a man may serve for many years consecutively in the Government of India Secretariat without returning to district and provincial work?—It is difficult to lay down any general rule; it would depend on the individual case. Speaking personally, I should have been very glad to have had two or three years' experience as a District Officer; on the other hand, I should have been very sorry to have missed any of the experience which I have had.

20424. Do you think an officer would be more valuable if, in intervals of Secretariat work, he gained provincial experience?—On the whole, yes; and that would especially be the case if his experience with the Government of India were confined. On the other hand, general experience in the Government of India brings an officer into touch with the wider aspects of administration.

20425. From a central point of view, but not from a local point of view?—Except in so far as the central includes the local.

20426. Is it not desirable that any one who has to administer from the centre should know as much as possible about the extremes of Government?—Yes.

20427. Are you of opinion that the financial restrictions upon provincial Governments are somewhat narrower and more rigid than they are in administrative respects, and that they could be advantageously relaxed?—Yes.

20428. In what particulars?—In making appointments and in dealing with the emoluments of individual officers, and also in regard to general schemes the cost of which may exceed certain amounts.

20429. With regard to such schemes, did the Finance Department in your time look very closely into the details of provincial expenditure?—Yes.

20430. Do you know whether that examination has been relaxed since then?—I should say that it is less stringent now than it was eight or nine years ago.

20431. Would you suggest that it was harmful then?—A great deal of unnecessary delay and work was caused; on the other hand resources were much more restricted in those days than they are now.

20432. And therefore the system required some scrutiny?—Yes, but it got more than it required.

20433. It would be well to give the provincial Governments a much freer hand with regard to details?—Yes, a considerably freer hand.

20434. What would you say with regard to administrative matters?—A scrutiny of the detailed regulations would show individual points with respect to which control might be slackened.

20435. Is the control principally and necessarily from the financial point of view?—Yes, the detailed control.

20436. In questions of administration should the Government of India not merely lay down an outline of policy, but descend even to administrative details?—Yes, in so far as they are sufficiently important to materially affect the policy. It is so difficult to draw a line between the two, but they certainly should not descend too low.

20437. To take the case of whether a Local Government, apart from financial considerations, should or should not have a District Superintendent of Police at a particular station, what would you say?—Apart from the financial point of view, that ought to be decided by the Local Government. It would come up as a financial question.

20438. Can you give an example of a case of detail in which the Government of India should exercise administrative control?—If a Local Government wishes to start a large Engineering College, for instance, it ought to refer to the Government of India before doing so, apart from the financial question.

20439. Why should such a reference be made quite apart from the question of cost?—Because of the importance of the event upon the general policy of administration.

20440. Would you not give a Government which controls the area of, say, Eastern Bengal, and which is responsible for the administration, freedom to put up a College or not, as it liked?—No.

20441. It is probable that a Colonial Government would have to make a reference to the Home Government, apart from cost, as to the desirability or not of establishing a college either for engineering or education?—I do not think one can accept the analogy between the relations of a Colonial Government and the Secretary of State, and the relations of a provincial Government and the Government of India.

20442. You think that provincial Governments are subordinate, and ought to be subordinate?—Yes.

20443. Are you of opinion that the Home Department particularly is not only not restrictive, but is stimulating and encouraging to Local Governments?—Yes.

20444. Can you give a concrete example of that?—My answer lies in my reply to the question where the initiative of reform lies of recent years, and that is certainly with the Government of India.

20445. You point particularly to the policy of the Government of India with regard to sanitation, police, jails, and lunatic asylums?—Yes, I have dealt with one particular department, but in other departments one can point to the same thing. The whole of the present administration of India would be on a very much lower level if it had been left to the subordinate Governments in India.

20446. Can you give any opinion as to whether or not the provincial Governments have not taken the initiative, simply because they were under the more or less rigid control of the Government of India?—I think not. There is a tendency for a Local Government to become satisfied with the existing conditions of its administration.

20447. And to look to the Central Government to pull them up, if necessary?—Yes.

20448. In the Home Department did you see a great deal of work of the Inspector and Directors-General?—Yes.

20449. Do you think, on the whole, that that work has been good?—Yes, admirable.

20450. Has there been any tendency to encourage administration by Inspectors-General?—No, I do not think so—I have not noticed it.

20451. Do you think that the functions of Directors-General should be to give expert advice?—Yes, primarily to the Government of India, but also to the Local Governments. To the latter it should be given in an unofficial manner, and rather by conversation and visits, *i.e.*, indirect communication with the Lieutenant-Governor and his Secretary.

20452. Is that done?—Yes.

20453. Does your experience in the Home Department enable you to say that?—Yes. I might mention that the duties of the Sanitary Commissioner as they were laid down by a letter of the Government of India are as follows:—

(1) To work out a practical scheme for the reorganisation of the Sanitary Department throughout India on modern lines.

(2) To stimulate Provincial Sanitary Commissioners to take up the question of village sanitation, in respect of such matters as the building of model villages, the improvement of the water-supply and the removal of refuse.

(3) To acquaint himself with the problems of hygiene in the larger cities and to enable a survey of all their sanitary requirements to be gradually made.

(4) To study the conditions of epidemic diseases and to advise on their prevention.

(5) To supervise the vaccination system and to endeavour to improve the training of vaccinators and the supply of lymph.

(6) To direct and to co-ordinate the activities of bacteriological laboratories with reference to a definite programme.

(7) To arrange for researches into fever and dysentery in jails.

(8) To consider the improvement of vital registration.

(9) To promote the teaching of hygiene in medical colleges, vernacular medical schools, and general education.

(10) To spend a sufficient time in touring to acquaint himself with the local conditions of the various provinces, the executive agency available for reforms, and the requirements of the various commercial interests.

20454. Taking that as a concrete example does the Sanitary Commissioner having gone round and seen what he wants to see, make suggestions direct to the Local Government, or does he make them from the Home Department?—He makes them both from the Home Department and direct to the Local Government on the spot and to the local Sanitary Commissioner.

20455. Does that in any way impair the freedom of the local Sanitary Commissioner?—On the contrary, it gives him greater freedom because it supports him; he says: "The Sanitary Commissioner has been round and told us that these things must be done."

20456. And that enables him to stir up the provincial Government whether they like it or not?—Presumably they do like it.

20457. Assuming they do not like it?—Then they may say they will not do it.

20458. And that does not interfere unduly with the Local Government?—I do not think it does.

20459. With regard to your statement that more power and direct authority should be given to Commissioners and that the various legislative Acts take little account of Commissioners, are those the legislative Acts of the Government of India?—I was thinking of both; I had specially in mind the Municipal and Local Board Acts of the local Legislature.

20460. Is it then due to the provincial Government, if the position of the Commissioners has been weakened of late years?—I do not think it has been weakened of late years, but the position has never been sufficiently defined. I would not put the responsibility for that specially on the Local Government.

20461. In that matter both the Government of India and the provincial Governments are to blame?—I should say so.

20462. You have been quite lately a Commissioner. Do you think that your powers were equal to your nominal responsibility?—No, I think not. In a very large proportion of cases you receive the proposals of the Collector, you sift them and consider them, and you can do nothing more. You send them on to the Government or to the Board of Revenue. If you do this well your opinion prevails and your recommendations are carried out. But in a number of cases the reference should not be required, and the Commissioner should be authorised to pass the final orders, but there are a proportion of cases which might stop before that.

20463. Have you ever held a Conference with your Collectors?—I never did so, but it would be a very sound thing to do.

20464. At which you might perhaps be able to sketch out what you thought would be a good policy for the division and get them to carry it out?—Yes.

20465. It would save you a lot of references and would be the means of giving them sound advice first hand?—Yes.

20466. Do you think the powers of District Officers are fairly wide?—Yes, the administration is based on the District Officer, and the Commissioner's position in relation to him has never been fully worked out.

20467. Is it rightly based on the position of the District Officer?—Yes.

20468. Ought the District Officers to be selected with greater care?—One could not conceive a system under which a considerable proportion of the Joint-Magistrates did not become Collectors.

20469. But if you found after five or six years' probation a man was not suitable?—Then you should send him away. It would not be possible to keep a man throughout his service on the pay and status of a Joint-Magistrate, because he would be utterly discontented and do bad work, and he would retire on a pension higher than his pay.

20470. Would it be possible to have a probationary period for Imperial Civil Servants?—I think that is largely a question of recruitment, *i.e.*, whether it would be possible to secure men if a probationary period were imposed.

20471. Would it be desirable from an administrative point of view?—If it did not affect recruitment, yes.

20472. For what time would you fix the probationary period?—I should make it as long as five years—again, if it did not affect recruitment.

20473. At all events selection, if it is to be made, might well begin at Collectors?—Yes; that is the present rule; a Civilian is entitled to go up to the top of the Joint-Magistrates, but he is not entitled to get a district.

20474. Is selection ever exercised in the case of Assistant Collectors?—Practically never; it could hardly be so.

20475. Would you like, while not extending the powers of the District Officer very much, to give more power to Sub-Divisional Officers and Assistant Collectors and Deputy Collectors?—Yes.

20476. Are the Deputy Collectors on the whole satisfactory officers?—Yes.

20477. Can you tell me whether during the period which lapsed between the time you first went to the Secretariat of the Government of India and your return to district work, you noticed any change in the class of Deputy Collectors?—As far as there is any change it is certainly for the better; there is a constant and gradual improvement.

20478. Therefore some extension of powers might reasonably and properly be given them?—Yes.

20479. Some suggestion had been made that the size of districts is too large; do you hold that view?—With the present system a good many of them are too large; if the duties of the Collector are altered so as to lessen his work then I think only a small number of the districts in this province are too large.

20480. Do you think the proposals which you make would really relieve the Collector of any considerable portion of his work?—Yes, provided that his immediate subordinates, or the best of them, are better paid and are well qualified to be his specialist advisers. The District Officer ought to be surrounded by a group of subordinates each a thoroughly good man in his own department. His educational adviser ought to be a far better man than is now available; the Superintendent of Police, the Superintendent of Excise, the Wards officer, the officer for Government estates and so forth should each be capable of disposing finally of a good deal of the ordinary work of his department.

20481. Who is the educational assistant of the District Officer?—The deputy inspector; he is an Indian of insufficient status. In some departments

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there has been a departure from the district as the unit and that dislocates the administration; there ought to be an officer of the status of inspector for the control of education in each district—either an officer of the Indian Educational Service recruited in England, or one of the best Indians you can get on the pay that would secure him.

20482. A District Officer stated yesterday that his Educational Officer was one hundred miles away from him at Dacca, and that he had got in his district something like 2,700 schools; is that a sound state of things?—That is a bad system. There is only one inspector for the division and the man on the spot, the deputy inspector, is not of sufficient calibre to do the work satisfactorily.

20483. Do you particularly suggest that the powers of Commissioners in respect of the Court of Wards are inadequate?—Yes.

20484. Does that refer to sanctioning expenditure?—Yes, that is one instance. I refer, however, to all matters connected with the management of Wards estates. The Collector himself in the case of Court of Wards estates is the first controlling authority; the manager under the Collector is the Executive Officer. The Collector controls in the first instance, the Commissioner in the second instance, the Board in the third instance, and the Government in the fourth instance.

20485. I understand the manager outside his budget has no power to spend any money?—No.

20486. The Collector has power to spend up to Rs. 100, and the Commissioner has power to spend up to Rs. 500?—That is so. The Collector has more extensive powers in estates with a demand of less than a lakh of rupees.

20487. Is that a totally inadequate discretion?—Quite inadequate; the practical effect of it in the Dacca Division is that the amount of correspondence in Court of Wards estates matters is altogether out of proportion to the importance of the department.

20488. You would like to see better men in your office. Are the suggestions which you make such as a better class of clerks, shorthand-writers, typewriters and so on, going to entail greater expenditure, or will there be some reduction of the clerical staff corresponding with a decrease in the amount of correspondence?—Some reduction would be possible, but not commensurate with the expense of the improvement.

20489. A devolution of power and responsibility will lead to increased expenditure?—Yes. It is not so much devolution, as the creation of a staff able to cope with the increase of work.

20490. Then you want not merely to devolve, but also to tighten up the administration?—Yes. The point raised was that the District Officer had lost touch with the people, and in that unfortunately there is a considerable measure of truth, the reason being that work has increased so much that he is no longer able to do it. I am afraid, that without considerable addition to expenditure, his burden cannot be lightened.

20491. But if you prevent the necessity of the Deputy Collector corresponding with the Collector, and the Collector corresponding with the Commissioner, and the Commissioner corresponding with the Local Government, will you not reduce the necessity for some of the clerical staff?—Some of it, yes; but if the subject is worked out in detail, I do not think we shall find any great reduction in expenditure.

20492. You are in favour of Advisory Councils, and want to see them constituted partly by election and partly by nomination?—Yes.

20493. Of what size should they be?—It would depend largely on the circumstances of the district. I would contemplate a Council of something like 15 or 20.

20494. Would you make it compulsory upon the District Officer to summon the Council and to take the members into consultation?—Yes, but I would not work it on very rigid rules.

20495. Would he consult some of them for one purpose and some of them for another purpose?—Yes.

20496. He would not necessarily call them all together at the same time and at one place, but there would be a list in existence upon which names would be placed and particular members would be consulted occasionally, as circumstances required?—Yes, and occasionally he would meet them all together.

20497. (*Sir Frederic Lely.*) Generally has not the natural effect of the system which has hitherto existed been to discourage initiative in Local Governments?—I think not.

20498. Would a Local Government that proposed to organise a new departure in any particular branch of administration have much chance of getting it accepted without infinite worry and argument?—I think it would; they do not very often try.

20499. Does not the existing state of things rather discourage them from trying?—I should not have thought so.

20500. In regard to the functions of an Advisory Council, the duties of the Collector are mainly, first, to supply information and opinions to the Local Government, and secondly, to carry out the orders of the Local Government and to keep the peace of the district generally?—Yes.

20501. In which of those functions do you propose the Advisory Council should assist him?—In both.

20502. Would you have him go to the Advisory Council to ask in what way he should reply to a reference from Government for information?—Yes, as one does at the present time; by questioning individuals.

20503. Supposing the Collector did not agree with the opinions he received, what would he do?—He would state what the opinions were and his reason for disagreeing.

20504. Would he state his own opinions and merely forward the opinions he had received with them?—Yes, just as he does at the present time, when he has asked to advise on some matter.

20505. Then when you say you would have an Advisory Council to assist the Collector, you mean an Advisory Council to the Government?—It would assist the Collector in the advice he gives to the Government.

20506. But do you mean he would be likely to modify his opinions by the opinions of a few leading men whom he might gather together?—Yes, it would be quite likely.

20507. Supposing a Collector was of opinion that certain immediate action was necessary, he would have to act on his own responsibility at once?—Of course in a crisis he has to act at once, but there are many cases in which he takes the initiative which are not urgent.

20508. In most cases he has got to take the initiative promptly, but has the general orders of the Government to guide him?—On principle but not on local details. I can quite conceive that a Collector might consider that a new high school was desirable, and that he would call the principal people of his district together and find out if they were prepared to support such an institution and to get their advice.

20509. Taking a case like that would you have him call the Council together and act on their opinion?—He would act or not on their opinion, as he pleased.

20510. But he would be affected by that opinion?—Quite so.

20511. Do you not think that would tend to sap his responsibility?—I do not think it would in the least affect his responsibility.

20512. But supposing he was a weak man and made a mistake, would he not be able to shield himself under the opinion of the Council?—I do not think any one would regard that as an excuse.

20513. But is it not an excuse that a weak man would put forward?—If he put it forward, I think it would only more abundantly show his weakness.

20514. (*Mr. Dutt.*) You recommend greater freedom in matters of appointment to Local Governments than the existing rules allow? The India Government itself is bound by certain rules in matters of appointments, and their powers are limited by the Secretary of State. Do you suggest that the Local Governments should have the same powers as the Government of India has in reference to appointments?—Previously they had very much the same powers, but the powers of the Government of India have recently been considerably enlarged. The powers of Local Governments should now be correspondingly enlarged.

20515. In recommending that more direct authority should be given to Commissioners of divisions, do you mean that they should have more voice in the control of the work in their divisions?—At present a Commissioner has an important voice in the control of the work, but he ought to be able to give the final order in a larger proportion of the cases.

20516. Taking the Public Works Department, would you suggest that there should be divisional budgets?—I should not be in favour of decentralizing finance to the divisions to any considerable extent because it would create confusion.

20517. At present is there an Executive Engineer in each division of Eastern Bengal?—Yes, and that is quite an inadequate arrangement.

20518. Would you suggest that in all matters, excepting merely technical matters, the Executive Engineer should work under the control, or under the orders of the Divisional Commissioner?—I think for ordinary work he should work under the control of the District Magistrate. I would rather have a system under which there were District Engineers under the control of the District Magistrates, and that the Commissioner should exercise his authority through the Magistrate and not directly.

20519. At present there is a deputy inspector of schools in every district, and an inspector in every division?—There are several deputy inspectors in some districts.

20520. Would you propose that inspectors of schools should, except in purely departmental matters, act in consultation with the Commissioner in matters of education within the division?—Yes, and again I should be inclined to think that the preferable course would be to have an officer of the status of inspector advising the District Magistrate and that the Commissioner should control through the District Magistrate. I think the more intact you can keep the territorial system the better.

20521. Is the control of the Commissioner over the police work in his division sufficient?—I think so, he is able to give an order to the District Magistrate on any point.

20522. Would you think it desirable that in matters of promotion and punishment and transfer of police officers up to the rank of sub-inspectors and inspectors the Commissioner should have some voice?—That might possibly be sound, but as far as possible, I am in favour of the District Magistrate performing these functions under the control of the Commissioner. I mean that the power should be vested in the District Magistrate subject to an appeal to the Commissioner, but there may be cases which now go to the Government which might go to the Commissioner in place of the Government.

20523. Could some control over the excise administration of a division be safely vested in the Commissioner?—Yes, but I do not think excise is a matter in which it is desirable that he should take any detailed part, because there is a Commissioner of Excise who to a large extent takes the place of the Divisional Commissioner. There may be some danger of overburdening the appointment of Commissioner in the same way that the Collector has been overburdened, and one must guard against that.

20524. In what way would you give more direct authority to the Commissioner?—In delegating to him a large portion of the functions of Government under the Municipal Act, the Court of Wards Act, and so forth.

20525. But in the other departments I have mentioned you would rather the Commissioner exercised his powers through the District Magistrate?—In all cases, if possible, but he should have more extensive powers to give orders to the District Officer.

20526. The Board of Revenue has certain statutory powers in the matter of appeals, and they deal with a vast amount of revenue matters which do not fall under the Statutes. Could those matters to a certain extent be delegated?—Yes.

20527. In that case should the members of the Board of Revenue be vested with powers to advise the Head of the Government in matters of general administration, apart from revenue?—I have not had very much opportunity of watching the working between the Board of Revenue and the Government, but I can conceive that that might be sound.

20528. Supposing the work in revenue matters was lightened, would you suggest that the members of the Board should be colleagues of the Lieutenant-Governor, in fact Members of an Executive Council as in Madras and Bombay, besides exercising the powers of the Board in those matters as to which they have power under Statute?—I think they ought not to have anything like the status of the Council of Madras or Bombay.

20529. Would you leave the Lieutenant-Governor power to act on his own responsibility?—Yes, I would in no way lessen his responsibility.

20530. Consistently with that, would you make over certain departments to the Board of Revenue, leaving certain departments with the Lieutenant-Governor himself, making the same sort of division of work as exists in Madras and Bombay?—No, I do not think that would be sound.

20531. Would you keep them only as members of the Board of Revenue and allow them no hand in general administration?—Yes, except it should be open, as it is at present, to the Lieutenant-Governor to take their advice on any point. I would not bring them in as a definite step in the ladder, nor as colleagues.

20532. I understand that at present the Lieutenant-Governor takes their advice only as to revenue matters?—I imagine he takes their general advice on all difficult questions in which he thinks they would be able to help him.

20533. Do you recommend that the Superintendent of Excise should be a kind of subordinate to the Collector as the Superintendent of Police now is?—Yes.

20534. And therefore that the Collector should have larger control over the excise administration in his district than he has now?—I think that the principal Excise Officer of a district should be an officer of considerably higher status than he is at present, and that he should primarily exercise control over excise matters in the district. The Collector should exercise control through him by giving orders to him on general points.

20535. So that they would always act in consultation in regard to excise matters?—Yes, and it would give the Collector probably better control with less work.

20536. With regard to education you have already said that you would like to have a better officer in each district than the present deputy inspector; besides that, would you like to vest in the Collector greater control over educational matters in his own district?—His control is exercised in the first place as Chairman of the District Board, and in regard to secondary education he is required to initiate, stimulate, and advise. He has no direct power, and I would not give it him except in so far as he is Chairman of the committee of the district high school; his present duties, if he carries them out satisfactorily, give him a great deal of influence.

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20537. With regard to Sub-Divisional Officers, you think that more work should be given them. Would you have to provide them then with more Sub-Deputy Collectors?—Yes, otherwise you will tie them to headquarters.

20538. In that way you would distribute a lot of revenue work that is now done at headquarters amongst the different sub-divisions?—Yes, to some extent.

20539. Would you keep these Sub-Deputy Collectors at the headquarters of the sub-division, or would you give them independent charge of smaller circles than a sub-division?—I am hardly prepared to say. It would be necessary to retain one man at headquarters to help to look after the treasury and other headquarter business, but it is possible that the sub-division might be divided into two or three circles with subordinate Magistrates exercising magisterial and police powers and possibly acting as *khas mahal* tahsildars. I think the experiment would be worth trying tentatively.

20540. And if it was successful, would it bring the administration into closer touch with the people?—I think it would; it would give the Sub-Divisional Officer and the District Officer other channels of communicating with the people. That is very desirable; we suffer from the want of it in Bengal.

20541. You are against an extension of the right of appeal. Is the present right of appeal unlimited?—No.

20542. There is a Bengal circular dated May 25th, 1905, on the point, which clearly lays down and defines the right of appeal?—Yes.

20543. You would not like to restrict the right of appeal any further?—I think not.

20544. Do you think the present right of appeal enjoyed by Government officers gives them a sense of security in their posts?—Yes, I regard it as a very important matter. The tone of the Service depends largely upon the security that officers feel that they cannot be dealt with harshly or unjustly. One has known of instances when it has been necessary that the right should be exercised.

20545. Would you expect a Collector to consult his Advisory Council in such matters as the development of industries in his district?—Certainly.

20546. Or in carrying out plague relief measures?—Yes, and undoubtedly he would be able to render his measures more helpful to the people by thus working through them.

20547. And with regard to famine relief operations?—Yes.

20548. Would it enable him to explain to the people better the views and policy of the Government in important matters?—I think it would. I can quite see the point that it would be dangerous to fetter his initiative in cases where he has to act quickly. I would leave him perfectly unfettered.

20549. But in those matters in which he thinks he can with advantage ask their co-operation and advice, would you like the Collector to act with them?—I should, and it would add to his control over the administration.

20550. Would you also allow any member of an Advisory Council to suggest subjects for discussion to the District Officer?—Yes.

20551. If the people of any district or any part of a district felt strongly on any point, would you allow any member to bring the matter before the Council for discussion?—Yes, I should leave it open to the District Magistrate to say, "This would be unwise, I do not think the Government would like discussion on this point at the present moment because it would create difficulty"; but if there was no objection he should allow it to be discussed.

20552. And in that way the administration of the district would be very much more in touch with the people and their requirements?—I think it would be a very sound experiment.

20553. (*Mr. Hichens.*) Would you have the members of these Advisory Councils formally appointed and gazetted?—Yes. I think by the Government.

20554. Therefore you would have it publicly known that they were, so to speak, a *quasi*-official body?—Yes.

20555. Have you had any practical experience of Advisory Councils?—No.

20556. Would you say that a body of that sort when appointed would feel that it was collectively representative of the people in the sense that it was there to look after the interests of the general public?—Yes.

20557. Might there not *a priori* be a certain tendency on their part to play to the gallery?—Yes, except that the proceedings would not be public.

20558. Their opinions might not be published, but at the same time you could not prevent their explaining to other people what they had said?—Of course not.

20559. And you could not prevent them holding a public meeting and explaining what they had done?—I did not contemplate their holding a public meeting to explain what they had done.

20560. In that case, supposing questions of real importance which interested the people came up for discussion, would there not be a tendency that the members might play to the gallery?—Yes, I can conceive that individual members might do so.

20561. They would have no responsibility of their own?—No.

20562. Therefore it would be a natural temptation to them, as they have no responsibility for carrying anything out, to give advice and make recommendations which they thought would be most acceptable in the popular opinion regardless of the requirements of the Government?—I can conceive that that might occur, but it is putting it on a very low plane to assume that it would be the general tendency.

20563. Are not the chances that it might grow into something more formal?—It might eventually.

20564. Would there not be tendency for an Advisory Council gradually to insist more and more upon its opinions being carried out, and gradually to resent it more and more if its opinions were not carried out?—Judging from one's experience of this part of the country, I do not think that the danger would arise for a considerable time. I should not regard it as a danger.

20565. Has the number of appeals been restricted by an order issued some time ago?—As far as I know the Bengal orders referred to rather formulated the existing practice; I am not aware that they created a change in the system; they only apply to lower officials; other officers are governed by rules of the Government of India.

20566. With regard to the Board of Revenue, why do you think Mr. Dutt's suggestion would be undesirable?—I think the personal rule of the Lieutenant-Governor is a very strong factor.

20567. Is personal rule in a province like Eastern Bengal very important?—I think it has greater initiative.

20568. Do you mean that the Lieutenant-Governor could carry out his opinions more quickly and get his own way better?—Yes, and that the administration will be more stamped with individuality.

20569. Would that apply to a weak Lieutenant-Governor? I suppose there would be the same scope for him?—Yes, but you are more likely to have strength with one man than with three.

20570. Is it an advantage to have a strong Lieutenant-Governor with strong opinions of his own, and that he should be able to carry them out?—Yes.

20571. How long are Lieutenant-Governors appointed for?—Five years.

20572. Then at the end of five years would it be an advantage to get a new Lieutenant-Governor with new ideas to reverse all that had been done before, and start with a clean slate?—I do not think that experience shews that that would be the case.

20573. I thought your reason for preferring the Lieutenant-Governor system was because you would get full scope for one man's views?—Yes, but probably two succeeding men would work on similar lines.

20574. I thought your object was to give them an opportunity of departing from those lines. Do you desire continuity or not?—To a reasonable degree, yes.

20575. With regard to the relations between the Government of India and the provincial Governments you stated that you thought, ordinarily speaking, the Government of India ought to deal with matters of principle, and that, as far as possible, Local Governments should deal with details, but you added it was very difficult in practice to say what a detail was, and that that must be left to be decided in each individual case, more or less?—Excepting in so far as it can be decided by regulation.

20576. Do you mean that the provincial Government is to have a certain amount of initiative?—Yes.

20577. You do not want them merely to do humdrum routine work, but you want them to have a certain amount of initiative of their own?—Yes.

20578. Will you give me an example of something which is not a detail on the lines you have suggested?—I said that starting a college was not a detail which should be left to the Local Government; I think that the establishment of a high school may be so left.

20579. How would you differentiate between the two?—In the particular case by their relative importance. The difference is not susceptible of general definition.

20580. In practice if a scheme of the sort you suggest with regard to a college came to the Indian Government, would they criticise the details of it?—Yes, especially the finance.

20581. Does that tend to promote initiative on the part of the provinces?—I think it promotes good colleges.

20582. It promotes good colleges but bad Government?—No, I think that good colleges represent good Government. If the Local Governments started their colleges without reference, the colleges themselves would be inferior to what they would be if established in counsel with the Government of India.

20583. Are the Educational Codes framed in the first instance by the provincial Governments and then sent to the Government of India for approval?—Not quite that; a considerable number of the orders they contain would in the course of their making have gone up to the Government of India, but the code would merely consist of a series of existing orders in a convenient form.

20584. Would any alteration of these codes have to go to the Government of India?—Not unless the change related to a matter which had to be referred to the Government of India.

20585. Would you think it necessary to go to the Government of India to alter a syllabus for example, for primary or secondary schools?—No.

20586. Or colleges?—That depends on the Universities.

20587. (*Mr. Meyer.*) From your experience of your contemporaries and officers who have served in the Imperial Secretariats, what does a man do after he has served his three years in the Secretariat?—A good many go back.

20588. So that there is always a stream; a kind of ebb and flow?—Yes, by far the larger number go back.

20589. In this country are there any real means of gauging public opinion?—That is a very large question.

20590. There are newspapers which profess to represent opinions of sorts, but I am speaking of the general opinion of the masses?—It is extremely difficult to ascertain it.

20591. For that reason might it not be necessary to impose larger restrictions on the freedom of a Government which must be to a large extent a bureaucracy?—I do not see how that affects the conditions as between the Government of India and the provincial Government.

20592. You have told us that you are in favour of the Lieutenant-Governor of a province acting himself. Might it not be desirable, under the particular conditions prevailing in India, that any large schemes of his should be subject to the test of outside criticism?—Yes.

20593. And a scheme perhaps might be more carefully thought out, and more satisfactorily arranged, if it was known that it had to run the gauntlet of the Government of India's criticism and the Secretary of State's criticism, than if a Lieutenant-Governor could enforce it straight away?—Yes, I agree.

20594. Do you think there is a risk in having a Government which is a one-man government, and that there might be large fluctuation of opinion?—I think it would be a greater risk than in the case of a three-man government.

20595. That again might justify some restrictions on the action of a one-man government which might not be applied to a Council Government?—Yes.

20596. During your work in the Finance Department did you have specially to deal at various stages with provincial settlements as between the Government of India and the Local Governments?—Yes.

20597. Do the present settlements differ in character from those previously made?—Yes. They are *quasi*-permanent.

20598. And apart from that are they much more liberal in their terms?—Yes, they have been drawn up on much more liberal lines.

20599. You have spoken of what you consider the unnecessary restrictions on Local Governments in the Finance Department; were not those restrictions largely imposed by the Secretary of State?—Yes, undoubtedly.

20600. Apart from the restrictions which the Secretary of State imposed, were the Government of India unnecessarily restrictive in dealing with Local Governments?—There was not formerly a very great margin between the restrictions imposed by the Secretary of State on the Government of India and those imposed by the Government of India on the Local Government, but there are some points in the Civil Service Regulations in which the Government of India have authority which they might delegate to the Local Governments.

20601. Taking the margin as it existed in the past, do you think the Government of India were unduly finicking in dealing with Local Governments?—I think they made the Local Governments go up to them in some cases that ought to have been left to the Local Government.

20602. But in cases which had to go up, was it so?—No, I do not think so; it may have been so formerly, but the policy has been changed within the last 8 or 9 years.

20603. Is that partly due, do you think, to the different character of the settlements?—Partly; it is partly due to greater financial prosperity, and partly to personal idiosyncracies.

20604. Have you known cases either in the Finance or Home Departments in which the Government of India were of opinion that the Local Government's action was not quite justified, but still said, "Let them do it"?—Certainly, often.

20605. Are cases in which the Local Governments have been overruled carefully considered?—Yes.

20606. Should provincial Governments have as free a hand as the Government of India in matters dealt with by the Civil Service Regulations, and would that include the travelling allowance regulations?—Yes, portions of them.

20607. And rules as to grants for house allowance and so forth?—Yes.

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20608. Do you mean that they should have quite a free hand, or that they should act upon certain general rules?—Certainly they should act upon general rules in all those matters; I would have the rules laid down as precisely as they can be.

20609. It has been suggested that when the Local Government differs from the Audit Officers as to the interpretation of some rule, the Local Government's opinion should prevail; are you in favour of that?—No, I am opposed to that. The action of the Audit Officer is a necessary check where there is a difference of opinion as to the meaning of a rule.

20610. In such cases should the Audit Officer be able to claim a reference to the central Government?—Undoubtedly.

20611. And the same thing would apply as between the Government of India and their Audit Officer?—Undoubtedly.

20612. Have there not been considerable remissions of taxation of late years, which have been popular and beneficial measures?—Yes.

20613. Could they have been carried out if, as has been suggested, the Government of India had had less funds at its disposal and more had been given to the provincial Governments?—Certainly not.

20614. Do you think the tendency of the provincial Governments would have been not to remit taxation, but to improve administration?—It must have been so.

20615. As regards education is there not one code which has been imposed for India uniformly, the European Schools Code?—Yes, I think it is necessary, because the conditions of teaching Europeans are very similar everywhere, and they are considerations which can be more readily dealt with by the Government of India than by Local Governments.

20616. Is not the result that a Local Government runs against some restriction which might not be applicable to its province, and that it has to come to the Government of India with regard to it?—I have not had that experience, if it is so. When I was acquainted with the working there was one code for northern India, another for Madras, and another for Bombay—there were three codes.

20617. Would it not have been sufficient for the Government of India to issue a general Resolution, or to lay down general principles, and let the Local Governments please themselves otherwise?—I do not think so as regards northern India because the schools are recruited from different provinces—they are not provincial institutions.

20618. It has been stated by some witnesses that the Government of India interfere with the Provincial and Subordinate *cadres* of the Educational Service, and with the appointment of officers; apart from the general financial rules are there any special restrictions which are imposed?—No, I think the reference must have been to the financial rules.

20619. Apart from financial rules is there anything to prevent a Lieutenant-Governor or a Governor-in-Council arranging his *cadre* as he likes?—Not in the least.

20620. Have you had any experience of medical work in your time?—Yes.

20621. Has not the Government of India taken over the appointment of Chemical Examiners?—Yes, and also with regard to Bacteriology.

20622. Were those measures necessary?—Yes, most necessary.

20623. There are a certain number of Bacteriological Institutes which are maintained by Local Governments. Would it be advisable to leave them as they are or to make them all Imperial Research Institutes?—I should be inclined to make them all imperial. They should all work under the general supervision of the Sanitary Commissioner in proper co-ordination.

20624. Would you be in favour of making Sanitary Commissioners and Deputy Sanitary Commissioners of Local Governments subject to appointment by the India Government?—There is a great deal to be said for it.

20625. So as to bring them more under the control of the Government of India?—No, because of the difficulty in selecting officers locally.

20626. If a Local Government can be entrusted with administration, is it not *primâ facie* fit to be entrusted with the various appointments?—Of course if they had a man in the province they might appoint him, but very probably the best man for the specialised post would be found elsewhere.

20627. You would desire the Local Governments to communicate with the Imperial Inspectors-General freely, but informally as far as possible?—Yes.

20628. Suppose a Local Government wants the advice of an Imperial Inspector-General, but he is at the other end of India, what would happen?—I should write to him demi-officially.

20629. And the Imperial Inspector-General should reply freely?—Yes, ordinarily the reference to the Imperial Officer would, perhaps, come better from the local Head of the Department.

20630. It has been put, as against that, that it would weaken the position of the Local Governments that their own officers should correspond behind their backs without their authority?—I do not think that is a serious objection.

20631. It has been suggested that cases which are habitually disposed of in the Government of India by a Secretary or Under-Secretary without going any higher might be put down as matters for delegation to the Local Government. Would that work?—On examination there would probably be found to be a number of cases in which it could be done.

20632. In such class of cases is there any uniform principle?—No; the number of cases which, as a matter of fact, do not go beyond the Deputy Secretary, is small.

20633. Cases do come up which are such plain sailing that the Secretary or the Deputy Secretary disposes of them, but, on the other hand, cases might come up which would be of such a character that he would have to refer them higher?—Yes, and it is very difficult to lay down a rule based on a class of cases.

20634. It has been suggested that it is an anomalous position that a Lieutenant-Governor, having as a Member of Council disposed of cases of importance, should afterwards have to refer like cases to his successor, it may be, in the Government of India, and that is not a correct position for him to occupy?—I do not think the feeling does, or should, exist.

20635. Taking his position in the Government of India, can a Member of Council dispose of really important matters by himself without reference to the Viceroy?—No.

20636. In regard to other matters, under the rules would he not have often to go to the Finance Department or some other department?—Yes.

20637. And in certain cases, apart from specific importance, is not the Viceroy's sanction necessary?—Yes.

20638. Therefore, the Member is not a one-man power in the Government of India?—Certainly not; I think one may take it that no matter of importance is ever decided by a Member himself.

20639. Therefore, when he becomes a one-man power in a province he is really stepping up and not down?—Yes.

20640. Complaint has been made that the Eastern Bengal *cadre* is insufficient; is that owing to a fault of the *cadre* itself normally constituted, or to the fact that the *cadre* is at present depleted?—The latter. It is owing to the creation of a certain number of new posts, and to the fact that there was an unduly low recruitment some time ago.

20641. Is not one of the main principles of the present system of recruitment not to remedy a deficiency or excess too fast?—Quite so. Otherwise it would hamper promotion, and you would have a stagnated Service.

20642. Therefore the defect will be remedied in time?—It is being remedied, and in two or three years it will be put right.

20643. After that has been done, will the province have any cause for complaint?—Two of the districts will still require to be sub-divided.

20644. But, speaking generally, is the provincial *cadre* unduly low?—It would not be lower than the normal except for the size of the districts.

20645. Are you satisfied with the recruitment system?—Yes.

20646. Have you in your experience had a good many appeals which are really of a petty character and involve waste of time to consider them?—I have had to deal with many petty appeals.

20647. Would you be in favour of anything which could be done, without affecting the general security of tenure of Government servants, to get rid of such appeals?—Yes, if it could be done.

20648. You said that the position of the Commissioner is unsatisfactory, and that there is no definition of it in many Acts?—Yes.

20649. Is that not largely due to the historical origin of a Commissionership?—Yes. The functions of a Commissioner have never been clearly defined, and that might be done.

20650. It has been suggested that a Commissioner is more or less a post office, and that he should be more of a Sub-Governor—would you be in favour of that?—That, of course, would be the effect of giving him definite powers to pass orders. I would give him more administrative control within his division.

20651. It has been suggested that he might have larger powers in the matter of appointments and posting, do you agree with that?—I think so.

20652. Sub-Deputy Collectors are appointed at present by the provincial Government?—Yes, they must always be appointed by the provincial Government.

20653. Would it not be possible to break them up into divisional *cadres*?—No, that would spoil the Service.

20654. As regards the posting of Deputy Collectors and Civilians below the rank of Collector, might that be made over to the Commissioner?—Yes, that ought to be done.

20655. Would you be in favour of giving the Commissioner power, subject to general conditions of fitness prescribed by the Local Governments, to invest officers with magisterial functions?—Yes.

20656. That would require an amendment of the Criminal Procedure Code?—Yes.

20657. Would you give them power with regard to land acquisition matters?—Yes.

20658. But you are not in favour of giving them budgets of their own?—No, but I would allow them to give sanction for provincial works up to a higher limit than they can now.

20659. A suggestion has been made that the provincial Public Works budget should be broken up, and that the Commissioner should have power to give sanction for buildings and less important irrigation works subject to some pecuniary limit; are you in favour of that?—I am not.

20660. Are you in favour of giving Commissioners any powers with regard to the creation of appointments?—I think that in the case of the menial staff on pay of less than Rs. 10 per mensem he might have powers, and also with regard to temporary appointments.

20661. Do you think that the appointment of a clerk on Rs. 15 should go to the Local Government?—Yes.

20662. For what period would you give the Commissioner power with regard to temporary appointments?—Two years.

20663. Would you be in favour, as has been suggested, of keeping the Civil Officers in a province as far as possible in the same divisions?—No, because I think they would get narrow.

20664. Does a man get more broad-minded by having to deal with administrative work under different conditions?—Yes, and life would be very unattractive if an officer remained all his time within a small area.

20665. Would you be prepared to have a general delegation which would give the Commissioner most of the powers now enjoyed by the Board of Revenue in Court of Wards matters?—Yes, most of the powers.

20666. Who should have power as regards the initial taking over of estates under management?—The Local Government. A limit might be fixed, below which the power to take over petty estates might be delegated.

20667. You are in favour of a preliminary period of probation for Civilians?—Subject to the proviso that it did not interfere with recruitment.

20668. Is it not possible that a man who does well, and even brilliantly, during his first five years, might go to pieces afterwards?—Yes.

20669. How would you deal with a case like that?—The officer would be degraded, but that would be likely to happen only in very exceptional cases.

20670. But take the case of a man who is known to be doing his best, and yet that best is so poor that the work suffers, and the interests of the State suffer; supposing he is in the position of a Collector of a district, or even in charge of a subdivision, would you be prepared to get rid of him?—The power would have to be exercised with the extremest care, but probably we are a little too tender in such cases now; on the other hand, it has to be remembered that if it were done at all frequently it would tend to spoil the Service.

20671. In the case of a province with a Lieutenant-Governor or a Chief Commissioner, would you leave this to be dealt with by the one officer?—No.

20672. Would you require a Committee to report first and then leave the Lieutenant-Governor to decide whether he agreed with the Committee?—That is a good suggestion.

20673. You advocate larger powers for a Commissioner in regard to local and municipal matters, but has not the Local Government delegated a great many functions to Commissioners already?—Not many, I think.

20674. A Commissioner has the power of passing budgets and dealing with administration reports?—Yes.

20675. Can he sanction municipal bye-laws?—No.

20676. Is it in matters like that that you want further powers given?—Yes.

20677. Do you desire that the Commissioner should have power to exercise all the functions of outside control where necessary instead of the Local Government?—Not all of them, but the majority of them.

20678. Would you except, for instance, the suspension of a municipality or the creation of a fresh one?—Yes.

20679. Would you apply the delegation of functions universally?—I think you would have to except very large municipalities.

20680. Would you be prepared to adopt any population limit?—No, I should leave that to be decided on the merits.

20681. Are you familiar with the Bombay system in which some municipalities are declared City municipalities, in regard to which the Government acts, and others in regard to which the Commissioners act?—Yes.

20682. Would you be in favour of a policy of that sort?—Yes.

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20683. Leaving what is to be a City municipality and what is not a City municipality to the discretion of the Local Government concerned?—Yes.

20684. Have Superintendents of Excise been appointed yet?—I do not think so—the question was under consideration recently.

20685. They will replace the Deputy Collectors who previously did Excise work in the districts?—Yes.

20686. You are in favour of giving considerably larger powers to Sub-Deputy Collectors. Are their powers at present mainly magisterial?—Yes.

20687. Do you want to make them Magisterial and Revenue Officers?—Yes; I think in any particular branch of revenue it would have to be carefully considered whether the work would be more suitably done by a Deputy Collector at headquarters or by a Sub-Divisional Officer.

20688. Other things being equal, would you be in favour of the territorial system?—Yes.

20689. Can a Sub-Divisional Magistrate, assuming he is a First Class Magistrate, hear appeals?—No, that has to be done at headquarters, but I would allow him to do it.

20690 Speaking generally, would you divide a district into sub-divisions each in charge of a Sub-Divisional Officer?—Yes.

20691. Do you think the Madras system could be adopted here?—Yes, excepting that there are various revenue branches in regard to which it would not be suitable.

20692. Are your Deputy Collectors, and your junior Civilians to any extent doing work which a Sub-Deputy Collector might just as well do?—Yes, I think so.

2093. In regard to magisterial work, do they try a good many second and third class cases which might go to the Sub-Deputy Collector?—As soon as an officer is qualified he is given first class powers. First Class Magistrates do try a good many cases which might be tried by a lower Magistrate.

20694. Is it not a waste of power to have a First Class Magistrate trying second and third class cases as a rule?—Yes, quite so.

20695. When you spoke of relieving Collectors from treasury work, did you mean that you would dissociate them absolutely from responsibility for the treasury?—Yes, as far as possible; I take it there would have to be some slight control.

20696. You have many lakhs of rupees in the treasury sometimes. Do you think it would be right to leave those to the entire charge of the Deputy Collector?—Yes, it would be possible.

20697. Is it not desirable that the Collector should have the pecuniary responsibility for the treasury?—I think not.

20698. He does not do much in the way of treasury detail?—Not much, but what he does do takes up an appreciable portion of his time.

20699. He counts the balances every now and then?—Yes; the rules laid down for him to follow in the Treasury Manual give him a great deal to do. Much of this is done without due care, and that weakens the responsibility of the Treasury Officer.

20700. Are you prepared to release the Collector from the obligation of verifying the treasury balances?—Yes.

20701. Will they be equally secure if he has nothing to do with them?—Yes.

20702. Are you aware of the system of a double key for the currency chests, the Treasury Officer having one and the Collector the other?—Yes.

20703. Would you be prepared to relax that system?—No, I would still have the two keys.

20704. If you eliminated the Collector who would the second key-holder be?—It might still be the Collector—it is the mere custody of a key; or if there is a Joint-Magistrate he would be a very suitable person, or even an Assistant Magistrate.

20705. The Collector passes a number of bills, which the Treasury Deputy checks?—Yes.

20706. Supposing the Treasury Officer is not in any way subordinate to the Collector, might there not be more rigidity and more delay with regard to the passing of bills?—I do not think so, if the department were well run.

20707. It has been suggested that Collectors may have special grants within limits for special contingent expenditure, and for making temporary appointments when work is more than ordinarily heavy; would you be in favour of that?—Yes.

20708. What is the division of work between the Government and the Local Boards with regard to primary education?—In Bengal the Act throws on the Boards the functions of construction and repair of school buildings, the appointment of masters and assistant masters and the payment of salaries. Then the rules of the Local Government confer on the Board the power of deciding, subject to the sanction of the Board, where a new school shall be opened and the manner in which accommodation shall be provided, the transferring or closing of existing schools, fixing the classes and other things.

20709. But all that refers to schools directly maintained by the Board. It has been stated that in Eastern Bengal the Boards act mainly by aiding schools?—Yes.

20710. Do those rules apply to direct Board schools, or to aided schools?—It applies to the Board schools.

20711. In this province are the schools which the Boards pay for mainly direct Board schools, or what are they?—They are mainly aided.

20712. With regard to the aided schools, would it be correct to say that the officers of the Education Department pick out the schools which are to be aided and specify the conditions under which they are to be aided, or have the Board any discretion in these matters?—The Boards have discretion.

20713. Can the Board pick out particular schools and say: "We will aid this school and not the rest"?—Yes.

20714. Taking a dozen schools of the same type in different areas, can the Board pick out three schools and say: "We will help these schools and not trouble about the rest"?—Yes, I think they can do that.

20715. Even though the Educational Officer was in favour of aiding the lot?—Yes.

20716. As Commissioner you have to deal with the budgets of Local Boards and municipalities? Do the Heads of Departments, the Director of Public Instruction, the Sanitary Commissioner and the rest of them have an opportunity of stating whether they think that a District Board's allotment for education and sanitation is sufficient?—Yes.

20717. Is that representation made to you as Commissioner?—The Director of Public Instruction reports, but I do not think the others do.

20718. Suppose the Director of Public Instruction considers a Board's allotment is not sufficient, what would you do?—I should write to the Board and point it out, or if I thought there was any doubt about it, I should call for further information.

20719. But if you were convinced that the Board had a reasonable excuse for not spending more and that the Director of Public Instruction was unreasonable, would you have the final decision?—I should refer to Government.

20720. You would overrule the Board on your own responsibility, but you would not overrule the Director of Public Instruction without going to Government?—Yes.

20721. Does the Sanitary Commissioner not apply to you at all?—I do not think he does.

20722. Are you in favour of giving larger powers to Local Boards as opposed to District Boards?—No, I think they have powers enough.

20723. We have heard a good deal with regard to the paucity of the engineering establishment in this province; would you be in favour of utilising the District Board Engineer for Government works?—Yes.

20724. In fact that used to be done?—It was.

20725. Why was the practice discontinued?—I cannot say. I would place him for that purpose under the District Magistrate.

20726. It has also been suggested that it would be desirable to dissociate the Collector from the Chairmanship of the District Board. Have you any views on that point?—I think that would be a mistake. The control of the Collector over the executive work of the Boards is essential, and the work would be very greatly neglected if he were dissociated from the Board.

20727. Do you think in the first place that the Collector can do the work better than any non-official or other Chairman?—Yes, unless it be a very highly paid Chairman.

20728. From the point of view of the Collector would it be desirable to dissociate him from the Board?—It would be undesirable. It is very important that he should keep in touch with the whole working of the district.

20729. Are you aware of the system which has been adopted in the Bengal Secretariat as to its relation with the Board of Revenue?—Yes.

20730. Would you be in favour of that system being adopted here?—Yes.

20731. (*Sir Steyning Edgerley.*) You left the Government of India Secretariat in 1904, having been there for almost ten years?—Yes.

20732. So that what you say with regard to Inspectors-General is really your opinion as to what you think should be the case, rather than your experience of what actually is the case?—Yes, as regards provincial experience except in so far as I have talked the matter over with provincial officers.

20733. Have you since had to try and get big schemes through from a provincial stand-point?—Yes, I am concerned in one or two now.

20734. When you left the Home Department had the work of the Sanitary Commissioner been begun?—His work had started before I left the Private Secretaryship in November, 1905.

20735. Had the work of the Director-General of Criminal Intelligence been begun?—It had been begun but it had not gone far.

20736. Are the instructions to which you refer relating to the duties of the Sanitary Commissioner contained in any published Resolution?—They were contained in a letter of the Government of India.

20737. To the Sanitary Commissioner?—They are given in a Home Department letter of October, 1904.

20738. The Resolution of the Government of India which was published to Local Government was dated September, 1904?—Yes.

20739. Supposing you had sent up a big scheme of police re-organisation, and had had to wait some 13 months for the opinion of the Government of India upon it, and then they objected to the placing of police in certain places in the Presidency or altered the grade of an officer suggested for a particular place from inspector to sub-inspector and so on, would you consider that to be going too much into detail?—If I had waited for a very long time and then received an inadequate reply on points of detail, I should think so.

20740. It might retard progress in getting a scheme carried through?—If treated in that way it might.

20741. Supposing you sent up proposals for the policing of a Presidency, and after seven or eight months you got a reply asking for a full explanation as to the duties of all the head constables and constables asked for for town work—that would be rather going into detail, would it not?—One would like to see the letters in such a case before replying; it might be desirable that the duties should be stated.

20742. If you had to state the duties of all these head-constables and constables, do you think the Government of India would be able at all to appreciate the exposition?—It is difficult to answer such a question without knowing the circumstances.

20743. With regard to the Education Code, was it the case that the Government of India sent a model European School Code and asked Local Governments to adapt it as far as possible?—I do not remember the exact circumstances. Of course I do not claim for the Government of India complete freedom from error.

20744. Supposing on the return of that code there is considerable criticism of proposed curricula and the syllabus in schools, would you call that going too far into detail?—I think that in the case of European schools the Government of India is the proper authority to deal with these matters.

20745. Would that be sound even against local opinion?—I think it would be right even from the point of view of local opinion.

20746. The great majority of European schools are supported by religious bodies?—Yes.

20747. And the first aim of those religious bodies is not educational, but that the religious tenets should be carefully considered?—Yes.

20748. Therefore if they have any strong opinion as to any variation of curricula, should the Government of India insist on having their own way?—If the Government of India did not pay due attention to the wishes of the persons interested in the schools, it would be a mistake of judgment, but not perhaps an interference with detail.

20749. Is not the existence of the Board of Revenue one great cause of the very small amount of influence possessed by Commissioners in provinces where both exist?—I think it is the cause of their not being permitted to pass a sufficient number of final orders. My point with regard to Commissioners is not that their influence is less than it should be, but that they have to pass on too many cases for the orders of superior authority.

20750. Probably or possibly, that is due to the existence of the Board?—The fact that an authority intervenes between the Commissioner and the Government is naturally a reason for delegating less to the Commissioner, but in practice more power has not been delegated to him in subjects which are not dealt with by the Board of Revenue, so that perhaps it is difficult to say it is due to that cause.

20751. Is the system by which you have both an Executive Engineer and a District Engineer a very efficient system?—I do not think the present system is efficient. The Executive Engineer is an officer for the whole division in these parts, and he is hopelessly overburdened with work.

20752. In Bombay there is an Executive Engineer for each district instead of an Engineer for the Local Board—are you in favour of that?—I am entirely in favour of that, or of one Engineer for both Government and Board work.

20753. How far would you carry your theory of freedom of interpretation by an Audit Officer in the case of a controversy with a Local Government, practically, on the question of what the facts of a case are; should an Auditor accept the assurance of the Government that the facts are so and so and apply the rules on that hypothesis?—No; I think the Auditor should decide; he should be regarded as the lawyer in financial matters of the Local Government.

20754. As to matters of fact as well as of law?—Yes; but it is rather difficult to conceive a case; ordinarily there would be no question of fact in dispute.

20755. It has been suggested that Commissioners should be allowed to delegate magisterial powers, but that would necessitate an amendment of the Criminal Procedure Code. What are the chances of getting an amendment of a Code of that kind?—I have presumed that the result of this Commission

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will be a substantial amount of legislation of which that would form a part.

20756. Are you prepared to go so far with regard to the supersession of officers as to favour a scheme of proportionate pensions?—That would be a very dangerous power to use, and I do not think I should be in favour of it.

20757. Would it help to diminish transfers at all if instead of placing the whole reserve of officers in the lowest grade, you distributed it over some of the higher grades?—I do not at the moment see how it would have that effect. I should have thought that a readier way would be to have an Additional Collector in each district who could take over its charge if this could be afforded.

20758. You suggest that Local Governments in respect to officers appointed by them and paid from provincial revenues might have much greater powers; why do you limit that to provincial officers?—I think that the conditions of service of officers who are appointed by the Local Government may be left to a greater extent to the Local Government.

20759. But you have under the provincial Government certain classes of officers, the charge for whom goes to imperial heads?—Yes; I have not considered their case specially; the number is not very great.

20760. Is there any reason why you should not have the same powers as regards such officers as you would have as regards provincial officers?—None, except that the imperial revenues would bear the charge.

20761. But the principles are the same, and the audit is the same; could not the Local Governments be trusted?—I think they could, but the point I had more specially in view was with regard to officers appointed by the Local Government.

20762. (*Chairman.*) Having been in both the Financial and Home Departments of the Government of India, have you ever had any reason to observe on the part of the Finance Department a tendency to claim greater control than the Home Department claim?—The Finance Department claim a greater detailed control than the Home Department.

20763. Have you any reason to believe that the Finance Department now claim a greater control over the questions which come up to it from other departments than was claimed when you were there?—No, I think that the control claimed by the Finance Department was formerly greater.

20764. (*Mr. Dutt.*) Is it a fact that the Collector keeps the treasury key in his own custody?—As a rule he does not.

20765. One key is kept by the Treasury Officer, who is a Deputy Collector, and the other is kept by the treasurer, who is an officer giving a security; is not that the case in Bengal districts?—It may be so.

(*The witness withdrew.*)

Mr. HENRY SHARP was called and examined.

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20766. (*Chairman.*) Are you the Director of Public Instruction?—Yes. I began my career in India as principal of the Jubbulpore College. I had previously been an assistant master in a public school in England.

The Government of India do not hamper the provincial Governments in the matter of administration. They lay down broad principles and leave it to the provincial Governments to apply these principles as local conditions demand. Provincial Governments have not been unduly tied by the Resolution on Education of the 11th March, 1904, *e.g.*, different provinces have worked out their own scheme for fixing grants-in-aid to schools.

There is a danger of excessive uniformity, but such a danger is mitigated by two facts—the power permitted to provincial Governments to work out general schemes in their own way, and the existence of the Director-General of Education, who is an expert adviser, in touch with both the Government of India and the provincial Governments, and who, by means of extended tours, becomes acquainted with the special circumstances of each province.

Initiative in educational reforms in recent years has been mainly due to the action of the Government of India. I would cite as instances the extension of primary education effected by the giving out of imperial grants for that purpose, and the reforms of the Universities under the Act, of 1904. At the present moment the Government of India has under its consideration the reform of secondary education and the question of free primary education. While the Government of India has supplied funds, the provincial Governments have initiated some useful reforms in primary education. These reforms were, no doubt, facilitated by that allotment. The experience gained by one provincial Government in effecting changes might well be utilised with allowances for differences in local circumstances in other provinces. It would be undesirable for the Government of India to lay down, except in the broadest manner, the methods in which such grants are to be utilised. But there is always the danger when large grants for a special purpose are made to a province and the provincial Government called upon to show their expenditure, that there may not be full time for a province to develop its schemes sufficiently to allow the money to be used in the best manner. It would be well if the Government of India made its grants when the provincial Government was able to report that its schemes were, to some extent, matured; and the Government of India in instructing provincial Governments to devise such schemes might usefully bring to their notice suggestions of reforms in other provinces.

University reform is a different question, since Universities are not necessarily provincial bodies, and where one University has jurisdiction over two or more administrative units, there is a distinct danger that the interests of one of these units may suffer.

The demand for returns and information from the provincial Governments has not largely increased in recent years.

The suggestion to insist, before admitting an appeal, on a certificate from the authority passing the first order is a good one. The question has special application with reference to schools and colleges. There is a tendency in this country to deal with educational institutions in too judicial a manner. A principal or a head master must wield immense powers within the limits of his institution in order to maintain respect and discipline among his staff and his pupils. In England, this is fully realised. The head master of a public schools wields despotic powers, and so do the class masters and the house-masters. Appeals are rare, and, when made, are not likely to be entertained. In India, the opposite is the case. It is not infrequent for a boy punished by a class master to appeal to the head master, or the committee, or to the Inspecting Officers of the Department. This occasions enquiries in which I have known pupils actually produced as witnesses against the masters. Assistant masters also appeal from the action of head masters. Making all allowances for the local differences between the two countries, more trust should be placed upon head masters, etc., in India. An occasional miscarriage of justice is not so serious as a universal weakening of discipline; but where a punishment inflicted is likely to affect the whole life and career of the pupil, some investigation is no doubt essential.

It is difficult to restrict the right of appeal; but in this country that right is undoubtedly abused. Bengal Miscellaneous Circular No. 25 of 25th May, 1905, allows double appeal to superior officers and also appeal against stoppage of promotion and increments for over six months. Whether the appeal is to the Government of India, or to the provincial

Government, the right of appeal might be restricted, and if the authority, which has ordered the punishment, is sufficient, the limit of six months for stoppage of promotion, etc., might be largely extended, if not abolished.

There is a danger of over attempts at uniformity in large provinces, but the province of Eastern Bengal and Assam has not been in existence sufficiently long to give proof in this matter one way or the other. For the present, the educational systems of the two parts are being only slowly and tentatively amalgamated. As affects the Education Department, there is not much danger. The question is mainly one of finance, and all that can be done would be to permit the department larger powers in the expenditure and reappropriation of the funds for educational purposes. The charges of Inspecting Officers have hitherto been too large in Eastern Bengal. This defect is being amended.

Transfers of officers are a necessary evil in large Services on account of the variety of interests involved. It is particularly an evil in colleges and schools, but may here, to some extent, be mitigated by choosing a suitable time for effecting transfers.

Desirable as it would be to place more power in the hands of local bodies, I fear that the experiment would not likely be attended with success. In my experience these bodies are lacking in initiative, save in so far as they are inspired by the official Chairman. District and Local Boards are most important factors in our educational schemes. But the improvement of education in each area depends solely upon the interest taken by the official Chairman, and the aid accorded him by the subordinate inspecting staff. I am doubtful whether the other members of such bodies are either interested in primary education, or know sufficient about the wants and conditions of the Board area to give very useful advice, still less to carry out improvements and reforms. It may be argued that were such bodies freed from official domination they would, when in the possession of larger powers, develop larger capabilities. But I doubt whether it is correct to speak of official domination. Perhaps a more correct term would be non-official indifference. The experiment might be interesting; but it would be dangerous to try it save on a small scale, and under some measure of control. It is only too likely that the expansion of the powers of these bodies might result in either stagnation or disaster.

As in the case of local bodies, I fear that want of interest in local affairs would be a serious obstacle to granting larger powers to village communities. In some portions of the Central Provinces and in Assam, the village school committee take real interest and pride in the village school, and subscribe funds for its improvements, but I am informed that, at least as regards primary education, the leading men in village communities in Eastern Bengal are entirely indifferent. Three possible causes may be assigned:—

(i.) The fact that in the Central Provinces and in Assam there are village School Committees vested with small powers, while in Eastern Bengal the village school is a private institution.

(ii.) In less advanced areas, like the Central Provinces and Assam, the village community is less disintegrated than in Eastern Bengal.

(iii.) The leading men in the village of a backward tract will look for no more than a vernacular education for their children, and hence will take interest in a vernacular school.

A great deal of correspondence is necessary between the Heads of Departments and the provincial Governments. The administrative machinery might be simplified either by insistence upon a personal consultation at appointed times between the Heads of Departments and the Secretaries concerned, or by making the Heads of Departments Under-Secretaries to Government. The former scheme would, of course, be rendered difficult by the exigencies of touring.

20767. Prior to your first appointment in this country, had you any experience of Indian educational requirements?—None whatever.

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20768. Had you any knowledge of the language?—No.

20769. Or of the country?—Nothing more than I had read.

20770. Or of the literature?—No.

20771. What were your duties as principal of the Jabbalpore College?—To instruct and generally administer the affairs of the college, but principally to instruct.

20772. How did you proceed about your task?—As regards the actual instruction there was no difficulty.

20773. Had you no difficulty in consequence of your ignorance of the language?—No, none whatever; there was some initial difficulty as regards one's not knowing the precise standard of English which the students under one were capable of understanding.

20774. Would it have been a great advantage to you as the head of am important college if you had known something about the language, the history, and the literature of the country?—I do not think I would say that as principal of the College, but as inspector, perhaps, yes.

20775. As a principal and a trainer of the young, you do not think that would have been an advantage?—No.

20776. Have you under you as Director of Public Instruction, inspectors of schools assistant inspectors, and deputy inspectors and so forth?—Yes.

20777. Where are the inspectors' resident as a rule?—The inspectors are generally resident at the divisional headquarters, but not invariably so.

20778. Where are the assistant inspectors resident?—The assistant inspectors are also resident at the headquarters of the division, and are under the orders of the divisional inspector.

20779. Where are the deputy inspectors stationed?—Of the deputy inspectors, one is stationed at each district headquarters, and the others are scattered about the district; there are different systems adopted in Assam and Eastern Bengal.

20780. We have been told by a witness that he was not satisfied with the system by which an inspector of nearly 3,000 schools in his district was stationed at his headquarters 100 miles away; is that a satisfactory system?—I think it is most unsatisfactory.

20781. Can you suggest any remedy?—The most obvious remedy would be to have for every district in which educational institutions are numerous an officer of the Indian Educational Service.

20782. In fact, you want an increase to the establishment?—Yes, a very large increase.

20783. Does the absence of an inspector from the district, except in the case of a headquarters district, occasion a great deal of correspondence and clerical work?—I would not say that it is so much clerical work and correspondence which is entailed, as that there is a want of responsibility amongst others on the spot, and the want of an able officer in each section to push educational schemes.

20784. Do you recommend the curriculum to Government?—Yes.

20785. And all appointments?—Yes.

20786. Do you invariably find that the Government accepts your recommendations as to curriculum and appointments?—I have not had very much yet to do with regard to new curricula, and as regards curricula, for instance, for high schools, a great deal would be gone through by the Local Government before any change would be sanctioned; for instance, it would be made known to people in general widely, and their opinions would be taken; it would be put before a committee specially qualified to look into the matter, and eventually in the particular case I refer to it has to be referred to the University.

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20787. Do you think it a wise control which the Government exercises over you in the matter of curriculum?—Yes, certainly.

20788. Might smaller appointments be left to you or will it be better to leave them in the hands of the Local Government?—The powers that I have are sufficient, generally speaking.

20789. From where is the expenditure upon education in this particular province principally met?—Of expenditure on education some 25 lakhs comes from public funds, and is equally divided between provincial funds and local funds.

20790. About one-half of your expenditure comes from public funds?—Yes.

20791. What about the other half?—That comes from fees, subscriptions, etc.

20792. Who controls the primary schools?—The primary schools are mainly controlled by the various Boards; there is a difference in the two parts of the province; in Eastern Bengal the unit is the district, and in Assam the unit is the Local Board which is a Sub-divisional Board.

20793. Who controls the middle schools?—The middle schools are partially controlled by the Boards, and partially controlled by the department, according as they receive their grant-in-aid from the district fund or from provincial revenues.

20794. What about secondary schools?—The high schools are controlled by the department in so far as they are provincial schools; the great mass of our schools are either aided or unaided schools.

20795. Does that cover the whole system of schools?—That covers the whole system of ordinary schools; there are special schools such as small training schools, but that covers the bulk of the institutions.

20796. With regard to your relations with the Director-General of Education, have you anything to say about them?—As Director of Public Instruction, my sole relations with the Director-General are demi-official relations. He sometimes writes to me demi-officially, and if I have a question to put to him or to the Bureau, I write demi-officially, or if he comes on tour I may point out things to him.

20797. On the whole is it well that there should be such an appointment?—It is a very good thing, and of great assistance generally.

20798. You can consult him quite freely?—Yes, I do consult him freely.

20799. Can you tell me anything as to the influence of the Director-General upon schemes which go from you to the Local Government, and so to the Government of India?—If a scheme required the definite opinion of the Government of India, I take it that the opinion of the Director-General would be obtained before any orders were passed in the Home Department; on the other hand, if it was a matter requiring the sanction of the Local Government, it would nevertheless go up to the Government of India in the form of proceedings, and in the course of time would come before the Director-General of Education, who might possibly raise some objections on professional grounds to some action which had been adopted in the province. In that case the Home Department would probably enquire what was being done, and might possibly point out that there were certain objections to the scheme.

20800. Is that what has actually taken place in connection with any one of your schemes?—I am not aware of it, but I imagine that is what would take place.

20801. Have you any reason to think that the views of the Director-General have either helped, or hindered, any schemes of yours which have been presented to the Government of India?—I cannot say whether or not that has been the case, because I do not see the system of working of the Government of India.

20802. You have no reason either to expect help or harm?—I have no reason to expect it, for the reason that I am not in a position to say.

20803. You have not been able to trace whether his opinion has been either for, or against, you in regard to any scheme sent up to the Government of India?—No.

20804. You say that there is always a danger when large grants are made for special purposes to a province that for various reasons the money might not be used to the best advantage?—For example, of the giving out of the imperial grant for primary education in which the provincial Governments are supposed to show an enhanced expenditure on primary education over and above the expenditure in the year 1904-05. A Local Government might feel itself compelled to show an immediate large increase of expenditure, and schemes might be brought forward in a very crude state and much money wasted.

20805. Would not such a scheme have to go to the Government of India for consideration?—No.

20806. Not if it exceeded certain financial limits?—No; having got the money we can do what we choose with it; the only case in which I can conceive the sanction of the Government of India would be further necessary would be if we employed part of it in increasing the establishment.

20807. A former witness told us that he considered that if a provincial Government wished to establish a college as distinct from a high school that ought to be referred to the Government of India; do you hold that view too?—In the case of establishing a first grade college, the matter ought to go to the Government of India for various reasons, but in the case of establishing a small college, if the provincial Government thought of doing such a thing, they might reasonably do so or raise the status of an existing college without consulting the Government of India.

20808. If the Local Government said, "It is a great nuisance having to get the opinion of the Government of India; we know we shall get it, but it will delay our scheme for a year or two; let us start the thing in a small way and we can develop it afterwards"—is there anything that would really endanger the cause of education in a province and which would require the control of the Government of India to be exercised not only with regard to small, but with regard to large schemes of the sort that I have indicated?—I do not think that the interests of education in the province would be affected except in so far as there might be considerable delay, and in so far as there might be changes in the details which it had been made clear to the Government of India were not very important but which were indicated by subsequent events; further delay would then occur because there would have to be a reference to the Government of India.

20809. You seriously think that the Government of India ought to be consulted practically whenever a college is opened in a province?—I think it would be a safe thing, whenever a college is established that the Government of India should be consulted.

20810. As a question not of finance, but of policy?—Both as a question of finance and of policy.

20811. With regard to the question of the power of appointment and selection to posts, have you all the powers which are necessary?—Yes.

20812. You say that it is not infrequent for a boy punished by a master to appeal to the head master or to the committee, or to the Inspecting Officer of the department? In that case what form does the punishment take?—He might be whipped or given some form of imposition, or he might be degraded—that would be the form of punishment—or again he might be fined, and it is very common in this country to have appeals from the decision of the master in various cases.

20813. Then whatever your opinion may be upon the general question of appeal, you think that the right of a boy to appeal from the punishment of a master ought to be limited?—It ought to be almost abolished. It causes a considerable amount of trouble, and it is most deleterious to the discipline of the schools.

20814. Might something be done in the way of extending the powers of District and Local Boards?—Yes.

20815. You think it would be desirable, but that there are difficulties in the way of such reforms?—There would be very grave difficulties. I should like to see their powers extended, but I am very doubtful as to how it could be done.

20816. Is that because there is not a sufficiently good class of men resident in the municipality, or on a District Board who are fit to be entrusted with larger powers?—I would not say it is so much owing to that, but there is an extraordinary indifference on these Local Bodies, at least as to educational matters. I know nothing about matters other than educational, but as regards educational matters they are indifferent.

20817. Do you fear that if complete autonomy was given to them their indifference would continue, and that your educational work would be retarded?—I fear it might be.

20818. Are you at the present moment forcing education on districts and municipalities against their wish?—Not, I think, against their wish. We are giving large sums of money to District Boards over and above that which they received before from provincial revenues for special purposes, and we are laying down a certain amount of general rough policy. There is a great deal of drudgery connected with the giving out of this money, such as the acquisition of lands and the management and construction of buildings, and so on, and I fail to see the hand of the Board in any of these things. It is the Collector, as Chairman, who does these things.

20819. You have not answered my question, which was whether you are forcing education upon these District Boards and municipalities against their wish?—I do not think so. Do you mean that we are forcing the management of education in general upon them against their wish, or that we are simply giving them more education than they are capable of managing?

20820. I want to know whether your policy is against the wish of the people who live in these districts?—I do not think so at all.

20821. It is not so much they are unwilling but that they do not care whether it is there or not?—They do not seem to care whether it is there or not, possibly because the Boards mostly deal with primary education, and consist of men who do not care about primary education.

20822. Would they like to see some improvement in secondary education?—In secondary education they would take more interest, no doubt, and if they had to do with high schools they would take a keen interest

20823. But in the primary education which leads up to the high schools they take no interest?—They take absolutely no interest.

20824. (*Sir Steyning Edgerley.*) When you came to Jabbalpore had you any duties outside your own college?—No.

20825. Could everybody inside that college speak English fairly freely?—Yes.

20826. And the subjects which you taught were the subjects which you had been used to teach in England?—Yes.

20827. You were familiar with the administration of an educational institution?—I was unfamiliar with it perhaps under Indian conditions—that I had to learn, no doubt.

20828. But still the difficulty was not so great as it sounds?—No.

20829. Have you ever found provincial Governments at all unwilling to take up schemes which you may have thought should have priority?—No.

20830. Have you ever felt that the backing of the Director-General was useful as regards any disinclination of the Local Government to do what you wanted?—I cannot say that I have, because the occasion has not arisen, but I can imagine that it would be very useful.

20831. Were you able to spend your special grants on primary education?—Fairly, though we have not attempted to spend them fully.

20832. Are two of the main things in improving primary education the improvement of the inspection and the improvement of the normal schools?—Those are two things.

20833. As to both those would you have to go to the Government of India for sanction?—With regard to inspection, certainly; with regard to normal schools, not.

20834. You would have nobody in a normal school in receipt of pay over Rs. 250?—No.

20835. You complain of the difficulty in getting European stores and so forth owing to the system of indent—does that cause delay?—It causes enormous delay.

20836. Are the stores when you get them satisfactory?—So far as I know, they are quite satisfactory.

20837. You suggest that the Director of Public Instruction should be an Under-Secretary to Government; how would you work that?—He would be in unofficial communication with the Chief Secretary; he would be able to put his schemes straight to the Chief Secretary.

20838. Should there be only one office?—It would be necessary for the Chief Secretary to have a small number of educational clerks.

20839. But you would not bring the whole of your office into the Secretariat?—The present Secretariat education clerks and my office might be combined—that would be one scheme, but another would be for the Chief Secretary to retain his staff. It was rather in my mind that the Chief Secretary should retain a small staff or clerks to deal with educational matters separately from my own.

20840. Then you would not amalgamate the offices?—It would be probably better not to do so.

20841. Is there not a model, perhaps, in the Irrigation Department of the Government of India where they have an inspector who travels and deals with the cases submitted to him; do you think that would be a suitable plan for educational work, so that most of the routine would pass in the office, and only the big cases would come to the expert Under-Secretary; or would you like to see the whole of the details come to him?—I do not say the whole of the details, but as much as possible.

20842. Would your duties remain exactly as they are at present?—My duties would be precisely as they are now.

20843. All that it means then is that you would have more direct access to the Chief Secretary?—That would be all.

20844. And you would see the notes which might have been put up dealing with precedents and so forth in the Secretariat?—Yes.

20845. Would that be necessary, except in large matters?—No.

20846. One witness stated that all share in education has been taken from the District Magistrate; is that accurate?—No. It was laid down in Bengal that the District Magistrate had a great deal to do with primary education, but very little to do with secondary education. As regards secondary education he has been rather divorced from it with perhaps bad results, but as regards primary education he has a great deal to do with it especially in his capacity as Chairman of the District Board.

20847. But it is more or less true as regards secondary education?—As regards secondary education it is more or less true.

20848. (*Mr. Meyer.*) You have served till lately in the Central Provinces?—Yes.

20849. Is there any salient difference as between the Central Provinces and Eastern Bengal in regard to the powers of the Director of Public Instruction?—I should say not.

20850. Is the division of educational functions as between Government and local bodies much the same in both?—Yes

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20851. Are primary schools dealt with by District Boards and municipalities in this province?—Mainly yes.

20852. Are there any important exceptions?—No, there are no important exceptions.

20853. Does that apply to girls' schools as well as to boys' schools?—Some of the girls' schools would be exceptions.

20854. Taking the schools that the Boards deal with, they are mainly aided private schools?—The systems differ again in Eastern Bengal and Assam; in Eastern Bengal the primary schools are aided by the Boards; they are private institutions aided by the Boards; in Assam they are Board schools.

20855. Taking Eastern Bengal you have a great number of *patshala* schools. Who has the selection as to which of these schools shall be aided from the funds of the Board and which shall not?—The selection lies with the Board itself and the Board is advised by the Educational Committee; the deputy inspector is a member of that committee, and the committee generally accepts his recommendations.

20856. The Educational Committee is a sub-committee of members of the District Board appointed to deal with educational matters and subordinate to the Board as a whole?—Yes.

20857. Is the deputy inspector the predominant member?—I should not say so.

20858. You have assistant inspectors and sub-inspectors?—Yes.

20859. Who is the man who actually goes round and sees that such and such a *patshala* is a good one, and says that you should aid this school and that you should not aid the other?—In the case of *patshala* it would be largely the sub-inspector who would have to report to the deputy inspector on the matter.

20860. Does the deputy inspector place the papers before the Education Committee of the District Board?—Yes.

20861. Have the Local Boards anything to do with these matters?—No.

20862. It has been represented that as a matter of fact it amounts to this that the District Boards pay and the local educational authority select the schools which have to be aided and the extent of the aid—is that so?—That is largely so.

20863. And that the members of the Board do not, as a matter of fact, depart from the recommendations of the educational authorities?—No, they accept them.

20864. Is it an advantage to have the Local Boards dissociated from primary education?—In Eastern Bengal I should perhaps say it is an advantage that education should be centred in the District Board, because the control over the Local Boards in Eastern Bengal is not quite of the same kind as it is in Assam.

20865. Whose is the control?—By Government.

20866. Have not the Local Board, in Eastern Bengal, a double check on them? They are under the control of the District Board in the first instance, and of the Government in the second?—I believe it is a fact that in Eastern Bengal the Chairman need not be *ex-officio* an official.

20867. And for that reason do you consider that the Local Board is not an efficient instrument of education?—I would not say it is not an efficient instrument, but it would be safer to leave the matter to the District Board.

20868. When it comes to dealing with grants to schools, does not a great deal depend on the local knowledge possessed by the members of the schools in question?—Yes.

20869. In that case is there likely to be more of that local knowledge in the Local Board or in the District Board dealing with the whole district?—In the Local Board.

20870. Have the municipalities largely non-official Chairmen?—Yes.

20871. Is their position much the same as that of a District Board with regard to primary education—do they make grants?—Yes.

20872. Do you find the fact of their having non-official Chairmen makes their grants worse than those of a District Board?—Except that they do very little indeed for education, I should not say it is worse.

20873. You say that in Assam the primary system is that of Board schools. Who set up those schools?—Sir Bampfylde Fuller.

20874. Was that quite a new departure?—Yes.

20875. Who settles whether a school is to be established or not?—The Local Board. There is no District Board.

20876. Who settles what shall be spent on the school building, the number of teachers, and what shall be paid?—It is all laid down by rule.

20877. Is it laid down that if there are 50 boys there may be so many teachers with such and such pay, and if there are 100 boys there may be so many teachers with such and such pay?—If there were 50 or 100 boys in such and such classes, it depends on classification as well as numbers.

20878. Then the Boards have practically no choice?—No.

20879. They cannot say, "This school is working satisfactorily, we should like another teacher of two," as long as the manual says, "You can only have four teachers," you cannot have six?—Yes.

20880. Is that desirable or necessary?—I think it is desirable; it works well.

20881. This is pretty strong centralisation?—Yes.

20882. In the matter of secondary education, do the local bodies have much to do with it?—The local bodies do aid middle schools—English and vernacular to a large extent.

20883. Is the position as regards their control, roughly speaking, the same as it is in the case of primary schools?—As regards aid, the rules rather differ in the two parts of the province. In Assam the giving of aid to, or the withdrawing of aid from, a vernacular school has to go before the inspector before the Board can carry it out; if the school is an English-teaching school it has to come before the Director.

20884. The Board cannot deal with it itself?—The Board cannot deal with it absolutely itself; it is bound to take the views of the Education Department.

20885. And it can on no account run counter to them?—There is a possibility of appeal if they go counter.

20886. In Eastern Bengal what is the practice?—In Eastern Bengal the practice is not so rigid.

20887. Does the Education Committee of the District Board there deal with secondary schools as well as primary schools?—Yes.

20888. And the position is much the same?—No, there are not the same rules governing the grants there; the control of the Board is rather exercised through the presence of the deputy inspector on the Education Committee.

20889. Do you mean that the District Board has larger latitude in the matter of grants to secondary schools than the Local Board in Assam has as to primary schools, and is less tied up with regard to the departmental code?—It is a little less tied up.

20890. It was put by one witness that the Local Boards in Assam were very hard up and might as well be relieved of education work—what would be your view upon that?—I am not in a position to say whether they are very hard up or not; they have supported primary education and also secondary education to some extent for a long time, but some of them do occasionally grumble.

20891. May I put it in this way—that the Government intervenes so much in the matter, and they are so bound by departmental codes and manuals, that it might be as well to recognise the facts and let the Government take over the direct

management. Do you think that that is a legitimate argument?—It is a legitimate argument, but, as it is, it would be better to leave things as they are because it is at least an attempt to get the people interested in these matters.

20892. Suppose you had a Board that said, "We should be very glad to spend more on education, and take some interest in education, if you would give us a little more discretion and would not bind us by such hard-and-fast rules"; if you had the power of deciding the matter, what would you say to such a Board?—In the case of a single Board it would be a most interesting experiment.

20893. But not in the case of half a dozen Boards?—I should select one and make the experiment with it.

20894. Supposing the experiment answered, would you be prepared to relax matters as to other Boards?—Subject to the consideration that there are Boards and Boards, and what would hold in one district need not necessarily hold in another. If such a matter were ever introduced, it would have to be introduced very gradually.

20895. Your position would be that efficiency of education must take the first place and rank above any such matter as the training of the people in Local Self-Government?—Yes.

20896. You speak of the influence of the Calcutta University involving the Government in large responsibilities and you mentioned regulations sanctioned by the Government of India; the Calcutta University is a semi-autonomous body, which frames its own regulations, with the sanction of the Government of India?—Yes.

20897. Therefore it is not a matter of direct control by the Government of India but it is a matter of control by the Calcutta University?—Yes.

20898. And the object of the Calcutta University in making these regulations was to raise the quality of the colleges?—Yes.

20899. Then you say, "This will involve us in large expenditure"—what is your objection? The objection is not an objection to expenditure but an objection to the disposition of affairs, and that we have an independent body dictating enormous improvements to us. It may be impossible for the Finance Department to provide the money which would allow of those improvements, in which case we might be brought to a very serious deadlock.

20900. But are you not represented on the Senate of the Calcutta University?—This province has three members on the Senate, but no one on the Syndicate.

20901. Therefore it is really a question whether this province is properly represented on the governing body of the Calcutta University?—I should say that is another question.

20902. And possibly whether you should not have a University of your own?—Yes.

20903. You say that the Government of India should wait until the provincial Government have schemes developed before making grants. Let us take it that one year the Government happens to be rich, and three or four provinces had educational schemes for the development of which they got the money, but in the next few years the Government might not be so well off, and others might not be able to get anything. Would that not be a grievance?—It would, but what I imagine would happen would be that the Government of India would ask Local Governments to formulate schemes to be ready for a year when money was plentiful.

20904. In the circumstances which have occurred is there anything to prevent a Local Government saying to the Government of India, "We are much obliged for what you have given us, but we are not prepared to spend it just yet, although we assure you we will make up the expenditiure a few years hence"?—No; such a thing might happen.

20905. Might not the provincial Government try that course?—Yes.

20906. The last witness told us that he thought that an imperial centralized European Schools Code was desirable; is that your opinion?—Yes.

20907. Is there a fundamental difference between European schools and other schools?—Yes.

20908. It has been alleged that there is interference on the part of the Government of India with the *cadre* and the appointments in the Provincial and Subordinate Educational Services. Apart from the financial rules which require you to come up for sanction for appointments of over Rs. 250 and so forth, is there any control of that sort over the *personnel* and grading?—As regards the *personnel*, I know of no instance of such control, but as regards the *cadre*, there is very great control in the way, for instance, of having eight persons in one grade and ten in the next.

20909. Is that due to the financial rules?—I only know that *cadres* are generally submitted not merely to the Government of India, but also to the Secretary of State, and they are considered as absolutely drawn up, and cannot be changed until one goes up again.

20910. You have been asked about the creation of a college; a first grade college would require the appointment of at least one officer of the Indian Educational Service?—Certainly.

20911. That officer's salary, and his recruitment also, would require the sanction, not merely of the Government of India, but of the Secretary of State? Yes.

20912. Is it inevitable, when the Government of India and the Secretary of State are asked to sanction new officers for a college, that they should have to consider whether a new college is really necessary?—Yes.

20913. You do not think they could discriminate and say, "The Local Government says there is a necessity for a new college; now let us give them the officers"; would that be a possible position?—No.

20914. (*Mr. Hichens.*) Do you say that the Government of India lay down the broad principles and leave it to the provincial Governments to apply those principles as local conditions demand?—Yes.

20915. Are they to be found in any specific code or volume?—No. For instance, when the Government of India gives a special grant for primary education it lays down generally on what items of expenditure the money is to be spent; it says it is to be expended on the training of teachers, on increasing the training staff, or in increasing the number of schools. It would say that on each occasion on which a special grant was given.

20916. Is the tendency for these rules to be laid down by the Government of India on the increase?—No, I have not noticed it.

20917. Do you find that the application of these principles by the Government of India leads to their going into questions in minute detail—for example, taking the case of a college—would they go into that in the minutest detail?—They would probably go into that in detail.

20918. As a matter of fact is the tendency for detailed enquiry on the part of the Government of India on the increase or decrease?—I have not had long enough experience to say that; I have only been Director for two years.

20919. But *a priori* would you say the tendency is for enquiry to be more detailed on the part of the Government of India?—No, I think not.

20920. With regard to the policy of the provincial Government in connection with education, is the tendency to keep it more and more in the hands of the provincial Government or to devolve it to the authorities below it?—I have not noticed any tendency to take more power into the hands of the Local Governments.

20921. For example, are the manuals altered from time to time in the sense of tightening up or in the sense of relaxation?—I think possibly towards tightening up.

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20922. So that on the whole the tendency would be possibly to get more and more power into the hands of the Local Government?—Yes.

20923. Do you view that tendency with satisfaction?—No.

20924. Do you think steps should be taken to relax the control rather than to tighten it?—I think so.

20925. (*Mr. Dutt.*) Gazetted Officers of the Education Department are appointed, and orders as to their transfer and so on are passed by Government. Is that a desirable arrangement?—Yes.

20926. Do you know of any Local Board in Eastern Bengal of which the Chairman is a non-official?—No, I do not, because I have no dealings whatever with Local Boards in Eastern Bengal. In Assam there is certainly not.

20927. Has a District Board power to withdraw grants from any secondary school if it finds the working unsatisfactory?—It can only withdraw a grant in the case of a middle vernacular school with the sanction of the inspector, and in the case of a middle English school with the sanction of the Director of Public Instruction—I am speaking now of Assam; in Eastern Bengal there are not the same precise rules, and it could withdraw either grant.

20928. On its own authority or with the sanction of the inspector or Director of Public Instruction?—It could withdraw a grant on its own authority.

20929. With regard to primary schools also, do District Boards withdraw grants on their own authority?—Yes.

20930. Are sub-inspectors of schools paid by the Educational Department or by the District Boards in Eastern Bengal?—At present in Eastern Bengal some of them are paid by the Boards and some of them are paid from provincial funds. Some years ago the sub-inspectors in Bengal were all handed over to the Boards, and their pay was made a charge on the Boards. Recently the Secretary of State sanctioned an increase of the subordinate inspecting agency, and the appointments we had made to the *cadre*, which were sanctioned by the Secretary of State, are paid from provincial revenues.

20931. Would it be a good arrangement if you handed that money over to the Board so as to have all servants of the Board paid by the Board?—It would be a good thing if we had one or the other system; in fact we are at present trying to get it, because the present system is slightly anomalous. It would be better that the inspecting agency should be paid by, and under the control of, the Education Department and not under the control of the Boards. That has actually been done in Bengal.

20832. In that case would the District Boards have sufficient control over these sub-inspectors?—Yes, I think so.

20933. Supposing they were not satisfied with the inspection work of a sub-inspector, how could they enforce proper work?—The Chairman of the Board would report the matter to the inspector.

20934. And get orders from the inspector?—It is a matter that probably would have to be done more or less unofficially.

20935. Anyhow, the order would have to be passed by the inspector and not by the District Board or the Chairman of the District Board?—In that case it would have to be passed by the inspector or by the Director, if the position of the officer demanded it.

20936. Would that be a satisfactory arrangement?—Yes.

20937. You do not think that the whole control of sub-inspectors to District Boards would lead to better results?—No.

20938. Do you ever hold conferences of Educational Officers of the whole province, conferences of inspectors and deputy inspectors?—Yes. I have conferences of inspectors annually, and conferences of deputy inspectors are held from time to time, at no fixed intervals, by the inspectors within their circles.

20939. Do you sometimes invite non-official gentlemen to attend these conferences, men who take any interest in education?—Yes.

20940. Do you sometimes get valuable suggestions from them?—Yes.

20941. You have said that personal conferences at times between Heads of Departments and Secretaries would be beneficial; are not such conferences held occasionally between yourself and the Educational Secretary, for instance?—Certainly. But I should like them to be more a matter of rule than a matter of chance.

20942. But whenever you want you can talk over matters with the Educational Secretary?—Yes.

20943. I do not exactly see then how matters are delayed in the Educational Department by want of opportunity to talk over things with the Secretary?—Not from want of opportunity of talking over things, but it would be well if unofficial communications were recognised more than they are at present. If the Secretary in charge of educational affairs were to become cognisant of a matter earlier, and looked into it at an earlier stage than he does now, a good deal of delay would be avoided.

20944. That is, of course, a matter of detail, which could be settled between yourself and the Secretary of the Education Department?—Yes.

20945. (*Sir Frederic Lely.*) Even if the people were very keen as to education would you be inclined to hand over the whole management, even of the primary schools, to them?—No.

20946. Do you say that as an experiment you would be inclined to hand over the whole management, or did you mean only partial management?—I suggested, as an experiment, that it would be interesting to hand over some control, but I have not considered whether it would be whole control or partial control.

20947. If it was held that assistance would be useful in the matter of schools, would it not be better that it should take the form of local committees rather than action by the Board?—That would depend very much on the constitution of the local committees.

20948. With a representative committee of parents and ratepayers of a place would you not get more real assistance than from a Board?—Yes, perhaps one would.

20949. Taking the extreme case of a technical school, would it be a fair burden to lay on any popular body to expect them to establish it and work it?—No.

20950. And what is true of a technical school is partly true with regard to every school?—Yes.

20951. Would an ideal arrangement be to allot to a Local or a District Board the location of a school and distribution of a grant of money, and to the department the control of education strictly so called, and to a local committee all the other details of general management?—That is a matter which I should like to consider in detail before pronouncing an opinion upon it.

20952. Would not points of general management, such as the hours of attendance, the giving of prizes, fixing holidays and the general every day management of schools, be more fitly assigned to a local school committee?—Yes, those matters might be assigned to a school committee provided they do not determine the authority of the headmaster, leaving the art of education to the experts of the department.

20953. Are there as a matter of fact committees connected with all the schools of the province?—Not with all of them.

20954. Would it not be well that there should be?—I think it would be very well that there should be, and they are, as a matter of fact, being created.

20955. What is the arrangement with regard to the village school houses?—In the case of aided primary schools nothing is done. In the case of Board schools in Assam the usual procedure is for

the Board to allot a certain amount of money to each village school that requires a building, and the villagers willingly find the rest either in money or in kind; generally in kind.

20956. Do they build the school themselves?—Yes.

20957. Do you supply any large proportion of the cost as a rule?—No; it is hard to frame any rule in the matter because it would vary from Board to Board, but the kind of thing that happens in Assam is that when a school has to be built the Board gives Rs. 30 or Rs. 40 to the villagers, and they find another Rs. 40 or Rs. 50; the cost of the school being about Rs. 90 and not more, material being very cheap. In Eastern Bengal last year I have devoted a considerable amount of money for the erection of schools, and those I propose to be Board schools and not aided schools.

20958. When once they are built are the villagers responsible for maintaining them?—In Assam the villagers do maintain the schools willingly, but in Eastern Bengal they will not ordinarily guarantee to maintain them.

20959. Is Assam then the villagers' responsibility with regard to schools is carried out rather thoroughly?—It is carried out thoroughly and is successful.

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20960. You say that the Collector has been divorced from secondary education. Can you suggest any steps by which he may be more closely associated with it?—I think the Collector should be the Chairman of the School Committee of the district headquarters schools.

20961. (*Chairman.*) We were told in Bengal that there was practically a great reluctance on the part of the Secretary to the Local Government who dealt with educational matters to discuss schemes prepared in the Education Department before they were officially submitted to him; have you found any such reluctance in this province?—No. It is more a matter of time and opportunity than anything else.

20962. Do you find that if you want to save a great deal of formal discussion, you can go to the Local Government and discuss matters as much as you wish informally?—Subject to time, and also subject to one's touring arrangements, that can be done.

20963. And is that practically how you settle most of your business?—I cannot say that it is; at present, with a Special Secretary in charge of educational affairs much of the business can be done quite unofficially, and in fact we are adopting that system, and it no doubt expedites matters.

(*The witness withdrew.*)

Mr. J. C. JACK was called and examined.

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20964. (*Chairman.*) You are the Settlement Officer in Backargunj and Faridpur?—Yes.

The power to appoint all-India Commissions should rest with the Government of India; but action on the recommendation of such Commissions should be left entirely to the Local Government.

In the old province, the area was so large that both Board and Commissioners could be employed with advantage. In the new province (transferred districts), I see no utility in Commissioners. Their divisions are purely artificial and they are kings whose subjects are unconscious of their existence. Their influence in their divisions is quite incommensurate with their position, and owing to the permanent settlement, revenue work is so light that in any case they appear to be an unnecessary wheel in the machine. At present the Board have little work; hence if they handed on their existing powers to the Commissioners, they would be in a curious position. Commissioners of late rarely tour. A Commissioner handing on some of his direct powers should instead spend one month continuously in each district, see all classes readily, examine the administration of the past year and enter a report. District Officers would act similarly in case of Sub-Divisional Officers. As regards the powers of the District Magistrate a resident Executive Officer in each thana is the ideal reform, relieving the District Officers, ensuring trustworthy local information at first hand and breaking the power of the local police in oppression. This is a reform which would have far-reaching effects and be in the true spirit of decentralization.

It is very desirable to give Commissioners control over expenditure on buildings and repairs in their areas. At present control is with the Public Works Department and there is much waste. Control might be given in preference to local officers and the duties of the Public Works Department Officer limited to an annual criticism on the quality of each work undertaken and its cost.

A second appeal should never be allowed, except on fresh evidence, while a subordinate officer should be given an opportunity of reconsidering his decision before reversal on appeal. Thirdly, the Collector's order should be final in all cases of menial establishments, but on formal charges and with full reasons.

The existing obstacles to personal contact with the people are several: those usually urged are overwork, and ignorance of the vernacular. I think the influence of overwork is exaggerated. In any case, unless there is a knowledge of the vernacular, no opportunities for personal contact will be utilised. In this province hardly any officer possesses a sufficient knowledge of the vernacular, for which the system of training junior officers is to blame. There is a great deal of soreness amongst junior officers on this head, as the present system cuts them off entirely from any real knowledge of the vernacular. In other provinces a better system yields far better results. There are also some other obstacles. Thus, contact at headquarters is a poor substitute for a close touch with all parts of the district, yet District Officers have been very much tied to headquarters by correspondence with Commissioners and the Secretariat. Since all share in the control of education has been taken from the District Magistrate, he has been deprived of a great occasion for intercourse with influential men of the locality. In Eastern Bengal the methods of travelling are also an obstacle. The new travelling allowance rules (steam launch) are unjust and tend very much to increase the evil. There is a complete absence also of suitable inspection bungalows. In Eastern Bengal the District Officer is an abstraction and not a personality, the causes of which are all ultimately traceable to the central authority.

Either an increase in the administrative staff or a division of the existing administrative charges s emphatically required. A reduction in the area of districts is preferable both for the convenience of the population and for the personal contact of Executive Officers with the people. No additional expense is ultimately involved, if sufficient land is taken up for the headquarters. Several subdivisions are also too large.

Transfers are still too frequent, but are less so than formerly. If it be held that accepting the existing rules regarding leave and accepting the existing special appointments, the object of a cadre in the province is to provide districts with officers, who shall not be frequently transferred, then the calculation of superior appointments in the cadre is erroneous and really responsible for frequent transfers.

I am in favour of granting complete self-government with powers of borrowing, loans however to require the sanction of Government. In other respects the municipal activity of the Local Government should he confined to advice. In place of Government control, I would form a very strong Audit Department in each province, but independent of the Local Government which would make an annual audit of all municipal offices and have extensive powers to hold Municipal Commissioners personally responsible (individually and collectively) for malversation and waste. I suggest also the formation of a Ratepayers' Association in each

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municipality with the duty of aiding the Audit Officers. The Audit Department to have similar powers with regard to District Boards, Wards' estates and Trust Funds.

Local Boards and village unions are chiefly a failure. I suggest thana Boards as a better unit. They should get more money to spend.

I am in favour of developing District Boards and making them an advisory as well as administrative body, relieving them largely of control from above, but subjecting them to strict audit. I would include in each Council all gazetted officers in the district; elected representatives (resident) of each thana; representatives of each municipality; nominees of Government. I would give them the right of interpolation, except in regard to the grievances of individual Government servants; the control of education in the district; the right of discussing the draft Bills of Government before introduction into the Legislative Council; possibly the control of panchayati unions and chaukidars.

There is grave danger of abuse in developing the powers of village communities. The experiment should be tried in certain areas and very cautiously. There is great difference between district and district in village conditions.

The administrative powers of the Director of Public Instruction and his department are wholly evil. Colleges may remain under his control, but as regards secondary and primary education, his duties should be purely to examine, to inspect and to give advice.

A great deal of unnecessary work is now thrown upon District Officers by the failure to pass small amending Acts specially in land and revenue legislation. Many Acts are very old and their procedure cumbersome. In other cases, where a record-of-rights has been prepared, many Acts could be much simplified. Such amending Acts would rouse no opposition, and it appears to me inexplicable that they have not been previously introduced.

20965. Has most of your time in India been spent in settlement work?—Yes.

20966. And that particular class of work during the last thirty months has kept you twenty-two months in camp?—Yes.

20967. Has that given you a very good opportunity of seeing the people and getting into pretty close touch with them?—Yes.

20968. Your duties as a Settlement Officer include the preparation of record-of-rights and agricultural information?—Yes.

20969. You say that there is a good deal of what you term "uneasy uniformity" in the government of this province?—Yes, there is a certain amount of it.

20970. In what particular direction?—It was in connection with the orders of the Police Commission, and particularly with regard to the matter of pay. All sub-inspectors of all the provinces were to get the same pay. But the object with which that pay was given was not brought about in Bengal, and is never likely to be, because the pay is too low for the type of men required.

20971. Therefore, so far as your experience in this particular province goes, that has hit you hard?—Yes, that was vital, because the whole of the police administration depends on the grade of men you get as sub-inspectors.

20972. You see no particular use in having Commissioners?—I only meant that to apply to Eastern Bengal. I do not go so far as to say that there is no use for them, but they are not so useful there as in other parts of the country.

20973. What kind of officer would you like to see substituted for them?—I would like to see the Board of Revenue either exercising all their powers, or the Commissioners exercising nearly all the powers of the Board.

20974. You think either the Commissioners or the Board of Revenue are superfluous?—Yes.

20975. Speaking generally, which would you prefer to retain if you had the power to get rid of one?—The Board on the whole.

20976. You say that the Commissioners very rarely appear now, is that your experience?—In my part of the country, during the last six years, I have seldom seen a Commissioner on tour; in fact during the whole of my time I have only seen him once, and in most districts he does not tour much.

20977. Do the members of the Board of Revenue tour much in this province?—They tour more than the Commissioners do according to my experience.

20978. Do you think that it is because you have happened to miss the Commissioner, or that he has not been on tour at all?—I think it is chiefly that he has not toured very much.

20979. Getting rid of the Commissioners would mean increase of power and responsibility on the District Officers?—Yes.

20980. And you would give them a very substantial increase of powers?—Yes, I think so.

20981. Would you establish an Executive Officer in each thana—Yes.

20982. Of what grade—of an Assistant Collector?—Yes, or a Deputy Magistrate?

20983. Would you limit the existing right of personal appeal?—I think so, considerably.

20984. Would that not cause a certain amount of discontent among the officers?—It would at first, but not finally.

20985. To whom would you give the power of dismissing an Assistant Collector?—I was not thinking of men so high up as that; but of the lower grade of Government officials.

20986. Then to discharge a kanungo?—I would allow one appeal from the authority originally trying the case.

20987. Would that appeal be on a question of fact only?—No, it should be on all questions.

20988. Would that apply to officers below the pay of Rs. 25 or something of that sort?—A kanungo gets Rs. 100.

20989. Then would you apply it to all officers in receipt of a hundred rupees or less?—Yes, I have had to deal with hundreds of kanungos getting Rs. 100, and for two years I have been able to dismiss them without any appeal at all, but, practically speaking, none are dismissed; the mere fact that there is such a power makes them behave very much better than Collector's kanungos do, because the Collector cannot dismiss them without an appeal right up to Government.

20990. Are you eligible by length of service to act as a Collector?—I acted as a Collector years ago, but I am not eligible for two or three years yet to be a Collector.

20991. Then what happens is that a Settlement Officer, because he is a Settlement Officer, can practically do things which a senior man cannot?—Yes.

20992. Might the discretion which is entrusted to you as a Settlement Officer be perfectly well given to you as an Executive Officer?—Yes.

20993. Have you a considerable knowledge of the vernacular?—I have a moderate knowledge, though I am not a linguist.

20994. Do you think most of your brother officers in the Service do not get a fair opportunity of acquiring a good knowledge of the vernacular?—Certainly.

20995. And they have not got it in practice?—No, very few of them can speak Bengali.

20996. Is that largely the result of the system of training junior officers?—When a junior officer—a Civilian—comes to the country he spends the first year at headquarters deciding petty cases and generally assisting the Magistrate, and during the whole of that time he meets nobody but Bengalis who speak English, so that he gets no opportunity at all of talking Bengali. After that he passes his departmental examination and is sent to a subdivision where his time is at once occupied, and he gets no chance of learning the language at all.

20997. What you would recommend as an ideal system?—Young officers ought to be sent to settlement work to start with.

20998. Are there enough officers employed on settlement work to deal with all the young officers who come out?—I do not mean that they should actually do the work of a settlement, because they need a good deal of knowledge for that, but I mean that they should be attached to a settlement camp for training.

20999. Would you have three or four of these young officers attached to a Settlement Officer?—Yes, and we could absorb them all. We take up 1,600 square miles each year, and we could put them out to different parts. They *must* then learn the language, or they would not be able to get on at all.

21000. Would not that interfere very much with the work?—Very much less than under the present system, because we only get them for two months now, and we have to make a special course for them which gives us a lot of trouble.

21001. Has the system of education as it at present exists done a great deal to stop District Magistrates coming into touch with the people of their districts?—Yes. So I gather from what the people in the districts themselves tell me. I have asked respectable Bengali gentlemen, "How is it you knew the Magistrate so much better previously," and their answer is in two out of three cases, "The Magistrate used to come and see about the school; he does not do it now, he has no occasion to do so."

21002. Is the suggestion that he might perhaps be pulled up by the Education Department if he did?—He might, of course.

21003. Would you like to see the powers of municipalities and Local Boards considerably extended?—Not of Local Boards, but municipalities.

21004. Would you not give that extension of power to District Boards?—Not to the same extent.

21005. Would you do anything in the way of developing village Government?—I think that is very dangerous. There is no village system in Eastern Bengal, and if we put an officer down there to represent Government, his duties would certainly be inquisitorial.

21006. But supposing you went to the people of a village and said, "We will give you the right to try small cases of petty assault and theft," and that sort of thing, would you not favour a system which allowed that?—I should like to see it tried experimentally first.

21007. I suppose you know the villages pretty well, having been so much out in the district?—Yes.

21008. Do you not think there are in most of the larger villages people who would be of use in that direction?—Yes, I think there are, but it is very difficult to find the particular men in any village who would be trusted by their co-villagers—that is the real trouble. If we could always be certain of getting those men, it would be an excellent system, but probably we would never get them, because they are not the sort of people who would come forward.

21009. Not even if you gave the District Officer the power of selecting them?—He has not the time; I suppose in an ordinary district there would be about 15,000 villages.

21010. So that practically the selection would rest with them?—The Deputy Collector it might be. If they had a thana Magistrate, he would be a more or less trustworthy man.

21011. But who would select them under the present system?—Under the present system I suppose one of the Deputy Collectors would be deputed to select them.

21012. Would he be practically the man who, under a system of nomination, would select a village panchayet?—Yes.

21013. (*Mr. Hichens.*) If the Board of Revenue were substituted for Commissioners, would you give the powers of the Commissioners to District Officers?—Not all of them. Some of them to the Board.

21014. So that the Board would have more things to sanction, and therefore more work to do than it has to-day?—Yes.

21015. To-day it deals with five Commissioners, but it would have to deal with 27 Collectors instead?—Yes.

21016. That would be a very formidable increase in its work?—Yes, it would be somewhat formidable. A great deal of the work of the Commissioner now is of a very petty nature, and if it was made over to the Collectors, I do not think the residue would be so very formidable.

21017. But it would add to their work anyhow, and there is a certain residuum which could not go to the Collector; and in addition to that, if instead of having to deal with five persons, they would have to deal with 27, do you not think that would overburden them altogether?—But nowadays almost all the work that comes to Commissioners finally comes to the Board; it would only be getting rid of an intermediate authority.

21018. But it comes to the Board boiled down?—But very often the file becomes considerably bigger before reaching the Board.

21019. In spite of the fact of having to deal with 27 instead of 5 officers, in spite of the fact that they would have to sanction certain things which the Commissioners can deal with to-day, do you think they would still be able to cope with the work comfortably?—Yes, I think so.

21020. Am I to gather from that they have not enough to do to-day?—I cannot say that.

21021. Do you think there would be much time left for touring on the part of the Board of Revenue?—They only tour in the cold months now; that is, two or three months in the year, and they would still have nine months at headquarters.

21022. You consider touring to be an important thing which ought to be increased if anything?—Yes, certainly.

21023. Would there be much chance of increasing the touring done by the Board of Revenue, if they had the additional work which you suggest thrown upon them?—That would be an objection, but it is a question as to what amount of additional work it would give them.

21024. Does a District Officer come more directly into contact with the people than the officers at headquarters?—Yes, certainly.

21025. Is he therefore more likely to find out exactly what the people in the district want?—Yes.

21026. Is the District Officer in practice influenced by local opinion?—Yes, I think so.

21027. Does he send his recommendations to Government influenced by that?—Yes, to a certain extent.

21028. Does Government support him, or are they apt to stick to the strict letter of the law?—They are a little apt to stick to the strict letter of the law.

21029. So that from that point of view would you say there is a certain amount of rigidity in the Government?—Yes.

21030. (*Mr. Dutt.*) How long will your present work take you?—The settlement of the Backarganj is finished, and the work at Faridpur will be finished in about three years' time.

21031. You spoke of employing Civilians generally in settlement work as likely to give them an opportunity of learning the language and coming into touch with the people. If no other districts are taken up after the work is done at Backarganj and Faridpur, will there be sufficient work in Bengal to employ all the young Civilians?—I believe there is a programme that will last about 20 years with regard to the future settlements in this province, district by district. I do not know whether it is sanctioned.

21032. You have spoken of the desirability of appointing a resident Executive Officer in each

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thana; that would be very expensive?—No, I do not think so; probably the present *cadre* is almost sufficient to stand that.

21033. Backarganj has about 25 thanas?—It has 16 main thanas and 7 outposts.

21034. Then that would mean 23 Deputy Magistrates for those 23 thanas?—Yes, but we do not call the outposts thanas.

21035. Then I will take it as 16. If you appointed 16 Deputy Magistrates, would not that add largely to the expenditure?—I think there are already 15 in the district besides some Sub-Deputy Magistrates.

21036. Would you take away many of those fifteen if you appointed Deputy Magistrates in the thanas?—Yes, you could take away almost all. The Deputy Magistrate in charge of the treasury is the only essential at headquarters, and all the others might be taken away.

21037. Could the Collector do with only one Deputy Magistrate at headquarters?—One besides the Treasury Officer.

21038. Would such a change bring the administration more into touch with the people in the villages?—It would get rid of the sub-inspector of police being the Head of the thana.

21039. You propose that the District Magistrate should have some control over the Public Works Department in his own district?—I think he might be given power to deal with smaller works without having anything to do with the Public Works Department; we have that power in the Settlement Department where we do all our own works, and we find that we work at about half the cost of the Public Works Department.

21040. But he would require an engineer?—We do not want any engineer.

21041. Are you referring to small works then?—We spent Rs. 50,000 last year in works of about Rs. 3,000 each.

21042. What would you propose with regard to large works now done in a district by the Public Works Department, buildings erected by Government, not by the District Board?—It is a question of amount; I only referred to buildings which present no engineering difficulties.

21043. In those matters you would allow the District Magistrate or Collector some control over the work of the Public Works Department?—Yes, I would allow him to do it without having any reference to the Public Works Department at all.

21044. Could a large work be done without the advice of experts?—I am referring to small works. Large works could not possibly be done by the District Magistrate.

21045. In the case of large works should the District Magistrate have some control or supervision over the work of the Public Works Department?—I do not see that it would be necessary.

21046. Do you know that the right of appeal has been defined by a Bengal Circular of 1905?—No.

21047. You suggest the creation of Advisory Councils, consisting of the Gazetted Officers in a district, with elected representatives from each thana and each municipality, and with nominees of the Government. Would not that create a very vast and unmanageable body?—It would be somewhat large. I suppose it would come to between 40 and 50 in most districts.

21048. If you included all Gazetted Officers and so on, it might come to nearly 60 or 80. Could the work be managed by a large body like that?—Yes, I think so.

20149. You say that you would give them, amongst other functions, some control over education. Would not that bring them into collision with the Education Department to some extent? It might if the Education Department retain their administrative functions.

21050. When you have formed such a Council, would you be in favour of giving them a general power of control over all local bodies in the district, municipalities and Local Boards?—I do not think I would give them any control over municipalities because that would lead to a very considerable friction at once.

21051. Would you have the Collector as Chairman of the Council?—Yes.

21052. With the Collector as Chairman, do you think to allow the Advisory Council some control over municipalities might lead to friction?—But municipalities always quarrel with the District Magistrate—he is the person they quarrel with—therefore if he was Chairman of this Advisory Council I do not see that it would make any difference or that the work would proceed more smoothly.

21053. But you think it would not be worse?—It would not be worse.

21054. Is it your experience that municipalities are always quarrelling with District Magistrates?—They are very likely to.

21055. But has that been your experience?—Yes, I think that it is my experience.

21056. In the case of any suggestions or instructions given by the District Magistrate, are municipalities likely to argue against them or do they accept them as a matter of course?—No, on the contrary they rather refuse as a matter of course; if they know the Magistrate is in favour of a certain course, in my experience, it is a great argument for them to take the opposite course.

21057. Have you large experience with regard to the work of municipalities?—I have heard a great deal about them in my districts, and that is what I have been always told. They ask what the Magistrate thinks, and if he thinks one way they at once think the other.

21058. You make that statement from what you have heard?—Yes, from what I have heard from the Municipal Commissioners themselves.

21059. But not from your own experience of the working of municipalities?—No, I have nothing to do with the working of municipalities.

21060. (*Sir Frederic Lely.*) With regard to the training of young Civilians you say that when they come out they are kept for a year at headquarters? Are they supposed for that year to be working up for their examinations?—Yes.

21061. After they have passed the higher standard is there a system here of sending them out to learn survey work?—Yes, for two months.

21062. Do you propose that that should be done in their first year?—Yes, I propose that they should spend say four or six months in their first year on survey work.

21063. Would it give them as much knowledge and prepare them for their examination?—Yes, I think it would.

21064. Would it also be an advantage to get that work over before they entered on their regular duties?—Yes.

21065. Is it rather a trouble to a Collector to have to spare his assistants for survey work?—Yes, it is a very great trouble.

21066. You say that the new travelling allowance rules are unjust; will you explain your meaning?—Before these new rules were published in travelling by steam launch (and all the travelling in this district is by river) one drew halting allowances as well as marching allowances, and that was liberal—in fact too liberal—but when the rules were changed Government gave neither, and the result is that now we have to spend money out of our own pockets when we go on tour, and we get nothing in return at all.

21067. Do you say that no allowance is made for travelling by launch now?—Practically; I think you can draw Re. 1-8 a day on a certificate that you have spent that amount.

21068. Which is wholly insufficient?—I think myself most officers would say their expenses were much more than that.

21069. You have compared the Board of Revenue with the Commissioner in terms of disparagement, but is it likely that in the end the Board of Revenue would be more mobile than an individual Commissioner?—No, I think less so, probably.

21070. Or that the Board could come more personally into contact with the people than the Commissioner can?—No, certainly not; it is the kind of country you have to deal with which makes the difference. There is no touring by tent in this part of the world; it is touring by river, and that is what makes all the superior officers so immobile.

21071. But there is no superiority in the Board of Revenue in that respect?—Not at all, but it is much easier for the Board of Revenue to go round in a launch in the same way as a Commissioner does, than it would be up country to get round in tents, because a launch covers very much more ground than can be covered in going round with tents and the necessary equipage.

21072. Do you mean that the Board of Revenue would travel in a launch and the Commissioner in a tent?—No, they would both travel in a launch. A launch can only travel along the main rivers, and the main rivers are so limited in number that it is quite possible for the Board to cover them all in their tours. Commissioners never tour away from their launch.

21073. I do not understand why the Board of Revenue should be expected to see more of the country than the Commissioner?—They could, if they wished, see as much.

21074. Then is not the sphere of the Board of Revenue much more limited than that of a Commissioner? If you were to abolish the Commissioner, you would leave a certain number of very important branches of Government without any one to attend to them between the Head of the district and Government?—Yes, I believe that is so, but Commissioners in this part of the world have not very much power.

21075. (*Mr. Meyer.*) You spoke about the abolition of Commissioners, but is there not a possible alternative, namely, to strengthen the position of the Commissioner and make him a sort of Sub-Governor?—Yes, but it would have to be a very considerable reform to put him in the position of a Sub-Governor at all. At present he has very little power, and in order to give him real power you would have to reform his position altogether.

21076. Is your point then that at present he is almost useless?—Yes. But I do not say for a moment that he need necessarily be useless.

21077. How many thanas are there in an ordinary district?—In Faridpur there are 11. That is about the average size.

21078. Then would you desire to make each thana into a sub-division of a district?—Yes.

21079. In a district such as you have mentioned, how many sub-divisions would there now be?—Two, plus the headquarters.

21080. Therefore instead of three sub-divisions you would make 11?—Yes.

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21081. A thana is an ordinary police station?—Yes.

21082. Are you aware of any province in India which is officered by Deputy Collectors and Civilians at the rate of one for each police station?—If you take population as a test, I think you would find in other provinces one officer to the same number of people.

21083. Do you consider population a test of administration?—There is a good deal of work here; it is not as if population had nothing to with it, because there is a lot of criminal and other kind of work.

21084. But is the mere counting of heads a very reliable criterion? Are not the differences in the revenue system and the character of the population more important?—Yes, but work here is in every way very heavy except with regard to revenue.

21085. In other provinces they do not proceed on this liberal scale, but they give the bulk of the local work to tahsildars who are officers corresponding in status and pay to your Sub-Deputy Collectors; would it not be possible to do what you desire more economically by having the Sub-Deputy Collectors in immediate charge of the local areas?—Yes, it would be possible, certainly.

21086. And give them second and third class magisterial powers?—But most of them have only third class magisterial power now.

21087. If you have this agency, might you not give it more power?—I think so.

21088. You are in favour of territorial jurisdiction instead of subject jurisdiction, and you would like to move a considerable number of the Deputy Collectors you have at headquarters of each district and distribute them about?—Yes.

21089. With regard to what you said as to your power of dismissing kanungoes, are your kanungoes permanently employed?—No, only temporarily.

21090. Is the Collector's kanungo a permanent or temporary official?—He is sometimes the one, and sometimes the other.

21091. But it makes a great deal of difference in dismissing a man, whether he is a permanent official who has claims to pension or whether he is a temporary official?—Yes.

21092. Is not that possibly the reason that you have larger powers in the matter of dismissing kanungoes than the Collectors have?—That is certainly the reason.

21093. Then you speak of municipalities wanting borrowing powers, but are you aware that they have these powers already, subject to the sanction of the Local Government?—I do not mean to say that they have not got them, but they are only up to a small amount.

(*The witness withdrew.*)

Adjourned.

THIRTIETH DAY.

DACCA, *Thursday, 9th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. EDWARD CHARLES RYLAND was called and examined.

21094. (*Chairman.*) You are an officiating Deputy Inspector-General of Police?—Yes, since June, 1907.

As all other departments of Government are represented in the Imperial Secretariat and the Police Department has no proper representative, I suggest that an officer having an intimate personal experience of police work in all the provinces should be appointed for a period of three years. The officer selected should be either an Inspector-General, of not less than two years' service, as such, in the case of his not being a police officer,

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or a Deputy Inspector-General of Police, and each province should nominate an officer in turn. A better spirit of co-operation would then be established between the police of the different provinces. Uniformity of procedure and general administration would result, and the Government would have an officer of experience in the department in dealing with police matters.

The plague riots and riots in connection with the agitation in this province have only too clearly shown that Executive Officers are not sufficiently in personal contact with the people. In former years District Officers made lengthy tours in their districts, travelling from six to ten miles when they moved camp, and the people had an opportunity of personally meeting the officials and stating their grievances. Petty cases and disputes were more expeditiously dealt with, and people were saved the expense and trouble of attending Courts. Officers had more leisure to grant interviews. People looked on the officials as their patrons and protectors, and the poor who cannot afford the expenses of a Court, were able to represent their grievances and receive protection from moneylenders and unscrupulous zamindari underlings who, taking advantage of the present condition of affairs, perpetuate extortion with impunity. At present officers are rarely able to perform long tours; their visits are flying and distances travelled too great to enable them to gain any knowledge of the country or people, and it has thus come about that the people view the rare visits of an official with suspicion. The causes for this state of affairs, so far as the police are concerned, appear to be the increase of office work and matters requiring the presence of the Superintendent of Police at headquarters, the difficulties and expense of travelling. The travelling allowance rules require revision, and the introduction of rules requiring District Officers to visit a certain number of village unions in the district during the year appear necessary. The responsibility of proper inspections of police stations should be placed on inspectors, and the period required to be spent at these posts by Superintendents of Police reduced. Superintendents of Police should be given greater control over the village headmen and watch and ward staff.

I do not consider that Executive Officers possess a sufficient colloquial knowledge of the vernacular. Inducements in the way of prizes or rewards should be given to encourage a better colloquial knowledge, and the rules permitting only officers of short service to compete for language rewards should be relaxed.

The recommendations of the Police Commission provide for an increase in the administrative staff, but in the districts of Eastern Bengal where communication is difficult and by water, there should be a larger number of sub-divisions with Assistant or Deputy Superintendents in charge. With the exception of Mymensingh, the area of districts in the province known to me are not, in my opinion, excessive, but there should be district allowances to compensate deserving and efficient officers for continuous heavy charges. Under the present system a premium is put on slackness. Good work results in an officer being posted to a heavy charge where, in addition to his work, it will be generally found the expense of living is greater and the climate inferior to that of the lighter districts.

Transfers in the past have in the case of Police Officers been too frequent and not always due to the exigencies of the Public Service. The question of accommodation has been and is one of the great causes for officers being discontented and working for a transfer. The houses available for the police are wretched and unhealthy habitations, and when better houses are available the rents are prohibitive. The Government rate of 10 per cent. of an officer's pay is too high a rate to demand as rent for an unfurnished house. Houses should be built or acquired, and actual necessities in the way of furniture should be provided. Transfers throw officers into debt, and many are for this reason unable to keep horses or other means of conveyance which are absolutely necessary to secure proper efficiency in their duties. Anxiety over money matters has much to do with the inefficiency of Police Officers. Though much has been done to remedy this of late, the expense of living in this province, which has always been heavy, has greatly increased.

Far from giving them larger powers, the powers of municipalities and District and Local Boards should be reduced particularly as regards assessments.

I am not in favour of Advisory or Administrative Councils. Such bodies would only hamper work. If District Officers are enabled to come more in personal contact with the people, the necessity for any bodies who might be looked to to represent the views of the people would disappear. Provided District Officers have more time and opportunities than at present for touring, village committees might be given greater powers in the disposal of local affairs; but I anticipate some difficulty in securing a sufficiently independent and advanced class of men willing to serve on the village committees.

21095. You suggest that the Police Department has no proper representative in the Secretariat of the Government of India?—Do you not look upon the Director of Criminal Investigation as such a representative?—No, matters would be dealt with more expeditiously if we had some one who knew the inner working of the Police Department and who had actually served with the police, either as an Inspector-General or Deputy Inspector-General.

21096. Are cases hung up by the Local Government or where does the delay occur?—I think the delay is generally more with the Imperial Government. One or two matters which we have sent up have been fairly long in being dealt with.

21097. Are you sure that that was the fault of the Government of India?—I think so, and we often get questions from them with regard to matters referred to them, which would be quite unnecessary if there were some one on the spot who knew the technical work of the police.

21098. Could not the Director of Criminal Investigation give that help?—I think not. Of course it might be the case if such a man as the present officer is appointed, but it is not as a rule that an Inspector-General of Police is promoted to that appointment. If it were, it would lead to more uniformity of procedure in the different provinces; we are absolutely in the dark as to that at present.

21099. Have you no power at the present moment to write to the Director of Criminal Intelligence?—I do not think, as a rule, it is done much. There is nothing to prevent it, but it wants more than mere writing; it wants a man to go and serve there for a while, because there may be some rules and regulations which on paper may look well, but which in practice are not sound.

21100. There is nothing to prevent you saying, "I find myself confronted with this difficulty here; what do you do in your province"?—We have not made many requests to other provinces. I think it would be a good thing to do.

21101. You would not get any rebuff from the Local Government if you adopted that course?—I am certain we should not.

21102. You say that Executive Officers are not sufficiently personally in contact with the people; do you refer to the police?—Yes, as well as the Magisterial Officers; I have noticed that myself particularly in connection with the plague riots.

21103. Was it that the people concerned in those riots did not know the Executive Officers and therefore they had no influence over them?—Yes, and in one place I went to, they said they had not seen a *Sahib* for five years.

21104. What sort of officer would they expect to see?—A Magistrate or a Police Officer.

21105. And neither the District Officer or the police have found the time or inclination to pay them a visit?—In none of these particular places, although they happen to be important and large centres. That was last year in Mymensingh.

21106. What was the size of the particular town to which you refer?—It was not exactly a town;

it was a rural area, but it was thickly populated and an important jute centre.

21107. Has anyone been there since?—We spent a good deal of time there in the year the riots occurred.

21108. We were told in Bengal that the tours of Police Officers had been restricted by order: are your tours here restricted?—No. In this province we are working under the Bengal Code as we have none here yet, but there are orders which require the Superintendent to be at headquarters for the first ten days of the month.

21109. Mr. Knyvett, the Acting Inspector-General of Police, Bengal, said that he thought the order restricting touring ought to be withdrawn. What do you think?—There should not be any hard-and-fast rule; on the other hand, the District Superintendent of Police, being at present responsible for the accounts and the issue of pay and other things, whether there is a rule or not, cannot always leave his headquarters.

21110. What is the remedy for that?—We are going to provide Deputy Superintendents to look after the office work of the District Superintendent.

21111. When is this improvement likely to take place in Eastern Bengal?—Within the next two years.

21112. You tell us that the expense of travelling is one of the difficulties in the way of Police Officers getting about?—Yes. Formerly one could get a cart, for instance, for about eight annas a day; but you cannot get one now for two rupees a day. The rate of travelling allowance is not adequate. It does not cover a man's expenses.

21113. Have any representations been made to the Local Government on the matter?—I do not think so.

21114. Are the rates fixed by the Local Government or by the Civil Service Regulations?—By the Civil Service Regulations.

21115. If the allowances are inadequate, would it not be well that some representations should be made?—Yes, if representations were made, the matter would probably be taken up.

21116. Have you no power to make those representations to your chief?—Yes.

21117. Do you not think it might be well to do it?—Yes.

21118. Have Police Officers generally a sufficient knowledge of the language?—They have when they pass their examinations, but they have not the opportunity of keeping it up. In former days all one's clerks knew nothing but the vernacular, but nowadays they are all English-speaking men and most of the work is carried on in English; our papers are written in English, and gradually English is being introduced as the language for general use in regard to police work, with the result that an officer has no occasion to keep up his knowledge of the vernacular.

21119. But does he not require a knowledge of it when he goes into the interior?—Yes, absolutely; he cannot enquire properly into a case unless he knows the language thoroughly.

21120. Do the people in country districts always talk the same *patois*?—No, they all differ, and that is where the difficulty is.

21121. Even if your men were acquainted with Bengali, they would not be able to speak to the Pahari people and so forth?—No, but we do not come into contact with them much unless in Assam; in some places you can get on if you have a knowledge of Bengali.

21122. Are you satisfied with the relations between your District Superintendent and the District Magistrate?—Yes.

21123. Can you suggest any improvement in any way?—I think not.

21124. Do you have any difficulty with regard to posting your inspectors?—I have not found any.

21125. Have you not found that it has entailed a good deal of correspondence between yourself and the Commissioner?—No.

21126. You state that the Government rate of 10 per cent. on officer's pay is a very high sum to demand as rent for an unfurnished house?—Yes, in view of the frequent transfers which cause expense to an officer in furnishing and in carting his furniture about for which he gets nothing.

21127. Is there nothing allowed for removal?—Absolutely nothing, except that he is allowed double first class railway fare and the fare by steamer. A transfer often means throwing a man into debt several hundred rupees, apart from what he may lose by having to sell his furniture and purchase new.

21128. Would you like to see an allowance made of actual out-of-pocket expenses?—Yes, and the provision of the actual necessaries in the house one goes to on which Government might charge a percentage to the officer using them.

21129. You think village communities might be entrusted with some powers of self-government?—They might if they were more frequently visited; at Backarganj we successfully tried the experiment of allowing them to deal with unnatural death cases which would save the police no end of trouble. They dealt with them very well indeed; we never had any complaints.

21130. Would you give them power in small petty civil and criminal cases?—Yes, there are numerous cases which at present we inquire into which might well be referred to them.

21131. (*Sir Frederic Lely.*) Would you not say that uniformity of procedure is less necessary in the case of the police than in any other branch of Government; that is to say, that it depends on the nature and customs and habits of the people concerned?—It does to a great extent, except as regards criminals—when we find the up-country criminals coming to Bengal.

21132. That ceases to be local, but so far as the local keeping of law and order is concerned, the procedure of the police should depend more on local conditions than probably any other branch of Government?—Yes.

21133. When you speak of questions coming from the Government of India, which would not be asked if there was a skilled adviser at headquarters, would it not be better if many of those questions ceased altogether and were left to the Local Government?—Yes, certainly, or if the Government recommendations were accepted more freely.

21134. Has the action of the Government of India in recent years unnecessarily trammelled the Local Government and local Police Officers?—I will not go so far as that, but it has occasioned delay.

21135. Has action under the Police Commission been in the direction of laying down too much detail?—It is hardly time to speak about that; reforms are only being introduced at present, and it is a little early to condemn anything they have recommended.

21136. As a general principle, would you say that the details of police management should be left to the local authority?—I think so.

21137. Would you agree that a thorough knowledge of the language is as important and perhaps more important in the case of a Police Officer than in the case of any other officer?—I think it is just as important for the Magistrate who has the trying of cases and the recording of evidence. The same thing applies of course to the police; in enquiring into cases it is very necessary that they should know the language fairly well.

21138. Does Government lay much stress upon the knowledge of language on the part of Police Officers?—In the examination they do.

21139. And after a man has passed his examination, is there nothing more heard of him in that special direction?—Yes.

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21140. Have you ever heard of a case of a man's promotion being stopped because he has not acquired a knowledge of the language?—Not in the case of Gazetted Officers.

21141. Have you ever heard of a man being censured for it?—No.

21142. Have you ever known of a case where intimation has been conveyed to a man of the disapproval of Government on this account?—No.

21143. Once a man's examination is passed, Government takes no further note of whether he knows the language or not?—I think not. If they do take note, they have no opportunities of knowing whether an officer has kept up his knowledge. No enquiry is ever made that I know of.

21144. Do annual notes as to the personal character of officers go up from you at all?—Not from me. The Inspector-General records his remarks, and the Magistrates record their remarks as to Police Officers, but we do not know what they contain; they are confidential.

21145. Is the examination sufficient, or would you suggest any changes in it?—I think it is too severe as regards a knowledge of reading and writing, and not sufficiently severe as regards colloquial knowledge; the examination with regard to colloquial knowledge is a short *viva voce* examination of about ten minutes only.

21146. But the reading and writing of the language is important?—It is important, but not so important as a good colloquial knowledge.

21147. What sort of translation work is set?—They get some petition or a report to translate.

21148. Is not that part of the examination necessary?—It is necessary. Then they have dictation; they have to dictate a bit of English into Bengali, and they have to translate and write in Bengali a bit of English.

21149. Then what do you say with regard to the colloquial test?—At present it is not as thorough as it should be.

21150. Does the blame for that rest upon the examiners chiefly, or is any change in the Government order necessary?—I think a change in the Government orders is necessary.

21151. (*Mr. Dutt.*) The appointment of a Director-General of Criminal Intelligence was made to co-ordinate police work in the different provinces as regards heinous crimes?—Yes.

21152. Was it one of the objects to introduce some sort of uniformity in the different provinces?—I think not.

21153. Is it too early yet to judge the result of it?—For the purposes for which the particular appointment was established, I think it has been absolutely successful.

21154. Do you want the appointment of another police officer in the Secretariat to secure some sort of uniformity?—Not necessarily a separate officer—he may be the same officer. All I would suggest is that he should be a Police Officer.

21155. Have Deputy Superintendents yet been appointed to the different districts?—Some six or eight have, but not in all the districts.

21156. Have sub-inspectors been appointed according to the new rules?—Yes, the first batch. We have several of the men who were trained in Bengal who have come over.

21157. Have the powers of the Magistrate with regard to the transfer and promotion of Police Officers been much affected by the new rules?—I do not think so.

21158. Have the powers of the Magistrates over officers been to some extent decreased?—Yes, they have.

21159. So that a District Magistrate has less control over police work than he had before?—Yes.

21160. There used to be a register in which the Magistrate trying a case made his remarks as to the conduct of the police; is that register still kept up?—There is no such register still kept up that I know of, but the Magistrates have the right to record remarks of that kind, though in the case of subordinate Magistrates it is discouraged.

21161. You say some chaukidari unions in the Backarganj district have been empowered to deal with cases. How long ago was that?—Ten years ago.

21162. Was that system successful so long as you were there?—Yes.

21163. Was it introduced into many villages?—I think it was general throughout the district.

12164. Is not the Bengali language spoken in all three divisions?—Yes.

21165. And a man coming from Rajshahi has no difficulty in understanding the language of Dacca, and a man coming from Dacca has no difficulty in understanding the language of Rajshahi?—No.

21166. Are the Superintendents of Police in these eastern districts thoroughly well acquainted with Bengali?—The present officers are.

21167. Can they understand the language as it is spoken by the villagers?—Yes.

12168. You say that the powers of municipalities and District and Local Boards should be reduced, particularly as regards assessments; are you aware that District Boards have no power with regard to assessments, and that the assessment and collection of the Road Cess are made entirely by the Collector?—I was not aware of that.

21169. (*Mr. Hichens.*) Do you think that the Government should make a profit out of providing an officer with a house, or should they provide it below the market price?—In the case of junior officers I think they should do the latter.

21170. Does the 10 per cent. represent a price usually below the market price?—In the case of junior officers I think it does, but not in the case of senior officers.

21171. How far is the pay of subordinate officers uniform throughout India?—I think it is more or less uniform now, but there are exceptions in certain places, such as Calcutta and Bombay.

21172. Can you get an efficient type of officer for the pay prescribed?—Yes, officers we can.

21173. Is the pay of the men prescribed too?—Yes, by the Government of India.

21174. Can you get efficient men for that pay?—Not always in the case of the men.

21175. Is it desirable that a principle of uniformity in regard to the pay of men should be laid down?—Some uniformity should be laid down, but relaxed in certain cases. The difficulty we experience is in getting suitable men for the towns.

21176. The provincial Government would not be likely to pay more than it found to be necessary, if left to itself?—No.

21177. And if they did decide to pay a higher wage than was paid, for instance, in Burma or in the Central Provinces, it would be for some very good reason?—Yes.

21178. Do you think it is necessary to refer that matter to the Government of India?—I think so, in the case of the men.

21179. Do you think the Government of India would agree without any demur if the provincial Government sent up a request to be allowed to increase the pay of the men on the ground that they could not otherwise get efficient men?—That would be one of the cases I refer to in suggesting that we should have an officer having police experience at headquarters.

21180. Would there be any difficulty to-day in getting that consent?—I think at present it would be absolutely refused.

21181. And yet it is desirable that you should be able to pay a higher wage?—In certain places, yes.

21182. You are getting inefficient men, the work is being inefficiently done, and yet you are powerless to remedy it?—The rates have been lately revised and fixed. At present we are trying the

experiment of recruiting-men, with regard to which we have had difficulty, from up-country, and it remains to be seen whether the steps now being taken will prove successful or not. At present, the time has not arrived for making any definite pronouncement.

21183. If it becomes necessary, should any recommendation be endorsed by the Government of India before it is carried out?—I would sooner it was left to the Local Government to deal with.

21184. (*Mr. Meyer.*) You rather implied that it was an exceptional matter for a Director-General to have been a Police Officer—who is the present Director?—Sir Harold Stuart.

21185. Are you aware that he was for several years Inspector-General of Police in Madras?—Yes.

21186. Do you not think that a sufficient qualification?—There is no hard-and-fast rule laid down that the appointment shall be given to an officer with police experience.

21187. But so far as Sir Harold Stuart is concerned, he possesses the qualification you desire?—Yes.

21188. And was he not the first holder of the appointment?—Yes.

21189. Therefore, so far you have no reason for complaint?—No, except that I suggest he should be an officer who has had experience in all provinces, and not necessarily in the one province he has served in.

21190. Is there any person who has had experience of police in every province?—No.

21191. Do you propose that all Police Officers should travel over them all?—Not all, but I think the officer selected for appointment should have a year's experience of them all.

21192. As a matter of fact, the existing permanent officer has that experience, having been Secretary to the Police Commission?—I could not tell you.

21193. Do you desire every department to have a special representative at headquarters in the same way that the police have?—No.

21194. You complain of delays on the part of the Government of India in dealing with cases which arise from the undue discussion of details; but if you had an officer with technical police experience, is it not just possible that he will go into detail more than another officer would?—Possibly he might, but I do not think we should have to refer things back so often as at present.

21195. But might not his view be different from the view of your Local Government?—It might be.

21196. You have charge of the Special Intelligence Branch in this province. What are your relations in connection with that with the Director of Criminal Intelligence?—I am directly under him. I report to him direct as to matters which are of inter-provincial importance.

21197. And you might receive instructions from him to carry on an investigation as to some particular case or to watch some gang that may be coming in from another province?—Yes.

21198. But are you under his orders in the same way as you are under the orders of your own Inspector-General?—Yes; he issues circular orders on matters directing the lines of enquiry; they do not interfere with one's work, but they lay down the lines of work.

21199. He could not for instance tell you to go to Gauhati to-morrow in the same way as your own Inspector-General could?—No.

21200. Have you found any inconvenience in this double control, such as it is?—No.

21201. Have you found any advantage in the information you have received from the Director of Criminal Intelligence?—Yes.

21202. You have said it was too early to consider details, but, speaking generally, did not the Police Commission bring about some considerable reforms in police organization?—Yes.

21203. And also some considerable enhancement of pay of the Police Officers and subordinates?—Yes.

21204. So far, was its action beneficial or otherwise?—Decidedly beneficial.

21205. Then you spoke about the pay of your men—was that recommended by the Police Commission?—Yes.

21206. Before the recommendation of the Police Commission was adopted, was not the matter referred to all the Local Governments?—Yes.

21207. Therefore, your Local Government had an opportunity, if they thought the pay too low, of objecting?—This province was not formed then; it came under Bengal.

21208. Are you aware whether they did object?—I cannot say.

21209. Are there any local allowances given here to supplement the general rates?—Not in Eastern Bengal. I think there is an allowance in Assam.

21210. Where do you recruit the bulk of your rank and file from?—A certain percentage, from 20 to 30, from up-country, and a certain percentage locally.

21211. What do you mean by up-country?—United Provinces, Central Provinces and Bihar—the Hindi-speaking districts.

21212. What is the constitution of the military police; what class of people are they?—They are from up-country. They generally come from Bihar and other places.

21213. Then so far as your recruiting up-country is concerned, you are in a way trenching on the local recruiting-grounds of other provincial Governments?—Yes.

21214. And from that point of view it might be harmful to them, if your Government were to raise the pay of police constables considerably?—I think not, because men would naturally work for very much less than they would in other parts where living would be more expensive.

21215. But, nevertheless, a point might be reached at which it would pay them to leave their own province?—Undoubtedly.

21216. Suppose the United Provinces said, "You are diminishing our recruiting ground by offering such high prices," what would happen?—I do not anticipate that that would ever occur.

21217. But in the event of its occurring I suppose ultimately the Government of India would have the decision?—No doubt.

21218. Have your District Superintendents to spend a minimum amount of time on tour?—They have to inspect a certain number of posts twice in the year, but the number of days is not fixed.

21219. Therefore, conceivably, might not a man rather scamp his inspection?—He is supposed to spend a certain amount of time at those posts when he does inspect them, and he has to inspect them twice a year.

21220. Is that sufficient or would you also have a minimum time for touring as District Officers have in some provinces?—I think it is sufficient as it stands; it is never worked up to at present, because they cannot possibly do it.

21221. But when matters are improved, would you insist upon it?—Yes.

21222. Things are different in the Assam Valley from Eastern Bengal as regards language and conditions?—Yes.

21223. Do you have frequent transfers of Police Officers as between Assam and Eastern Bengal?—No, not in the past; they have been more or less confined to Assam.

21224. If a District Superintendent of Police goes on privilege leave, and there is an Assistant Superintendent in the district, would he be put on to the work if he was considered fit to do it?—Yes.

21225. Although he was not the senior man on the roster?—No, he would not get the acting appointment, that is given in the regular grade, the

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senior Assistant would get the acting appointment, and it would mean a transfer.

21226. Suppose A goes on leave, B is an Assistant in the district but a junior, C is a senior Assistant outside; would you replace A by C, and not by B?—Yes.

21227. Always?—Yes.

21228. Do you think that that conduces to frequent transfers?—Yes.

21229. What should be done in the case of short vacancies not exceeding six months. Would you not let B act?—It would be rather hard on C if he happened to lose two or three acting appointments.

21230. But in the course of a man's whole service, would he not score sometimes as against losing at other times?—That might be so.

21231. If it could be managed without undue damage to the personal interests of the Service, would it not be preferable?—At present there are not enough Assistants; there are only Assistants in two or three districts out of 24.

21232. But that is an abnormal state of affairs—is it not, because your *cadre* is somewhat depleted?—It is very low indeed, but still there will be a large number of districts without Assistants.

21233. Still when you have one, ought he not to be utilized as acting District Superintendent of Police?—I think an allowance might be given instead of the regular acting promotion, which should go to the senior man.

21234. You would add to the expense then?—Yes.

21235. Another system has been suggested, of letting the junior man who gets the appointment take half the ordinary acting allowance, the senior man who has to forego the appointment taking the other half—would that meet the case?—I do not think it would; you would find it would cause discontent amongst the senior Assistants.

21236. You said that it was ruinous for an officer to be transferred, because of the inadequate travelling allowance, and so on?—It is not necessarily the case when a man goes for two or three months, because he generally relieves a man who has gone on leave for that time, leaving his house standing and the acting man would take it over.

21237. Then what would happen to the house of the man who relieves?—An Assistant generally has not a house, although there may be exceptions.

21238. At any rate, if transfers are so expensive in general as you represent, it would not be an unmitigated loss to the officer to have to forego the acting allowance?—It might not in some cases.

21239. You spoke of the travelling allowance rules—does the State take any cognisance of an officer's wife and family?—No.

21240. But it gives an officer double first-class fare in order that he may have something towards the expense of conveying his baggage and so forth?—Yes.

21241. As regards the rent of houses, is not 10 per cent. of his salary the maximum which is chargeable to an officer?—Yes, but the value of a house is usually more than 10 per cent. of an officer's pay.

21242. Is it not the Public Works rule, that the rent is calculated on commercial principles, as near as may be, subject to a maximum of 10 per cent. on the officer's salary?—Yes.

21243. Therefore if an officer is paying 10 per cent., he is generally paying less than the market value of the house?—He may be.

21244. Is it easy to get private houses here?—No, it is most difficult.

21245. And if there were such, are they rather expensive?—Very expensive.

21246. So that the State does not in any way plunder you?—No.

21247. On the contrary, it rather benefits you?—Where we have Government houses, yes.

21248. We were told in Bengal proper that chaukidari unions used to be very much under the control of the police, but that that had been now altered and the police had been dissociated from them; is that the case in this province also?—To a great extent; not entirely. It was tried in one or two places, but they went back to the old system.

21249. Have they gone back to the old police system?—Not quite to the old police system; it has been modified. In the olden days, panchayats were nominated entirely by the police, and the chaukidars were under the police; but that was all knocked on the head and a system introduced by Mr. Savage separating the chaukidars from the police; that system was tried and found wanting.

21250. Then is the chaukidar still under the control of the police thana?—As regards attendance and reporting, he is. The police have nothing to do with his appointment.

21251. And as regards the selection of the members of the panchayat?—The police have nothing to do with that.

21252. Then the police are in the main dissociated from the chaukidars?—Yes.

21253. Has that been satisfactory or otherwise?—I think there should be more control of the chaukidars by the police; but as regards appointment, the police need not have further powers; I think the chaukidars are being made far too independent of the police.

21254. With regard to your complaint as to assessment, do you say anything with regard to the assessment of municipalities?—Yes. I do not think the assessments of municipalities are fairly done. They charge excessive rates in some cases, and absolutely absurd rates in others.

21255. Who makes the assessment?—The Municipal Commissioners.

21256. Is there any appeal?—I believe there is.

21257. Have you appealed?—No, I have not.

21258. (*Sir Steyning Edgerley.*) Will the proposals of the Police Commission provide you with a deputy superintendent in each district?—No.

21259. Will they give you an Assistant Superintendent, or a deputy superintendent in each district?—No.

21260. Will they give you what you consider a sufficient staff in all classes of officers for the province?—I think so, when the system is fully in work.

21261. Then you have obtained all you have asked for, having regard to all classes of officers?—We have not got them yet; they have been sanctioned, but the system is being introduced gradually.

21262. But on the whole you think it sufficient?—I think so.

21263. You said you thought certain schemes had been hung up; what schemes were in your mind?—A certain proposal which was sent up in connection with reorganisation and special appointments which had to be made to deal temporarily with some agitation.

21264. With regard to permanent establishment what has happened?—That has all been sanctioned, but the funds have not been allotted yet.

21265. What is the pay of constables?—They start at Rs. 8 and rise up to Rs. 10.

21266. What is the pay of head constables?—From Rs. 12-8 up to Rs. 20.

21267. Before the reorganisation, what were the rates of pay?—Before the reorganisation the pay in some districts was from Rs. 10 to Rs. 25 for head constables, and constables started at Rs. 7 and ended at Rs. 10, including good-conduct allowance.

21268. So that there has been no raising of the maximum of the constable, and there has been a diminution of the maximum of the head constable?—Yes.

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21269. Is there a system of direct recruitment of sub-inspectors commencing with Rs. 50?—Yes, but they come in first as probationers at Rs. 30.

21270. So that the prospects of your men up to head constables are worse than they were before?—Yes.

21271. Under those conditions can you get men?—Yes; our forces are filled, because we have a class of men known as writer-constables, who are capable of being absorbed as head constables into the regular strength if fit, and there are others being reverted to the ordinary rank and file.

21272. As regards touring, do you travel on daily travelling allowance?—Or mileage.

21273. Have you had any experience of the permanent travelling allowance system?—Yes.

21274. Which do you think causes the least labour?—I should think the permanent travelling allowance system.

21275. Which do you think is the better system?—The permanent system.

21276. Who countersigns the daily travelling allowance bills, the mileage bills?—The Inspector-General of Police.

21277. Have you anything to do with them?—No, except as regards the subordinate officers.

21278. It is now the 9th of January; have the subordinate officers got their mileage for November yet?—Yes.

21279. But not for December?—Not for December.

21280. If the allowance was on the permanent system, would they not have had it?—Yes, they would have drawn it on the 1st of the month.

21281. So that it means not only more work, but further delay in the men getting their money?—Yes.

21282. As regards the language difficulty, is there any rule, if a man is transferred from Eastern Bengal to Assam, laying it down that he has to pass an examination in Assamese?—Yes.

21283. If he does not pass what happens?—Nothing, provided he has passed his previous examination entitling him to his promotion.

21284. Is there anything in the shape of a deduction from his salary if he does not pass within a given time?—No.

21285. With regard to the system of disposing of cases of unnatural death by village panchayats, does that save a great deal of work?—Yes.

21286. Have you ever known it lead to murders being lost sight of?—No; it has been only tried, to my knowledge, in one district.

21287. Is there not great danger of that?—Not if the men appointed are suitable.

21288. Take the case for instance of a sudden death—would not that want careful enquiry?—There is that risk of course, but intelligence is always brought to the police.

21289. Of course it is all right if intelligence is brought to you, but supposing it is not?—The chaukidars invariably give intimation, and if there is no call for interfering we do not interfere.

21290. Have you a very large number of chaukidars in each district?—Yes.

21291. Are they paid by a separate cess?—Yes.

21292. May they run in a district like Backarganj to as many as four or five thousand men?—Not so many as that. About 2,000.

21293. Do they do a great deal of police work for you?—Yes; they bring us information, and they keep us informed of the vital statistics, and in the event of our wanting any information collected it is the chaukidar who does it.

21294. Do they report cases of crime in the villages, and so on?—Yes.

21295. Then practically they enable you to do with a smaller body of police than you could otherwise get on with?—Yes.

(*The witness withdrew.*)

Mr. WILLIAM SWEET was called and examined.

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21296. (*Chairman.*) You are the Superintending Engineer in the Eastern Bengal Circle?—Yes, for a short time I was acting as Secretary to the Assam Administration before the present province was formed.

21297. How many circles have you in Eastern Bengal?—One.

21298. What is the constitution of your staff here?—I have five Executive Engineers.

21299. Are you satisfied with the powers which you, as Superintending Engineer, have now?—No, I think they might be considerably enlarged, more particularly with regard to the sanctioning of estimates.

21300. Might the Local Government have power to sanction estimates?—Yes, from imperial funds up to two lakhs.

21301. Also power to fix the permanent scales of the Lower Subordinate Officer and the petty establishment, and to appoint temporary engineers?—Yes, within the limit fixed for the establishment of the province.

21302. And in the same way to construct tramways in certain cases?—Yes, in certain cases.

21303. You think that the procedure for the acquisition of land is rather roundabout?—Yes, about seven steps are now required to acquire land.

21304. Supposing you wanted land, will you tell us what happens?—We should apply to the Collector for an estimate of the cost of the land, and for a draft declaration for publication in the Gazette that the land is to be acquired for a public purpose. He would send that estimate up, if it is over Rs. 5,000, to the Commissioner for his approval; if it is over Rs. 25,000, the Commissioner will sign it and send it on to the Board of Revenue; it would then come back to the local officer who is acquiring the land who would send it up to Government for sanction to acquire the land and the publication of the notification. After publication the Government would address the Board of Revenue, requesting them to acquire the land; they pass on orders to the Commissioner, and he passes on orders to the Collector. All these steps cause considerable delay.

21305. What is the system you would suggest?—The local Public Works Officer should apply to the Collector for his estimate and notification (or the Collector might send it on to the Commissioner and on to the Board of Revenue), and the local Public Works Officer could send the estimate up with the notification. If the Government sanctioned the acquisition of the land, as soon as the Gazette containing the notification issued, the Collector should have power to carry out the acquisition and deal with the actual owners, unless, of course, the final award exceeded the estimate. That would reduce the process by three steps.

21306. You would like to see the powers of Superintending Engineers increased?—Yes; I would suggest that all intermediate officers should have their powers enlarged.

21307. Would you like the Superintending Engineer to have power to sanction estmates for works from all funds up to 10 per cent. of the powers of the Government?—Yes.

21308. And to accept tenders and to fix rents in the same way?—Yes, under the rules laid down by the Government of India, which are purely mechanical.

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21309. Are the rules reasonable?—Yes.

21310. You would like power to sanction local purchases, etc., up to Rs. 2,500?—Yes.

21311. And to purchase tools in the same way. Have you any power to sanction contracts?—I can accept tenders up to Rs. 10,000.

21312. Do you desire any extension of your powers in that respect?—I should suggest a limit up to my powers of sanctioning estimates.

21313. Does the work in connection with these things take up some time?—It does not take up a great deal of time, but it adds to the office work.

21314. In the same way would you like to see the powers of Executive Engineers extended?—Yes.

21315. In the case of sanctioning estimates, what would you put their limit at?—I would give an Executive Engineer, reported fit for administrative appointments, 10 per cent. of the powers of Superintending Engineer, and as to others who are not reported fit for administrative posts, I would give a lower limit, and a third grade a still lower limit.

21316. You tell us that certain Executive Engineers are reported fit for promotion. Do you at present make considerable selection from your officers?—Yes, as soon as an officer becomes a first grade Executive Engineer, I have to report whether he is fit for an administrative post.

21317. Up to the first grade, does he go up by seniority?—Yes, tempered by reports to a certain extent.

21318. Are those reports ever unfavourable?—Yes, and they have to be shown to the Executive Officer.

21319. Are there cases in which officers have been passed over before ever getting to the first grade?—Yes.

21320. Then after the first grade there is a very fair amount of selection?—Yes.

21321. Does that system work well?—Yes.

21322. What happens to an officer when he is passed over?—He remains where he is and never gets any further.

21323. Does that system work well?—I think his pay ought to be increased periodically after he becomes a first grade Executive Engineer (after 19 years' service); he may have to stay on another 15 years.

21324. But if he is of no value to the State, why increase his pay?—He might be a very good Executive Officer, but without any administrative capacity.

21325. Would he improve as an Executive Engineer?—Yes, every day adds to one's experience.

21326. You would in no way curtail the right of appeal?—No.

21327. In respect of provincial Officers, have you all the control you wish for in the way of posting and transferring?—Yes.

21328. Do you appoint the Subordinate Service?—The Superintending Engineers appoint lower subordinates within the scale laid down.

21329. Can you dismiss them?—We can dismiss those whom we appoint subject to appeal.

21330. Speaking generally, are you satisfied with your relations to the staff subordinate to you?—Yes.

21331. As a Superintending Engineer are you satisfied with your relations to the Public Works Secretariat?—Subject to what I have said about enlarged powers, yes.

21332. Is the Public Works Code at all complicated?—No.

21333. You do not think it could be relaxed in any way advantageously to the Service?—I think not.

21334. Do you think your staff is not up to exercising, or perhaps do not desire, greater freedom?—I have no reason to think that.

21335. (*Sir Steyning Edgerley.*) I understand you have only five Executive Engineers, which is one for each division?—Yes.

21336. Can they do the whole work of the division?—The Public Works division is not the same as a civil division. In one of the civil divisions there are two Engineers, in Dacca there is one, and in Chittagong there is one.

21337. And in Assam?—Assam is the same. I think there are seven divisions in Assam.

21338. So that you really have twelve Executive Engineers in the province?—Yes, there are 12 or 13 in the province.

21339. Besides that, you have a certain number of District Engineers?—There are District Engineers under the District Boards.

21340. Do they do any work for you?—Not now.

21341. Are the twelve men sufficient to do the whole work of the province?—They are somewhat overworked at present.

21342. Is there any question about increasing them?—No, there has not been any question raised.

21343. Are they sufficient as a staff?—No. I do not think it is worth while raising the number of divisions; we can, if necessary, arrange for special divisions; we have a special division here at Dacca, and in case of a large work we should go in for a special division.

21344. We were told yesterday that the work of an Executive Engineer is impossible for any single man—do you agree with that?—No; it is hard work.

21345. You think then that there is sufficient establishment?—No, I think we require more Assistant Engineers.

21346. Do you think the system of Executive Engineers under a District Board is an economical system?—In some ways it is wasteful, because you have two men travelling over very much the same area of country. It could be improved by abolishing the District Engineer.

21347. If any change were made, would that be the change to make?—That is the only way; you would have to increase the Public Works *cadre* and increase the charges.

21348. In that case would you have to put an Executive Engineer into each district?—I fear we should unless we could insure a supply of efficient Assistant Engineers.

21349. Have you any such at present?—Yes, but they are mostly very junior. I think I have five Assistant Engineers and one temporary Engineer in my circle.

21350. Have you any difficulty in getting stores under present conditions?—There is no great difficulty, but there is sometimes considerable delay.

21351. That is a difficulty when you are finishing a building?—Yes, we have had to stop work occasionally, in buildings for the new station, for instance.

21352. Have you any instance in mind?—In one case the iron-work, girders and so on, had not arrived.

21353. Is that a sort of thing you would be able to get in India?—Yes.

21354. When were they ordered?—Many of them were ordered by telegram, but I could not tell you the time which elapsed before they were delivered; at any rate it was a good deal longer than sufficient for the Director-General to have supplied them. The delay was over six months in some cases.

21355. Are you quite sure you could get similar stores quite satisfactorily in Calcutta?—Yes; if we could not get them we could order them, and they would be got out in a third of the time.

21356. Would they be satisfactory?—Yes, for the work we want them for. In some cases they would be rather dearer.

21357. (*Mr. Meyer.*) What are the restrictions which the Government of India impose on the Local Government with regard to the Upper and

Lower Subordinate scales in the Public Works Department?—They want to fix the number for us—the number of our clerks and subordinates, not in each grade, but in each office.

21358. The Government of India have laid down a uniform scale of clerks for the Executive Engineer, which you cannot exceed without their sanction?—The Government of India wished to fix the number to be employed in the office in the first place, and we shall not be able to exceed that number unless we employ temporary hands; we shall not be able to exceed the scale of permanent clerks fixed by the Government of India, because the Local Government cannot revise the orders of the Government of India.

21359. Therefore the Local Government could not add a permanent man at Rs. 15 without going up to the Government of India?—Yes.

21360. Is that a restriction of the Public Works Code?—No; the Code says that a provincial Government shall fix its lower and menial establishments. It is with the scale we are going to start the province with that the Government of India is interfering at the present time. I do not know under what rule it is called for, but the matter has been referred to the Government of India, and they have objected to the proposed scale.

21361. Is it not possible that the matter went up to them for financial sanction by reason of the new appointments of Executive Engineers or otherwise?—I think it is being criticised in the Public Works Department, not the Financial Department.

21362. You get your orders as to Public Works matters, whether they relate to finance or not, from the Public Works Department?—Yes, it may have gone up upon that.

21363. Is it not possible that you have to send up these schemes for financial sanction by reason of the total cost of the appointments involved, and that then the Government of India dealt with the scheme and said, "Five clerks are enough for an Executive Engineer," but that does not prevent the Local Government adding a sixth or a seventh later on?—I think it would; the Local Government could not add a permanent clerk after the Government of India had laid down a certain number, otherwise there would be no object in laying down that number.

21364. As regards Sub-Engineers and Supervisors and so on, do the Government of India impose any check as to appointments?—No.

21365. But they do with regard to the *cadre*?—Yes, they fix that.

21366. What is the pay of these people?—The highest pay is Rs. 450, and the lowest of the Upper Subordinates is Rs. 60.

21367. What do you call a Lower Subordinate?—A Lower Subordinate begins at Rs. 30.

21368. Do the Government of India interfere with the Lower Subordinate *cadre*?—Yes, they have in this case.

21369. Can you alter the *cadre* without going up to them?—No, not when they fix it.

21370. As regards the appointment of temporary Engineers, your present power is up to Rs. 250 a month. It has been suggested by various Local Governments that they should have power to make temporary appointments up to Rs. 500, but you want to go up to Rs. 950; what is the reason for that?—Because Rs. 950 has been fixed as the highest pay for a temporary Engineer.

21371. You have, say, 12 Executive Engineers now, and if you want six temporary men do you mean that the Local Government should be able to appoint those men at Rs. 950 straight way without reference to the Government of India?—Yes, if the scale allowed us to appoint that number. The Government of India will lay down the scale, and say, 12 permanent and so many temporary.

21372. If the Government of India consider that from time to time you require a certain number of temporary Executive or other officers, then you think that the Local Government might appoint them and fix their pay?—Yes.

21373. You want to give the Local Governments power to deal with tramways. What is technically termed a tramway might really be a light railway?—By tramway I mean a light railway, too.

21374. A light railway might come into competition with a bigger railway?—It could.

21375. And railways are an important and an imperial matter?—Yes, and companies as well.

21376. Who controls companies' railways? The Local Government or the Government of India?—The companies, and I suppose they would raise an outcry.

21377. From that point of view is it not necessary that there should be some imperial control over a tramway which is really a light railway and not a mere local substitute for an omnibus route?—Yes, but I have suggested this from experience of a country which formerly was devoid of railways entirely—Assam. It now has one.

21378. As regards land acquisition, do you desire to reserve to the Local Government the original decision as to whether land requires to be taken up for public purposes?—Yes.

21379. In cases of relatively small value, might that not go to the Commissioner?—Yes.

21380. What are your relations in the Public Works Department here with the Commissioner and Collector?—We consult the Commissioner as to new roads and things of that kind and the Collector, too.

21381. Are not the roads made by the District Board?—They are mostly in Eastern Bengal, except in Rajshahi.

21382. In regard to buildings, I suppose you would consult the local Head of the Department concerned?—As regards new buildings the local Head of the Department makes the first movement.

21383. In regard to such roads as are outside the sphere of the District Board, would you consult the Collector and Commissioner before making them?—Yes.

21384. And if they said it was not necessary, or that road B was better than road A which you proposed, what would happen?—If we could not agree together, we should refer the matter to the Chief Engineer.

21385. What would happen if the Chief Engineer agreed with you and disagreed with the Commissioner?—It would then be laid before the Lieutenant-Governor.

21386. It has been suggested that the provincial Public Works grant should be largely distributed amongst divisions, and that the Commissioner should have the power of financial sanction within the budget allotment, for road and irrigation works which are not of primary importance, the professional sanction remaining as at present with the Public Works Department; do you see any objection to that?—I see no objection to raising the powers of Commissioners with regard to sanctioning roads.

21387. Would you raise them largely?—Yes, I think so. I see no reason why they should not be final in the matter of sanctioning roads if the Local Government gives them sufficient money to carry out the work.

21388. You spoke of discriminating between grades of Executive Engineers—how many grades are there?—Three. I would discriminate between men in the first and second grades. As soon as a man becomes an Executive Engineer, a report has to go in as to his fitness for an administrative appointment.

21389. What about the second and third grade men?—I propose for the second grade a larger limit, and the third grade I would leave where it is.

21390. Are you quite satisfied with the powers of the provincial Government under the rent rules?—Yes, as far as fixing rent goes.

21391. Have you not to make a good many representations to the Government of India?—Not about rents; once laid down it is a hard and fast rule.

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21392. But whenever circumstances oblige you to build a house on which the rent fixed under your *quasi*-commercial principles would exceed 8 per cent. of the officer's salary, have you not to go to the Government of India to get it changed?—Yes, as a matter of building we have, but not as to fixing the rent for buildings already completed. The Local Government now fixes the rent.

21393. Are you satisfied with the rules as to expenditure on houses?—No. I think the Local Government might have a free hand in regard to all classes of officers.

21394. That might mean giving a house to a high official at such a rent, as compared with its market value, that you would be considerably increasing his emoluments?—Of course you are supposed to be able to trust the Head of your Government.

21395. Do the present rules go on that principle?—The rules go on the principle of absolute distrust.

21396. Does the Public Works Code go on a principle of confidence or distrist?—On the whole, a principle of confidence.

21397. Is the Public Works Code in some respects unduly rigid?—Yes.

21398. There are certain rules under which the Local Government has to come up to the Government of India for sanction for an individual work?—Yes.

21399. If the Government of India approve, would the Local Government have to send the estimate up again?—Yes.

21400. Do they have to send up the estimates in every case in which they have to get financial sanction?—Yes, they have.

21401. Is that necessary?—No, except in the matter of imperial expenditure.

21402. Are not references required occasionally where the estimates have been passed, but it is a question of whether you will execute them by contract or departmentally, and so forth?—No.

21403. Though your own people below you have to come up to you?—Yes. The Local Government can accept a contract up to any amount.

21404. Would it not be possible for a District Board Engineer to take over the Government building work?—That is how this province was run before we took it over. It was given up because it was thought that the Public Works Department would do it better.

21405. How long had the system been going on?—I think almost from the time of the formation of District Boards. The District Board Engineer did most of the Government work.

21406. But in Assam you had not District Board Engineers, and consequently the Government staff did it all?—The Government staff did all the important works for the Boards.

21407. When Assam and Eastern Bengal were united under an officer who had been Chief Commissioner of Assam, then the Assam system was promptly applied in Bengal as far as Government works were concerned?—Yes.

21408. Was it done on mere theory, or was there actual evidence that the old Eastern Bengal system had been unsatisfactory?—There was a certain amount of evidence that it had not been very satisfactory, and there was also the idea of placing more officers about the district so as to be able to check the expenditure.

21409. Under the Eastern Bengal system, the District Board Engineers were supervised to a certain extent by the Superintending Engineer of the Public Works Department in his character of Inspector of Local Funds Works?—Yes.

21410. The present result is that you have done away with the agency of the District Board Engineer, of whom you had one in each district, and you have instituted a scanty Public Works staff with one Executive Engineer in each Commissioner's division?—Yes, except in the case of Rajshahi.

21411. Do you consider that a satisfactory alternative?—Yes, I think so.

21412. An officer coming in to the Public Works Department has a right if he behaves well to rise up to the post of first grade Engineer?—Yes.

21413. But the Superintending Engineer stands on a different level?—Yes, selection is made from the first grade.

21414. But a senior man does not necessarily go in?—No; as soon as a man becomes a first grade Engineer, a report has to be made in regard to him.

21415. Supposing a Superintending Engineership falls vacant and you have three first grade Executive Engineers, all of whom are fit, but the junior of the three is a much abler man than the other two, would he be put in?—Not if the other two had been reported on as fit.

21416. Then it is really seniority tempered by selection and not selection purely?—Yes.

21417. Does promotion to Chief Engineer go in the same way?—Sometimes a man is pretty certain if he gets Superintending Engineer to become Chief Engineer.

21418. So that it goes practically by seniority?—Yes.

21419. Have you had many appeals come to you, first as Superintending Engineer and second as Chief Engineer?—No; they are not very plentiful.

21420. Are there not many cases in which a matter has already been decided twice or more by people below you?—There is practically only one appeal—there is the decision of the officer and the appeal then goes to the Government.

21421. Has an Executive Engineer much power in regard to punishing or dismissing people?—No, he has very little power indeed, but he can dismiss a man he has appointed himself—a clerk or a menial.

21422. Suppose he does not dismiss him but suspends him for a month, could an appeal go to the Superintending Engineer?—Yes, and from him to the Chief Engineer.

21423. Then could it go on from the Chief Engineer to the Secretary to Government?—It could.

21424. Have you had many matters which under the existing rules or practice you have to refer from yourself as Chief Engineer to yourself as Secretary to Government?—In appeals there have been.

21425. In all important matters you would take His Honour's orders, but are there matters which have to go to you formally as Secretary to Government but which you consider so unimportant that you do not take His Honour's orders but deal with yourself?—Yes; there are many things one disposes of as Chief Engineer or as Secretary which are not of sufficient importance to go up to His Honour.

21426. It has been represented by one officer that one of the instances of harmful interference by the Government of India was with regard to building operations here in Dacca, which he said were largely delayed owing to the action of the Government of India; have you any knowledge of that?—We found we could not build here within the rules and we had to go to the Government of India to relax them in certain cases.

21427. Are you speaking of residences for officers of Government?—Yes, and in the matter of Government House there have been many references, and it has taken us two years to get it through.

21428. Was that owing to the cost being disapproved, or the plans being disapproved, or what?—The plan was approved, and then it was decided that the Government of India architect should work it up for us and make all the drawings and so on, but he did nothing for some three months, so Sir Bamfylde Fuller got them back and gave them to a private architect to work up. Then they were sent back to the Government of India again, and I suppose the Government of India architect criticised them a great deal, and a great many changes were made before they were finally approved.

Then the architect's estimates were sent to the Government of India for sanction, but they said, "No, you are to make out your own estimates, and send us the detailed drawing," and they wanted detailed drawings of every bit of moulding and so on; so that altogether there was a good deal of rigidity about it.

21429. Was your local architect a private man?—Yes, a qualified architect.

21430. But in the matter of a Government House which has to last for a very long time, might there not possibly be something to account for the Government of India requiring the advice of their own architect?—Yes, I have no objection to make to that, but I do object to the excessive amount of detail in regard to the estimates.

21431. Was the delay due mainly to the existing rules, or what one might call vexatious interference under the existing rules?—I think under the existing rules the matter could have been passed through more quickly, because there is nothing in the existing rules which necessitates any great delay.

21432. Do the existing rules require a reference to the Government of India architect?—Yes.

21433. And they also require a reference financially owing to the cost of the building?—Yes; there was no great trouble about that.

21434. Having regard to the conditions under which the Government of India had to examine all these matters, was their examination needlessly minute, and were you put to unnecessary inconvenience and delay?—I think we were.

21435. Would you say considerable delay?—I think we might have started the work some six or eight months ago.

21436. (*Mr. Hichens.*) Who provided the money for the new buildings which are going to be put up here?—That is a question I am not prepared to deal with.

21437. At any rate, given that the money was available, was there any particular reason why the provincial Government should not be able to settle what sort of buildings they wanted and how they were to be put up?—I think with the exception of an important building like a Government House, all questions as to buildings might be left to the provincial Government.

21438. The assumption would be that you would employ a competent architect?—Yes, for a large building especially.

21439. Have you had much experience with regard to the architect of the Government of India?—No, very little.

21440. It was put to us in another province that occasionally he was not versed in local conditions?—Quite true.

21441. And therefore his advice might be sound or it might not, but at any rate it was not desirable that a Local Government should be in any way bound to take it?—Yes.

21442. Might it be laid down that a provincial Government might consult the Architect of the Government of India if they chose, but if they felt that they had a good enough architect of their own, they might abstain from consulting him?—Quite so.

21443. In regard to the Government House, is there really any reason why the provincial Government should not settle for itself the kind of building it is going to have?—I think that means that one man would settle the plan of the building, and he might have fads.

21444. In the case of that particular building, the Local Government might rely too much upon personality and individuality, and therefore the matter ought to go through more hands?—Yes.

21445. With regard to other Government buildings, for instance, as other public offices, is there any reason why there should go up either for administrative or technical approval to the Government of India?—I think it is very desirable that we should be able to get an architect's advice and help, but if we have a private architect I do not see that it is necessary.

21446. (*Mr. Dutt.*) You say that if Government has approved of the acquisition of any land, further procedure might be left to the Collector, but is not that the rule at present?—No, after the Government has approved of the estimates, orders are issued to the Board of Revenue who pass them on to the Commissioner who passes them on to the Collector, and I would omit all that; I would have the appearance of the order in the Gazette sufficient authority for the Collector to proceed with the work.

21447. You say that the Collector should be empowered to give immediate possession under section 17 of the Act without reference to the Local Government?—Yes, instead of having to refer backwards and forwards through the same channel for orders.

21448. Is not section 17 reserved for urgent cases, where immediate possession is necessary?—Yes.

21449. Do you not think in such cases the Government should decide whether there is urgency or not?—But it very often happens in a twopenny-halfpenny case; for instance, we might want a brick-field, and if we want it, we want it immediately.

21450. But looking at it from another point of view, does not section 17 set aside a lot of the procedure with regard to notification and that kind of thing? Do you not think the Government ought to have a voice in deciding whether the matter is so urgent that the usual procedure should be set aside?—I do not think there is very much procedure set aside under section 17. A Collector cannot take any action under that section until the notification has been published and he has issued his award.

21451. You said it would be possible to employ either an Executive Engineer or an Assistant Engineer in each district to be in charge of the Government work and also of the District Board work. Would you advocate that system as better than the present one?—It is hard to say which is the better; there are advantages in both systems.

21452. At present have not the District Boards power to appoint their own Engineers?—Under certain rules.

21453. If you sent your Government officers there, you would have to withdraw that power from the District Boards, and the Government would send its own Engineers?—Yes.

21454. In that case would you make the District Board contribute towards the pay of that officer?—We do not in Assam. I do not contemplate that.

21455. If you sent a Government officer to carry out District Board works, would you do so without making the District Board pay a part of his salary?—Yes, I do not see any reason why they should pay him.

21456. Taking the experience of a large district like Mymensingh, is it possible for one Engineer to take charge of all the works in such a district, over and above any Government buildings he might have to construct or supervise?—Yes, if he had a sufficient staff of Assistants; he would have to have a very considerable staff, and Government doing it would be probably more expensive than the District Board's maintenance, but it would be more efficient.

21457. So that on the whole, you have not any very decided opinion whether the one or the other is the better system?—No; I think the District Board work, though probably not so good as it might be, may be good enough.

21458. You say you would not curtail the right of appeal; will you give us your reasons for that opinion?—I think the more right of appeal there is, the more care people will take in passing orders which might be appealed against.

21459. (*Sir Frederic Lely.*) Supposing a District Engineer has to build a district cutcherry of average size, is he supplied with a standard plan?—He is either supplied with a standard plan or with a design.

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21460. Have you standard designs?—Not for all public buildings. We have none for cutcherries.

21461. Or for all public buildings which are much in demand?—Yes, we have of those which require to be of the same type, like Munsiff's Courts, but the plans for a cutcherry vary in different districts.

21462. Taking a Munsiff's Court, which is a standard type of building, would the local Engineer have scope for making any change?—No.

21463. Even if he were a man who had made a study of architecture?—He would not start building, because he had a type drawing, but he would have to send an estimate on that type drawing and get sanction, and if he wanted to make any changes he would have to send his proposals up to Government.

21464. Is not that system rather a discouragement in the way of special architecture?—I think it is hardly necessary to make any arrangement for giving any scope in those matters, because they cost money.

21465. Do you think that the system secures you against any possible waste or mistake, and that that is worth purchasing even at the expense of a dead level of design?—No, I think it would be a very good thing indeed to alter designs, but that means more expensive buildings.

21466. But do you not think that it would be desirable for a central authority to be able to give more scope for special ability or special taste in the matter of architecture?—Yes; the Local Government is not bound to stick to these type drawings.

21467. Supposing an Engineer's estimates are sanctioned on certain specifications, and he finds that it would be economical or desirable to change an item of the specification, to use one sort of timber instead of another, for instance, would he have any power to do that?—He would put that in his estimate for scrutiny by the Superintending Engineer and Chief Engineer, possibly, and if they approved of it that would be sufficient. There is no hard-and-fast rule with regard to the material to be used.

21468. Is there a certain amount of discretion left?—Yes, absolute discretion.

21469. I understand the Public Works Department is entirely independent and isolated from all the other departments of Government?—Yes, it is in the execution of its work.

21470. I notice in Sir John Strachey's book that it is laid down that nothing can pass in a district of which it is not the Collector's duty to keep himself informed and watch the operation; would you accept that proposition from the point of view of the Public Works Department?—No; the Collector has nothing to do with watching the operations of the Public Works Department. Where anything affects his district, such as a railway embankment, which might affect agricultural operations, it would be his duty certainly to watch it.

21471. Supposing he became aware of some excessive waste which was going on owing to the inefficiency of the Executive Engineer, should he take any action?—Certainly; it would be his duty to represent to the Executive Engineer's superior, if there was anything wasteful.

21472. And if the Superintending Engineer did not agree with him, and thought there was no reason for interference, what would he do?—That would be left very much to his own discretion whether he went on with the case, or the Superintending Engineer might show him that the matter was all right; he could either accept that or go to someone higher.

21473. Would the Superintending Engineer think himself bound to refer the matter to a higher authority?—No, not if he was satisfied.

(*The witness withdrew.*)

The Hon. Mr. PAUL GREGORY MELITUS, C.I.E., was called and examined.

The Hon. Mr. P. G. Melitus.

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21474. (*Chairman.*) You are the second member of the Board of Revenue, are you not?—Yes.

The chief point of contact between the people and the administration is the District and Sub-Divisional Officer. No scheme of decentralization is likely to remain successful unless District Officers are given a substantial voice in the initiation of proposals affecting the district administration. They are now often consulted too late, that is, after a decision has been arrived at, or practically arrived at. The remedies suggested are: to require proposals of Local Governments affecting district administration to be accompanied by the opinions of District and other officers: to require District Officers before reporting to consult their Sub-Divisional Officers, and both the District and Sub-Divisional Officer to consult those interested and give all persons wishing to do so an opportunity of expressing their views for the consideration of the Local Government: to let the public know that the proposals of Local Government were framed after duly consulting officers and persons concerned.

District and Sub-Divisional Officers are sometimes posted without reference to their suitability for particular charges. This is partly unavoidable. Transfers are frequent. This also is partly unavoidable; and in the earlier years of service it is desirable that an officer should be transferred at not too long intervals to widen his experience. But the evil may be diminished by posting officers when their time comes for holding charge permanently to districts for a period of, say, five years, and to sub-divisions for two or three years; by reposting officers to the same district during their term of five years on return from furlough, the acting vacancy being utilised to give experience in a district charge to junior officers; by offering bad districts—there are many such in the province—down the line to the first officer considered qualified who accepts. This method would please both the officer appointed, as he would get his district permanently perhaps a year or two before his time, and the officers superseded, who would avoid going to a district they do not want.

District and Sub-Divisional Officers in the Assam Valley after some little time generally acquire a sufficient colloquial knowledge of the vernacular. In Bengal this is said not to be the case. The Assam system, especially the land revenue, brings them more in contact with the people. Ability to read the written character is often defective. The remedy is strict examination. The main obstacle in the way of more personal contact between officers and the people is pressure of office work. Sub-Divisional Officers in the Bengal districts, for instance, have to spend much time on tour in trying cases from a distance which could more conveniently be tried at headquarters. I see no remedy except an increase in the Provincial Service. Efficient members of the Provincial Service might be appointed Additional Collectors at headquarters. I would prefer this to the appointment of a Sub-Divisional Officer at headquarters. The proposal would relieve the District Officer but not the Sub-Divisional Officer. There is also much set work on tour, such as inspections, testing of measurements, income-tax enquiries, which take up time. It is a question of departmental efficiency *versus* administrative strength. The former requires much time to be spent on inspections, etc., the latter would be better served by leaving the officers free to "talk" to the people. Tea-garden inspections take up much of the time of officers in Assam, but the supervision of tea-garden labour is, perhaps, the most important branch of revenue administration in the Assam tea districts.

One or two districts of the province may be too large, but no general reduction in the size of charges is required. I think an increase in the Provincial Service is required if District and Sub-Divisional Officers are to have more time for mixing with the people. If the principle of "greater care in selection, less regard being had to

seniority" is to be applied to district charges, the strength of the Indian Civil Service may have to be increased by a small allowance for inefficients, just as there is an allowance for leave and training; otherwise districts may come down to officers too junior for such charges. But perhaps an increase in the Provincial Service would answer that purpose.

In administrative matters my experience, both in the Home Department Secretariat and in Assam, is that the control of the Government of India to the present extent, is on the whole good and should not be relaxed. No doubt there is often ignorance of local conditions in the Government of India leading to avoidable correspondence and delay, and they sometimes make mistakes. But those disadvantages are outweighed by the advantage of checking hasty action. There would probably be more mistakes if the Local Governments were left more alone. It is not always the case that a Local Government acts with local knowledge. Most Local Governments consist of a single man, often new to the province. He may come to the province with preconceived notions, prepared to find fault with the administration of his predecessors, and unwilling to listen to the advice of his officers unless it falls in with his own views. I think it unsafe for the Government of India to initiate changes affecting the district administration of a province except by way of suggestion to Local Governments, but they should retain full control and veto over details as well as principles. My Secretariat experience was that they generally gave in when a good case was made out. I do not believe in the distinction between "details" and "principles" in administrative matters referred to by some witnesses who have advocated leaving to Local Government more liberty as to details to be worked out on principles laid down by the Government of India. Most principles are details when considered with reference to higher principles. Similarly details become principles with reference to lower details.

I would not withdraw the control of the Government of India under the Assam Land and Revenue Regulations.

Sufficient corrective for excessive rigidity in, or mistakes by, the Government of India Secretariat exists in the power of the Local Government to suspend action and make representations, and in the willingness of the Government of India to give in to those representations. There is not sufficient corrective in the case of such tendencies in the Local Secretariat when once orders have been passed, because subordinate officers are not at liberty to urge objections to the same extent: the order begins to take effect at once, and there is no one competent to suspend action all over the province, except, perhaps, the Board of Revenue in cases in which the order is addressed to the Board and not communicated by circular to subordinate officers; and there is less likelihood of representations by subordinate officers being attended to. The Local Government would not attach the same weight to their objections as the Government of India attach to objections by Local Governments. The proper corrective in the case of Local Governments is to consult local officers before orders are decided upon.

The Board have (*a*) certain statutory functions not sufficient to occupy their whole time, (*b*) certain functions delegated by the Local Government. In the case of (*b*) it is optional with the Local Government to make over work to, or take it away from, the Board without reference to the Government of India. When a subject has been made over to the Board, no further direct correspondence on that subject should take place between the Government and the Commissioner or Head of Department subordinate to the Board.

Were it not for the fact that a Board of Revenue was established for the new province after full consideration, I should be inclined to recommend its abolition, substituting for it a Financial Commissioner, whose work would be confined to his statutory duties. I am not in favour of associating the Board with Government, as has been done in Bengal. This would, I think destroy the independent existence of the Board, and might lower it in the estimation of the people. The position of the members would fluctuate somewhere between that of colleagues of the Lieutenant-Governor and that of mere Secretaries according to the varying personality of the Lieutenant-Governor, Members, and Secretaries. In any case there should be an independent branch of the Board for dealing with appeals. In Assam the people are accustomed to their appeals being disposed of by Government, but in the Eastern Bengal districts they attach importance to separate authority.

In the Assam Valley the entire staff of Sub-Deputy Collectors should be placed at the disposal of the Commissioner, who would be responsible for their posting. Here again we have the question of departmental efficiency *versus* administrative strength.

As regards Service appeals, I would leave the right of appeal as regards dismissals as it stands; firstly, because it helps to make Government service popular; secondly, ministerial and lower officers are often dismissed for faults for which, and on evidence on which, no one would dream of dismissing superior officers, and, thirdly, some officers are over-ready to dismiss their subordinates for faults for which a smaller penalty would suffice; others perhaps err in the opposite direction. So much depends on the accident of who is the officer passing the order or hearing the appeal. Appeals against dismissals are those which take up most time; the rest do not cost so much time and labour as to require separate procedure.

The Assam Sub-Divisional Boards have worked well—probably much better than District Boards would have worked. It seems impracticable to extend the system to the Eastern Bengal districts. No change is required in Assam unless it is in the direction of a Local Self-Government Act, which is not really required.

I would not place the smaller municipalities under the District or Sub-Divisional Board in either section of the province. Probably these municipalities would not like the change, and they are better left to the supervision of the District and Sub-Divisional Officers.

I am unable to think out a scheme for the constitution and functions of District Councils which does not break down as likely to do more harm than good. There would be difficulties arising from the composition of the population. If a proportion of the appointments are by election, there would be a risk of the introduction of disloyal men which might endanger rather than promote good relations between the officers and the people. If all appointments are by nomination, this would be made an additional grievance and another handle for friction between disloyal men and Government. Then there are the questions of the work of the members, the responsibility for supervising them, the methods of control and of insuring that their advice and action is for the public good and not in personal or class interests, and of protecting them against attack by their enemies. There would have to be control over the individual members in proportion to their work. It would be different in the case of village bodies, but the Council would not be large enough to contain ordinarily more than one member in any particular locality. To be of practical use most of the members would have to be *bonâ fide* resident in the villages in the interior. Further, these Councils might narrow rather than widen the field of consultation. A District or Sub-Divisional Officer should take advice from *all* persons wishing to give it. I should, however, be quite willing to support the creation of these Councils if I could see a scheme likely to do more good than harm. Advisory bodies, temporary or permanent, appointed to advise on some special or technical subject are on a different footing, and might often be useful.

Petty civil and criminal cases might with advantage be made over to bodies of panchayats, *gaonburas*, and leading villagers, where there is not much chance of their being dominated by landlords, subordinate officials, and others. This is certainly practicable in the Assam Volley, where disputes are very frequently settled in this way. The *goshains* of the Assam Valley are universally respected, and their influence makes for purity of

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life and obedience to authority. They might be associated with the Government and utilised for disposing of minor cases. This would be a popular measure. Their decision would have to be final.

21475. You have had a good deal of experience, not only in the Secretariat, but in the district?—Yes.

21476. When you first entered the Board of Revenue as second member, your work was not of the stamp that it is now?—There has been a difference. When I left the province on leave both of the members were Bengal men with Bengal experience, and it was thought necessary to transfer the Assam land revenue to the senior member; but the senior member has recently spoken to me about transferring it back to me.

21477. Is there no hard-and-fast rule which requires the first member to have certain departments under him and the other member to have certain departments under him?—No, the Local Government has the power to apportion the work by departments.

21478. Does that arrangement work pretty well?—Yes, I think so.

21479. Is it much better than having a hard-and-fast rule as to the way in which work shall be assigned to each member?—Much better.

21480. You have been not only a Sub-Divisional Officer, but a Commissioner?—I have been a Commissioner in the Assam Valley division for over seven years.

21481. Are Divisional Officers consulted too late in the day when administrative proposals are made?—There have been cases in Assam in my experience where they have been consulted too late, that is to say in matters on which the Chief Commissioner, so far as one could judge, has practically committed himself.

21482. Does that system obtain still?—I think not.

21483. Is there any system in force of conferences either of Commissioners with the Board of Revenue, or of Collectors with the Commissioner?—There was none when I went on leave, and I have not heard of any such system.

21484. Would such a proposal be advantageous?—I think so; occasional conferences would be a good thing.

21485. Might they prevent District Officers being consulted too late?—I do not think that would affect the point to which I am referring. When it is decided to take action, District Officers are not consulted until it is too late.

21486. Can't you give an instance of such a case?—In the case of the Assam Labour Immigration Act of 1901, no officer or planter in Assam was consulted by the Chief Commissioner from the time the question arose until the time the Act was actually introduced in Council.

21487. And is that clearly, in your judgment, a bad system?—I think so.

21488. And perhaps a system of conferences might obviate such another case arising?—It would, if the subject was referred to the conference.

21489. Were the Commissioners consulted with regard to this particular Act?—There is only one Commissioner in Assam; no officer was consulted. Of course, I cannot say what the Chief Commissioner may had said in conversation with people, but I can say that there is no paper in any district office or in any planter's office in Assam showing that from the time that the question of amending that Act arose, until the time it was introduced in Council, anybody was consulted—and that is not a solitary instance.

21490. At that time was the Chief Commissioner solely responsible for the Government of Assam?—Yes.

21491. In your opinion is one of the reasons why the control of the Government of India ought not to be relaxed in administrative matters, the danger which may arise from too hasty legislation passed at the suggestion of a single official, namely, the Lieutenant-Governor or the Head of the province?—Yes, and not only legislation, but also executive action.

21492. In practice, although there may be no formal Council to a Lieutenant-Governor, most officers at the head of a province call into consultation their Secretaries and their Board of Revenue, where such exist?—That would depend entirely on the personality of the Head of the province.

21493. You consider transfers very frequent, and you suggest three methods of remedying the evil. You would post officers to a district for a period of not less than five years, and to a sub-division for not less than three?—Perhaps he might be less in a light sub-division, because the Sub-Divisional Officer is a young man, and he had better be transferred while young, so as to get a wider experience.

21494. It was stated by a witness that the system of training young officers on arrival at headquarters was not a satisfactory one?—I do not see what the alternative would be. The best training they could get would be to go to a typical district of a province.

21495. You would not send them out, say, for six months on settlement work?—That would come more suitably after a year or two of district work, and after they had learnt the language and passed some of their examinations.

21496. It was represented that a period of residence at a district headquarters was precisely the reason why a young officer did not learn the language; do you agree with that view?—I do not, because he is put on to try cases, and if the Head of the district takes an interest in him, he takes him about with him or sends him on local enquiries, so that he has opportunities of learning the language then.

21497. You would re-post officers returning from furlough to the same districts which they had held before going on furlough and to get over the difficulty occasioned by the existence of bad district in a province, you would offer them down the line of seniority till an officer was ready to take a bad district and thereby secure advancement?—Yes. That was tried once in Assam with success for two years.

21498. Why was it discontinued?—I do not mean that the system was regularly tried because there are not many bad districts of that sort in Assam. It was tried once in the case of one district with success. But in Eastern Bengal there are a large number of bad districts.

21499. Has it never been tried in Eastern Bengal?—I do not think so.

21500. You say that the Government of India ought not to interfere in district administration, save by way of suggestion?—I should have said that they ought not to interfere in matters of detail. The Government of India ought not to initiate changes affecting the details of district administration, but they should retain full control and veto over Local Governments even in detail.

21501. Would you lead us to believe that the Government of India, when pressed upon matters of detail, generally give way?—That was my experience in both the Assam Secretariat and the Home Department.

21502. But, on the other hand, you are of opinion that the provincial Secretariat are not so willing to trust their officers in a matter of detail as the Government of India is willing to trust the Local Government?—That all depends on the Head of the Local Government; the Local Government is one man, and personalities vary.

21503. The details are so carefully scrutinised by the Head of the provisional Government that he can control local officers in details?—I think so from my experience in Assam, and I should say also, perhaps, in this province. I cannot say with regard to the new province, but of course a good deal of work is left to the Secretaries.

21504. It is the Secretary who interferes in the details, and not the Head of the Government, although he may write in his name?—It might be.

21505. Are the representations of subordinate officers not taken notice of when they remonstrate with the Local Government?—They do not remonstrate very often, because when an order is passed it has to be carried out. The Board of Revenue might remonstrate, but there was no Board until the other day, and before that the District Officers and Commissioners would feel it rather beyond their duty to remonstrate after an order had been passed. I have occasionally pointed out certain matters in the orders which in my opinion might be altered.

21506. With what result?—I do not remember having pointed it out in any big matter.

21507. You did not think it at all events your duty as a Commissioner to remonstrate with Government in questions in which you thought Government had taken a wrong course?—Not after the orders had been passed.

21508. Would you think now, as a member of the Board of Revenue, that it would be well that Commissioners should draw your attention to matters in order to prevent serious mistakes by the Government or to something which was going wrong owing to an order of the Government?—I think they would do that even now.

21509. But you tell us that they did not do it in the past?—They did not think it necessary to remonstrate against an order passed by the Local Government.

21510. Do you not think it is their duty to do so?—I do not think it is their duty after a decision has been arrived at, but if the order, when put into practice, produces bad results, then it is their duty to point it out.

21511. Will you explain your views as to the Board of Revenue?—At present there is a multiplication of authorities. Both the Commissioner and the Board of Revenue are really hardly required between the District Officer and the Lieutenant-Governor. Then if direct correspondence between a Commissioner or the Head of a Department and the Lieutenant-Governor goes on at the same time, the Board's responsibility is weakened, and it is altogether in a position in which it cannot do much good.

21512. Which is the most desirable to retain, supposing you had to eliminate either the Commissioners or the Board of Revenue?—I should say it did not make much difference, provided the number of the Board was raised, and they toured a great deal. In the one case the Commissioner is a local man, which is an advantage, but in the other case one member of the Board would probably deal with the same subject all over the province which would be an advantage, and he would have the other members to consult with.

21513. What number would you fix as the number of the members of the Board of Revenue, if you did away with Commissioners?—Assuming that they toured as they ought to do, and a great deal more than they do now, at not less than four or five.

21514. Do Commissioners tour a great deal in their districts?—My average in Assam was about 150 days in the year, but in this new province the circumstances have been exceptional the last year, and Commissioners have not been able to get out as much as they otherwise would have done.

21515. What sort of exceptional circumstances have there been?—Disturbances and things like that.

21516. Is any rule laid down as to the amount of touring to be done by Commissioners?—It is 120 days in the Assam Valley, and I think there are different periods fixed for the different Commissioners in the Eastern Bengal districts.

21517. Is there any period laid down for the touring of the members of the Board of Revenue?—No, there is no period. They move about at their own discretion.

21518. If you abolished the Board of Revenue, would you desire to see a Financial Commissioner substituted for it?—That would be necessary to dispose of appeals, but I do not wish to abolish the Board.

21519. Would it be possible to give Commissioners final authority in regard to revenue appeals?—No, that would not be possible; I do not think the people would be satisfied with their decisions, because a Commissioner is too much in contact with Government, and they would like an appellate authority independent of Government; there is a sort of idea that where Government interests are concerned an independent authority is better.

21520. Are you in your collective capacity independent of Government?—Only in respect of appeals and certain express powers which the law gives.

21521. Could not the Commissioner be made independent of Government?—Yes, he could be.

21522. If so, that difficulty would disappear?—I do not think it would altogether disappear, because he would be an officer of a different status.

21523. Could his status be made the same, by giving him greater power all round and increasing his position?—It might be made the same.

21524. Have you an independent Secretary to the Board?—Yes.

21525. Do you appoint your Secretary yourself?—He is appointed by Government after consulting with us. Our Secretaries are entirely separate from the Secretaries to Government.

21526. Do you not wish to see any closer association between the Government and the Board of Revenue than at present exists?—I should not like the Bengal system introduced, because it would depend so much on personal character what the position would be.

21527. Does the position of the Board of Revenue now not depend upon personal idiosyncracies?—No; it is a separate office. The work made over to us depends on the personal views of the Lieutenant-Governor, but the kind of association they have in Bengal might turn the members of the Board practically either into colleagues or Secretaries, or it may even be that the members of the Board might be placed in a position subordinate to the Chief Secretary in certain cases.

21528. Are you mainly in favour of leaving the right of appeal as it stands at the present moment?—I think so. I have only mentioned Service appeals, but that conclusion applies to other appeals as well. They really do not take up much time, except as to the important cases, and any diminution of the right would be unpopular.

21529. Would it be unpopular with a special class, or would it be unpopular with the people at large?—With the people at large.

21530. You tell us that in Assam there were Sub-Divisional Boards which worked better than the District Boards would have worked. Would you like to see that sub-divisional system extended to the province generally?—It cannot be extended, because there is not enough Public Works establishment. An Executive Engineer's division in the Assam district covers two districts only, and he can professionally inspect and advise and can also take over works for execution by the Public Works Department in a way we could not do here, with one Executive Engineer in each Commissioner's division.

21531. From the point of view of administration, but not from the point of view of districts, would it be better to have a system of good Sub-Divisional Boards than to have the present system of District Boards and Local Boards?—My answer would be, "Yes," it would be better if the detailed arrangements could be made.

21532. Could you find in a sub-divisional area men of sufficient calibre and character to work such Sub-Divisional Boards?—I think we could.

21533. Could you then get rid of District Boards?—There would be a little difficulty in getting rid

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altogether of the District Boards, because each of the Sub-Divisional Boards could not afford a good Engineer; there would probably have to be one Engineer for the whole district, and some sort of authority to control him and distribute his time between the different sub-divisions.

21534. Is not a great deal of the work which used to be done by the District Board Engineer now done by the Public Works Department Engineer?—I cannot say about the Eastern Bengal districts.

21535. Is the actual trouble, in your judgment to get a competent District Engineer?—That would be the real trouble.

21536. With regard to Administrative or Advisory Councils, would there be difficulty in regard to their working?—I should like to see them if I could work out the details, but I confess that I cannot do it. It would be a difficult thing to arrange so that the result should not produce more harm than good. How are you to get the members? If the appointments are by election, then taking, for instance, the state of things in Eastern Bengal if you had an undersirable or disloyal man with the status of a member of the Advisory Board, with the sedition, the boycotting, and other things going on, he might do a good deal of harm, and his position would help him to do it, and if the appointments were by election the probability is that a good many men of that class would be elected. On the other hand, if it was by nomination, the noisy class of people would not be satisfied, and would make an additional grievance against Government out of the method of appointment.

21537. With regard to village tribunals, do you think that in selected places they might be started with advantage?—I should like very much to start them in Assam, following the lines of the ordinary village procedure in settling disputes. That procedure is this: suppose A has a complaint against B, they call together some of the leading men of the village, such as the mauzadar *mandal* and *gaonebura*, and anything between 10 and 20 or even more villagers and they sit down and talk the case over and come to a sort of decision which is generally more or less unanimous. There is little chance of injustice under that system, because of its publicity, and practically there is little chance of either party lying because he is sure to be caught.

21538. Would you make those decisions, whatever they were, final and without appeal?—I should say so, in small cases, but not in any case where imprisonment was involved, or in any case which might eventually be punished by the infliction of a fine of a few rupees, or in minor civil disputes such as boundary disputes.

21539. (*Mr. Hichens.*) Is the time of the Board of Revenue very fully occupied with its work?—I cannot say; it was not before I went away on leave, but I am told there has been an increase in the work since then.

21540. Are the subjects with which you have to deal divided into single-member subjects and two-member subjects?—No, there are no two-member subjects; they are all single-member subjects, but either member may call the other in for the disposal of any particular matter.

21541. Do appeals have to be settled by both members of the Board?—No. Appeals are taken by each member separately, unless for some reason the two members sit together. If the member hearing the appeal proposes to reverse a Commissioner's order, the concurrence of the other member is required.

21542. When it is stated that an appeal is to settled by the Board of Revenue is what is really meant that it goes before one member of the Board?—It goes before one member of the Board unless he decides to call in the other member.

21543. As to which he would use his discretion? Yes; I only remember two or three appeals of that kind during the few months before I went on leave.

21544. Does the same principle apply in Bengal, that is to say, that appeals are settled by one member?—I believe so.

21545. Therefore the term "Board of Revenue" is rather a misnomer, and it would be more correct to say there are two Financial Commissioners with separate and independent powers?—I do not call it a misnomer, because we consult together very frequently.

21546. But you might consult with anybody else, the Lieutenant-Governor or the Chief Secretary?—No, that would not be the same thing. A colleague feels a sort of obligation to help you with his advice; for instance there is a big arbitration pending before Mr. Savage, and he has asked me to sit with him and hear it.

21547. What would happen if you differed from him?—Then the law provides that a third person is to be appointed by Government.

21548. A suggestion has been made that the Board of Revenue should be constituted advisers to the Government in respect of all matters practically which concern the Government, that is to say, that their powers should be extended to all other departments. What is your opinion?—I should have no objection; we can take more business than we are doing with an increase of office establishment.

21549. Would two members be able to get a full grasp of all the different departments of Government, and be able to divide up the work satisfactorily between them without an additional member?—If we undertook all the work, there might be a little strain, and it might interfere with our touring.

21550. Would you say that, even if you did have additional work, the importance of touring would be as great as ever?—The importance would be as great as ever, but we should not be able to tour to the same extent.

21551. And that would not be advisable?—No, it would not.

21552. If it was decided that the Board of Revenue should take additional work and be constituted advisers to His Honour in other matters, might it be desirable to increase the number by one or two in order to preserve the power of touring?—Yes.

21553. What exactly is your objection to the Bengal system which has just been adopted in regard to the Board of Revenue?—The Bengal system is that the members of the Board have authority to dispose of cases within their own powers, and certain cases, not within their own powers, but within the powers of the Lieutenant-Governor, and to submit the important cases not being within their own powers to Government; when they submit cases to Government they pass through the Chief Secretary. My objection is that you might be treated as a Secretary to the Government if the Government so wished. Of course the Board could object to that, and then there would be constant friction.

21554. As a matter of fact the Board of Revenue have just the same separate powers as before; they have not been altered?—No.

21555. It is only the procedure of submitting questions to his Honour, that is in question?—It is more than that; it is the amalgamation of offices; if the office becomes amalgamated with the Secretariat, you become members of the Secretariat practically instead of the Head of a separate office, and your position then would depend very much on the views of the Lieutenant-Governor.

21556. You are afraid that the Board might be sunk?—I have no such fear at present, but it is quite possible that other Lieutenant-Governors might place the Board in an undesirable position.

21557. With regard to the relations between the Government of India, and the provincial Government, you do not agree with the distinction which has sometimes been drawn between detail and principle in administrative matters. Would your

view be that if the Government of India is to retain control in a matter at all, it must satisfy itself fully?—Yes.

21558. It must be satisfied that the details are correct, just as much as on the broader issues?—Yes.

21559. What distinction would you draw between the functions of the Government of India and those of the provincial Government; would you lay down any rule at all?—The only alternative I can suggest is for the Government of India to exercise discretion as to the matters in which they say they will interfere and matters in which they will not interfere; after all, whatever is laid down, the method of carrying it into practice is the important factor.

21560. Would you agree that the Government of India should only concern itself in matters of wide importance?—No, I would not agree with that, because things might be done under that rule which might be of very wide importance without appearing to be so at the time.

21561. Then what criterion are you to take with regard to any particular thing?—None at all, except the discretion of the Government of India.

21562. But how are they to be guided?—They would have to be guided by the merits of each case; I could lay down no principle.

21563. Looking at it from the point of view of the province, are there not certain things which it is desirable that the provincial Government should control?—Most certainly.

21564. Could you lay down a broad definition of them?—No, I cannot define them: I would make no definition at all; certainly there have been cases in which much harm would have been done in small matters if the Government of India had not been able to control.

21565. Might the control of the Government of India be relaxed from the point of view of the provincial Government in certain respects to-day?—I think the control might be considerably relaxed in financial matters, in matters of petty expenditure, for instance in matters like political pensions. There are many starving or half-starving members of the late Assam Raja's family, and references have to be made to the Government of India in all such cases which might be left to the Local Government. I remember a case in which a sub-inspector had been killed by a desperate character whom he was trying to arrest, and whose widow applied for pension, but she was told that he had not been killed under circumstances of exceptional danger and the Government of India could not recognise any claim. All such cases might be left to the Local Government, and there may be a large number of them.

21566. In financial matters it is necessary very often to lay down a general rule, for instance as to travelling allowances and things of that sort, but when once it is laid down might one recognise that there must be exceptions to it?—I suppose so; all rules work very hardly no doubt in special cases, and there ought to be exceptions to every rule.

21567. As a general principle, if a rule is laid down by the Government of India governing travelling allowances and so forth, might the Local Government be allowed to make exceptions to it?—I think so, within certain limits, but I cannot suggest any limit.

21568. Would it be desirable in such matters that a list should be sent to the Government of India either yearly or half-yearly, in order that they might watch what a province is doing?—Yes.

21569. And then would you give them power perhaps, not to reverse what had been done in the past, but to notify the province that the exceptions were becoming too frequent and that they must modify their action?—I would give the Government of India rather more power than that if it appeared that the rule was being absolutely evaded by detailed instructions; I would give them power to take away the power of the Local Government if they were abusing it.

21570. But in practice it is not very likely that a provincial Government would do such a thing?—I do not think so. Of course they would be more liberal than the Government of India; for instance, they would not have refused the pension to the sub-inspector's widow, and they would have granted more pensions to the starving members of the Assam Rajas' family.

21571. From the point of view of a contented Government that would probably have been an advantage?—Yes, I think it would.

21572. You say that District Officers are not sufficiently consulted; is your point that they are more in touch with the people and that therefore their recommendations may be a little less rigid and a little more sympathetic than those of the Secretariat?—No, I do not mean that; what I mean was that there would be less dependence on the opinion of a single man or a Secretariat.

21573. In practice would you say that a Collector is more influenced by personal appeals in consequence of his personal intercourse with the people than a Secretariat?—I should say that a Collector who has been some time in a district, and who knows the language and the people, would be given that way.

21574. And in the same way perhaps the provincial Government might be more inclined to deal sympathetically with questions, such as you have mentioned, within its own province, than the Government of India would?—I think they would be more sympathetic and there would be a little larger expenditure, but it could be all controlled.

21575. It might be that a certain item was disallowed by the Accountant-General, on the ground that it was not in accordance with the Civil Account Code. Would you think it expedient for the Local Government to be able to enforce their own interpretation as against him finally?—No. I should say not; the making of exceptions would be sufficient.

21576. But, on the other hand, there is this difficulty, that if the Local Government wanted to decide in one way all they would have to do would be to say, "Very well, we will make an exception in that case?—Yes, they might do that, but that would be an abuse. It depends on the particular case.

21577. Is it possible or reasonable to give the one power without the other, and should they not both stand or fall together?—I have never considered the question, but power to interpret the rules as Local Governments think proper seems rather a large one.

21578. Have you never had cases before you where inconvenience was caused by a too rigid interpretation on the part of the Government of India?—I dare say there have been instances like that.

21579. Is that not just the direction in which a certain amount of freedom and latitude might be given to the provincial Governments in regard to their own funds?—I think not; you could not avoid control in any case.

21580. You referred to labour immigration, and you said that it was one of the most important questions that had come forward for some time?—I said that labour immigration was one of the most important subjects of administration in Assam.

21581. How far have the provincial Government control in such matters?—Full control, but the sanction of the Government of India is required for a few things; otherwise they have full control.

21582. Both with regard to emigration and immigration?—Yes, inland.

21583. Could they prohibit persons from Burma coming in, for instance?—For that particular thing they would have to get the sanction of the Government of India.

21584. For example, could the Government of Madras refuse to allow recruiting there without the sanction of the Government of India?—All the provisions in restraint of recruiting require the Government of India's sanction.

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21585. (*Mr. Dutt.*) Are members of the Board, as a matter of fact, consulted by the Lieutenant-Governor in matters other than revenue matters?—Yes. I had a reference the other day on the labour immigration question, and they are consulted on other matters occasionally.

21586. Is the labour immigration question connected with revenue?—No, in no way.

21587. Are such consultations frequent?—I can hardly say; I have only just come back, and there has been a change in the Government; so that I can hardly give an opinion, but I believe the members are frequently consulted on other matters.

21588. There are no other officers of the standing of the members of the Board of Revenue whom the Lieutenant-Governor could consult in police matters or in Public Works matters?—Not of the same standing.

21589. The Lieutenant-Governor on those questions would have to consult his Secretaries or Heads of Departments?—Yes.

21590. You say that it is conceivable that a new Lieutenant-Governor might come to a province with preconceived notions, and might possibly carry out his own opinions?—Yes, that is possible.

21591. As a matter of fact, can you say if successive Lieutenant-Governors have, or have not, come to Bengal with pronounced views on certain matters?—I can hardly speak as to Bengal; I left Bengal 21 years ago.

21592. Supposing there was a risk of a break in the continuity of policy arising from that cause, is there any remedy except the control of the Government of India which you would like to suggest?—The practice of consulting officers more strictly enforced would be a considerable check.

21593. But those officers whom the Lieutenant-Governor could consult would be of the rank of Secretaries or Heads of Departments?—I mean that he should consult his Commissioners and Collectors on district matters.

21594. Is there any rule that the Lieutenant-Governor should be guided by the majority of officers he might consult?—No, and I do not suggest such a rule; he should consult them and then form his opinion.

21595. Would you be inclined to recommend that the members of the Board of Revenue should be raised altogether to the rank of colleagues of the Lieutenant-Governor, retaining at the same time their statutory powers as a Board of Revenue?—I do not like to give an opinion on that point, as it concerns me personally.

21596. Irrespective of personal considerations, in your opinion, would it be a step in advance if the members of the Board of Revenue were raised to the rank of colleagues of the Lieutenant-Governor, retaining at the same time their statutory powers as a Board of Revenue?—I am inclined to think it would be a good thing.

21597. In that case would you recommend a division of work into departments as at present obtains in Madras and Bombay?—Yes.

21598. Does the right of appeal, as it at present exists, create in Government officers in the lower departments a general sense of security in the Government Service?—I think it does.

21599. In consequence of that, can the Government find better men to-day on a pay of Rs. 50 than a private employer or a *quasi*-Government body, like a municipality?—There are other considerations, such as status and pension, but no doubt the right of appeal helps.

21600. A question was put to you with regard to the possibility of working Local Boards and abolishing District Boards altogether in Eastern Bengal; in that case would there be difficulty in distributing the proceeds of the Road Cess which is collected for the whole district?—I cannot say how the Road Cess is collected in Bengal; there is no difficulty in Assam, because the local rates are collected for each sub-division and it should be possible to make some such distribution in Bengal. If it could not be settled how much was paid on account of each sub-division there would be a difficulty.

21601. You say that you would be quite willing to support the creation of Advisory Councils, but you cannot work out the details because there is a danger of undesirable men becoming members of them; but do you think that members of the District Boards at present belong to that class of undesirable men?—I cannot speak as to the Bengal districts. In the Assam districts I should say, no—that very few of them belong to the undesirable class, but the undesirable classes are not very strong in Assam.

21602. If the District Boards were allowed to elect a certain portion of the members of an Advisory Council, would they elect what you call undesirable men?—Not in the Assam Valley; I cannot speak for Sylhet.

21603. Is it possible under such a system of election and nomination to get together a workable body of men to advise the Collector?—The body of men might be got together, but there would still be the risk.

21604. Do you favour the idea of creating panchayats in villages?—Only for Assam. I am not speaking for Eastern Bengal, but the system of disposing of disputes in villages in Assam works very well.

21605. If it were desirable to create the same class of panchayats in Bengal, would you be in favour of employing a special officer to organise the formation of such panchayats?—Assuming such a system to be introduced, it might be a good thing to have a special officer to look after them.

21606. You would not make such village panchayats in any way subordinate to the police?—No.

21607. (*Sir Steyning Edgerley.*) What is the arrangement for the management of the Salt Department here?—We have not much salt. There is the detective establishment in two districts. I know very little about the subject.

21608. Is the control provincial?—The detective establishment is, I think, a Bengal establishment; we have not yet got a separate establishment, but I do not really know.

21609. You said that the Executive Engineer difficulty would be in the way of substituting a Board system in Eastern Bengal. Would that be insuperable?—Practically, because there would not be enough work in, say, a couple of districts for an Executive Engineer. If you have an Executive Engineer for a whole division, you can hardly expect him to supervise work in five or six districts.

21610. But if you had a single officer in each district for both the Government work and the District Board's work, would there not be enough work for him?—Then it would be quite feasible.

21611. Would you prefer that the District Board should have an Engineer, or that the Government should have an Engineer whose services would be at the disposal of the District Board?—The latter method was tried in Assam, and it broke down there on account of friction. If you have an officer of the standing of Executive Engineer, he would not submit to being in any way subordinate to the Chairmen of Local Boards, who would be Sub-Divisional Officers—probably in most cases Deputy Magistrates. That is why it broke down in Assam. Now each Board has its own Service, and the Executive Engineer is professional adviser to the Board, with power to inspect the work.

21612. There would not be that difficulty in Eastern Bengal?—There would not be that difficulty as things stand at present, because each Board has its own engineer; the Executive Engineer is not the engineer of the Board.

21613. As to the Advisory Council, have you not got the material to hand in your District Local Board?—So far as you may take them as representatives of the district, you may consult them.

21614. But could not you modify the Act so as to extend their functions and to make them representatives?—I do not know what their functions would be; that is the second difficulty I feel; the

first is as to the constitution of the Board, then, secondly, as to what they are to do and how they are to be organised. I have not worked a system out; every attempt I have made to work it out has failed.

21615. If the system of making the members of the Board of Revenue practically colleagues of the Lieutenant-Governor were adopted, you would of course very much increase the position of Commissioners?—Yes.

21616. If that were done and matters came direct to Government, that would avoid a good deal of the delay and duplication of work which the present system involves?—Yes.

21617. As regards the relations with the Government of India, you say you think that their interference must rest on the merits of each case?—I can think of nothing else.

21618. How is that to guide a Local Government as to what it ought to submit and what it ought not to submit; must it submit everything?—No; there would be orders as to what should be submitted. I advocate giving them as much power as ever could be given to them, with control over them.

21619. Would they simply submit that which requires financial sanction?—No, they would submit whatever required administrative sanction; that would go according to precedent.

21620. Would a code grow up as to what they must submit?—There is a practice now.

21621. You would leave the matter alone on the administrative side?—Administratively I should leave the matter alone, yes.

21622. Do you tour much?—I did a great deal of touring as Commissioner of the Assam Valley—between 150 and 175 days in the year.

21623. As member of the Board of Revenue what do you do?—I have hardly experienced that, but the Board do tour.

21624. Did you tour as a Commissioner on a permanent travelling allowance?—Yes.

21625. And as to the Board?—On Rs. 10 a day. The Commissioners have a permanent allowance; the Board have not.

21626. Which is the most convenient system to work—the permanent allowance system or the daily allowance system?—The permanent system is the more convenient.

21627. Does the daily allowance system involve a great deal more work?—It is troublesome; the amount of work it involves is not very much.

21628. There is the audit?—I suppose there is a certain amount of trouble there.

21629. And there is a Manual of Distances?—Yes.

21630. All that is avoided by the permanent system?—Yes.

21631. A witness told us that he thought the expense of travelling had very much increased of late years; is that so?—I dare say it has in the Bengal districts; in Assam it has always been high, and has remained about the same.

21632. At the present day are the travelling allowance rates, mileage and so on, so inadequate as to put an officer out of pocket in travelling; such an officer as a District Superintendent of Police, not a Commissioner?—Yes, I should say they do not cover expenses unless in exceptional cases an officer goes out for the purpose of making travelling allowances; those are very exceptional cases.

21633. If he goes out simply doing the work, his travelling allowance does not cover expenses in this province?—I should say not.

21634. Is the margin of income of a District Superintendent of Police so small that it is a distinct deterrent to his getting about?—Yes.

21635. You tell us that if there is a difference of opinion between two members of the Board, the old Regulation provided that a third person should come in and arbitrate?—Yes, a third person *ad hoc* would be appointed to decide.

21636. And he would necessarily be a junior in status?—Probably.

21637. Unless the Lieutenant-Governor came in, he must be a junior?—Yes, he would be a junior.

21638. Is that not rather inconvenient?—The case has not arisen in my experience. When I was a Commissioner in Assam, there was no Board of Revenue. The Chief Commissioner did the work of the Board.

21639. You have no experience as to how far a Board can really inspect a province?—No, I have not; the Board of course could not inspect the whole province; it is the Commissioner's business to inspect; the Board's business is rather to see that the inspection is properly made.

21640. It was suggested to us by a witness that it would be a good thing to say that no officer should be taken to the Secretariat as Secretary (or we might almost add, perhaps, promoted to higher office) unless he could show a record of at least three years' service in charge of a district. Would that be a salutary rule on the whole?—I do not think the rule would do any particular good.

21641. Is selection for charges of districts sufficiently strict?—There is not much selection; I have found very few cases of people being passed over, and in those cases they were hopelessly incompetent.

21642. Ought there to be more selection?—There ought to be more, but the Service is not strong enough for it; I believe it is already considerably short of strength.

21643. Assuming the normal Service, would you increase the severity of selection?—Yes; but, even so, you would require a considerable margin as reserve for inefficients, or the districts would come down to quite junior officers.

21644. If you do that, what would you do with an officer after the decision to permanently supersede him had been come to; should he serve for his full time?—If he is declared permanently disqualified for his district, the best thing to do would be to make him retire on a liberal pension.

21645. Would you give that power to the Government?—I think so.

21646. Would it be necessary to exercise it in all cases?—The case would be very rare of an officer permanently unfit; in many cases an officer might be unfit while young, but he would get fit with more experience.

21647. It has been suggested to us that it would be a very good thing to relieve Collectors, as far as possible, of all work which does not bring them into contact with the people; for instance work like charge of the treasury, and practically to put the responsibility on the Deputy Collector with a system of local audit by the Accountant-General; do you think that would work?—I do not see any objection to it.

21648. There is in the aggregate a fair amount of work that the Collector has to do under the head of "treasury" at present, that does not bring him into contact with the people at all?—That is so. We have made a suggestion to meet cases like that, namely, that there should be power to appoint competent members of the Provincial Civil Service as Additional Collectors, in order to relieve the Collector of office work and so on.

21649. Is there any other subject you can suggest like the treasury?—Office inspections for instance; I do not mean to say that the Collector should altogether cease to inspect offices, but that is a detail. The Additional Collector, if a Magistrate, could probably take many of the District Magistrate's powers under the Criminal Procedure Code.

21650. Is not a great deal of the work in this province done by departments; you have Deputy Collectors and so on under the Collector working a whole subject throughout the district?—Yes.

21651. A contrary system prevails in other provinces of India, where the Sub-Divisional Officer is practically a Collector for his charge, taking everything?—Yes, that is the system in Assam.

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21652. How do you compare that with the system in Eastern Bengal?—I think the Assam system is far preferable, but there would be great difficulty in introducing it into Bengal, because all the records are at headquarters, and the Sub-Divisional Officers are busy from morning till night trying cases; you would have to increase establishments in the sub-divisions; there is so much case-work in Bengal.

21653. But at the same time the district would be better administered?—I think so.

21654. As regards the record difficulty, is it not the fact that the Government of India are now pressing for central record-rooms in the districts?—I cannot say. The district record-rooms both in the Eastern Bengal and Assam districts are at district headquarters, not at the sub-divisions, where they are only temporary record-rooms.

21655. So that you would rather start with the advantage of having your central record-room already?—That is so; that would not be a difficulty.

21656. Should you say that since you have known Eastern Bengal and Assam, local self-government is progressing?—I should say that it is stationary, and, where it works well, a good deal is due to the District Officer himself. The Boards in Assam work well; they do actually carry out more work through the members than the Boards in Bengal; but in Assam a large number of the members are planters.

21657. Is that true of the municipalities also?—I think they take more interest in municipal work.

21658. Is that growing, or is that stationary too?—I cannot say if it is growing or if it is stationary.

21659. Is there more discussion at the meetings and more interest shown?—I cannot say that there is.

21660. Are the funds sufficient to maintain an interest; or are the funds all absorbed in the necessary expenditure?—I do not know about the funds in the Bengal districts, but they have a very fair income in Assam; they are not people of very great position there—the towns are small.

21661. It was suggested to us that the pressure of the cost of education on the Boards, which they cannot control or arrest, was eating up their revenue and leaving them very little margin; what do you say to that?—I do not know about the Bengal districts, but that does not apply to Assam. The Government gives the Boards grants which cover the educational expenditure.

21662. Mr. Henderson rather suggested that the grants did not cover it?—I cannot be certain whether they do or not, but the Government give very liberal grants to municipalities, and education is one of the duties of the local municipality.

21663. Mr. Sharp told us that in Assam they are completely tied in primary education by rules; Mr. Henderson told us that it is growing into a very heavy burden. If the Government grant covers the expenditure, what would you think of the suggestion that Government should become frankly responsible for education, and give some other subject to the Boards to deal with?—I do not see any objection to that. I do not think any of the members take much interest in primary education, so far as I have seen.

21664. It is not a subject that has "caught on" in fact?*—I do not think it is; perhaps I should correct what I have said; I am not quite sure whether the grants do cover the expenditure or not.

21665. (*Mr. Meyer.*) As Commissioner in the Assam Valley you were directly under the Local Government at that date?—Yes.

21666. The present Commissioner of the Assam Valley is not directly under the Local Government; the Board comes between?—In revenue matters that is so; in other matters he is directly under the Government.

21667. Does that mean that the Commissioner of to-day has less power than you had, or simply that the Board has taken over functions that used to be exercised by the Local Government?—The Board has taken over functions that used to be exercised by the Local Government. So far as the Commissioner is concerned, his power is not impaired.

21668. You spoke about this Regulation that required an *ad hoc* third member of the Board to be called in the case of the two members differing; does that refer only to appeals?—Only to appeals.

21669. You have also told us that the members of the Board deal singly with their subjects; do they consult each other habitually?—Yes.

21670. You deal with excise at present. Do you consult Mr. Savage in any excise matter?—Yes, it is open to me to consult him.

21671. If his opinion differs from yours, what happens?—If it is my department, I have the passing of the orders.

21672. And similarly, if he consulted you in any matter about his department, and you happened not to agree with him, it would be in his power to pass orders?—Exactly.

21673. You just fall back on each other as friendly and experienced advisers?—Yes.

21674. Has the Lieutenant-Governor power to appoint the members of the Board?—I think the sanction of the Government of India is required.

21675. Is that necessary?—Yes, I think so. It ensures greater care being taken.

21676. The Governor of Madras appoints his own Board of Revenue without the sanction of the Government of India?—I do not know that.

21677. I gather that you are in favour of territorial arrangements against subject arrangements for the districts in Eastern Bengal, if certain objections, which you put, could be surmounted?—Which objections, I am afraid, are very strong.

21678. With regard to the records and the establishment?—Yes, and there is the criminal work.

21679. Is not a large amount of the criminal work of the Sub-Divisional Officers second and third class cases?—Probably.

21680. Could those not be given over to a subordinate, and cheaper agency—men of the Sub-Deputy Collector class?—It could be done; then you would have to increase the establishment. The mere fact of starting a sub-divisional system on that basis would mean an increase in the numerical strength of the Service. Now you have a Sub-Divisional Officer with perhaps one Deputy to help him, or perhaps none at all. If you give him the rest of the work, as he has in Assam, you would have to give him extra assistance.

21681. You have been speaking of Additional Collectors; other witnesses have said that it is necessary to increase the *cadre* of the province.

* I have since looked up the figures for 1906–7, and I find that the sum total of the Government grants to Local Boards in Assam exceeds or is much the same as the Educational expenditure in the case of 13 Boards out of the 17. In the case of four Boards such expenditure is substantially in excess of the Government grants. Expenditure on education issue of the obligations imposed by law on the local rates. Government is under no obligation to give grants. The discrepancies in the evidence seem to arise from there being three kinds of Government grants to Boards:—(1) Fixed, for general purposes, including education; (2) Fixed, as special grant for education, to cover certain additional expenditure necessitated by changes ordered a few years ago; (3) Not fixed, but granted from time to time at the discretion of Government either for particular purposes or as a general grant-in-aid. I am comparing the sum total of the three kinds with the educational expenditure, the other witnesses may have compared only (1) and (2) or perhaps only (2). The total of (1) and (2), omitting (3), would probably fall short of educational expenditure in the case of most Boards.

Would not the same object be obtained more economically by increasing your staff of Sub-Deputy Collectors, and devolving more power upon them?—It could be done more economically, but I do not think it would be so satisfactory; I do not think any Sub-Deputy Collector has any more than second class magisterial powers, and very few of them have those.

21682. In Madras, for example, we never dream of giving our Sub-Divisional Officers second and third class work; once they have obtained the necessary powers they take the first class cases and take appeals from Magistrates belonging to the Subordinate Service. Could you not do something of that sort here?—I really do not know enough of the Eastern Bengal districts to say. In Assam a somewhat similar system is possible. The Sub-Divisional Officer is practically Collector; he has Magistrates to help him, and he has his own Sub-Deputy Collectors. But he does not ordinarily hear appeals which go to the District Magistrate.

21683. Have you many transfers of officers at present, as between Eastern Bengal and Assam?—Yes, there have been a great many transfers.

21684. You have two sub-provinces, with quite different systems in many ways?—Yes.

21685. Does it conduce to efficiency that a man who knows the methods and the language of the people of one of the sub-provinces should be moved off to the other sub-province?—I think it does, because it gives him experience which prepares him for higher office. I have felt the want of experience of the Eastern Bengal districts very much myself.

21686. That is your chief argument?—I think that argument holds good; so that when they get to be senior officers they may have some experience.

21687. That object could be obtained without constant transfers; you might exchange a man between two sub-provinces once in his service?—That I cannot say.

21688. As regards restrictions by the Government of India, you referred to some cases in regard to political pensions, and some special provision in regard to an officer who had met his death in the execution of his duty. Are you aware that in those very cases restrictions are imposed by the Secretary of State on the Government of India?—No, I am not aware of that, but I do not think that that affects my argument.

21689. Except that if it is necessary that the Secretary of State should relax his control, you would be in favour of that also?—Yes, I should add that the Assam political pensions are very small pensions.

21690. I gathered from your answers that you are strongly against a Local Government having a dispensing power, so to speak, in dealing with the restrictions imposed upon it?—I am not strongly against it, but if they had power to make exceptions to the rules, it would be unnecessary to give them the power of interpreting rules in doubtful cases.

21691. You may go on making exceptions until you whittle away the rules?—Mr. Hichens' proposal was that a return should be sent to the Government of India for the purposes of a check, and I assented to that.

21692. Would you do the same with regard to your Board's standing orders and so forth; would you allow a Collector to do anything he pleased subject to sending in periodical returns?—If it was in accordance with the Civil Service Regulations there would be no objection. You could not give them power to make exceptions in the case of any statutory orders, but in small financial matters I should not object. For instance, the Board controls more or less the District Officers' budgets; there would be no objection to the District Officer altering the budget as passed by the Board, and sending in a return.

21693. You think that no friction would arise subsequently if the Government of India came down on a Local Government and said, "You must recall your exceptions, because in our opinion they strike at the principle of the rule"?—There is that risk, but I do not see how it could be avoided. It is possible.

21694. You have had large experience of Secretariat work. Is not one exception quoted as a precedent for another, so that you are invited to go on gradually?—Yes, that is all possible, but I rely upon the control to stop that. I do not see why the control should lead to friction; it might, of course.

21695. You are in favour of largely enhancing the powers of Local Governments in regard to matters for which they find the money wholly or partially themselves?—I do not see why the powers should not be given.

21696. You would make a distinction between the matters in which the Local Government find the money, and matters such as customs in which the whole cost falls upon the imperial revenues?—Yes.

21697. You think it would not be safe to trust the best intentioned Local Government to give away money which is not its own?—It would seem so.

21698. Is there not a distinction between free and regulated immigration? So long as a man does not proceed to some tract in regard to which a Labour Law prevails, the Local Government cannot stop him from going there?—The Local Government can stop any kind of immigration of labourers to a labour district.

21699. What do you mean by a labour district?—I mean the tea districts in Assam.

21700. Those are districts which have a special Labour Law?—Yes.

21701. Suppose a hundred people take second class tickets to Burma from Chittagong?—There is nothing to stop them.

21702. Simply as regards immigrants, a Local Government could not stop immigration unless it was to a particular tract?—To a tract called a labour district under the Immigration Act. I do not know about the Madras Act.

21703. You are against relaxing any of the restrictions imposed upon the Local Government by the Assam Revenue Regulation. Do not some of those include settlements?—Yes, settlements and a general control over the making of rules; sections 34, 137, and 158 are the powers I refer to.

21704. Have not the general principles of policy been clearly laid down by the Government of India?—I cannot say.

21705. Assuming that they have, what objection have you to the Local Government having a fairly free hand in the detailed application of those principles?—I do not see how you can lay down principles which will cover every case. The settlements you refer to are the ordinary re-settlements of districts as the old settlements fall in, but there are various kinds of other settlements which might be made; for instance colonisation grants. I can remember certain proposals which if they had not been negatived by the Government of India might have flooded Assam with concession-hunters and land speculators.

21706. Those proposed to alter the revenue conditions of the province, and to establish a sort of permanent settlement?—It was something like that, but we do not know quite what their effect might have been at some future time. I wish to guard against that by having the control of the Government of India.

21707. Then with regard to the rules?—Those very concessions were proposed to be granted by rules.

21708. You have spoken of certain difficulties between the Government of India and the Local Governments arising in matters of detail more or less, and you say that the Government of India very often gives way to the representations of the Local Government. Do you think that that correspondence and that controversy are likely to be diminished by the appointment of Imperial Inspectors-General who come round and tell the Government of India what the conditions of the province are, and who can tell what the probable views of the

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Government of India would be, and so on?—I cannot say. I have had no dealings with Heads of the Imperial Departments.

21709. Assuming that your Board of Revenue, as has been suggested, became colleagues of some sort of the Lieutenant-Governor, would it be necessary to largely enhance the power of the Commissioner?—I do not know that it would be necessary, but the powers could be enhanced

21710. It has been suggested to us that the Commissioner in Eastern Bengal, at any rate, is rather a post office, and that his real position ought to be that a Sub-Governor; would you accept that as a general statement of the case, leaving the Board out of the question for the moment?—He could hardly be made a Sub-Governor, with the Board on its present footing, because then he would be rather above his superior.

21711. Suppose there was no Board for the moment, would you be in favour of largely enhancing the power of the Commissioner in that way?—I think so, assuming that there was no Board.

21712. He might, for instance, appoint his own Sub-Deputy Collectors?—Yes.

21713. He might post Civilians, at any rate below the rank of Collector and Provincial Officers, within his division?—He might be allowed to transfer them within his division.

21714. Would you give him a budget, especially for Public Works, which now come from provincial funds, in respect of which he should be the sanctioning authority without having to go up to Government in the Public Works Secretariat?—I would not like to give an opinion as to that.

21715. Would you give him the full power of outside control in respect of District Boards and municipalities, with the exception of constituting them and superseding them?—I have no objection myself to giving them to him, but I do not know what the popular feeling would be about that.

21716. As an experienced administrator, do you think it would be safe and expedient?—It would be expedient to give him a good many powers of control.

21717. Possibly the largest municipalities would be especially reserved for Government?—This would have to be considered; you have to consider not only efficiency but sentiment; it is difficult to say off-hand.

21718. From the administrative point of view?—From the administrative point of view, it would be a very good thing.

21719. Similarly they might be allowed, subject to provisions made by the Local Government, to invest officers with magisterial power and so forth?—I am doubtful of that.

21720. Now as regards the Board, you express yourself as not unfavourable to elevating the Board to be colleagues of the Lieutenant-Governor?—I said it was not for me to give an opinion. But I think it would be a good thing.

21721. What sort of colleagues; do you mean full colleagues in the way that the two Civilian Members of the Council sit by the side of the Governor of Madras or Bombay?—I should not like to give an opinion on that.

21722. In that case, of course, a number of Department which are now subject to the Board, the Excise Department and the Customs for instance, would come direct to the Government?—Yes.

21723. As regards the Local Boards in Assam, what control has the Collector over them; of course he presides over his own Sub-Divisional Board?—He is Chairman of his own Sub-Divisional Board; all correspondence and budgets of other Sub-Divisional Boards in his district pass through him; I do not know that he can directly order the Board to do anything, but he can recommend to Government; as a matter of fact, the Boards are generally willing to carry out his suggestions.

21724. He has no coercive powers apart from Government behind him?—The Local Boards are under executive order.

21725. But does the executive order allow the Collector himself to set aside or alter the decision of a Sub-Divisional Board or must the matter go to Government?—The Commissioner or Deputy Commissioner may suspend resolutions of the Boards, subject to report to, and the orders of Government.

21726. As regards the budget, the Commissioner can do it?—The budget now is sanctioned by the Commissioner.

21727. The Commissioner, therefore, could alter the budget, but the Collector could not?—Yes.

21728. You are aware that some years ago there was some proposal for putting these Local Boards on a legislative basis; what has happened to that?—I think it has been forgotten.

21729. You are quite satisfied at present?—Quite satisfied.

21730. With regard to appeals, one of the reasons why you do not want to reduce the number of appeals is that you consider some officers are hasty and unjust?—I do not say unjust, but they are sometimes hard, especially young officers.

21731. I think everybody is agreed generally that one appeal should be allowed. Suppose on that appeal it was found that the officer had been unduly hard, and suppose this was found not once but several times, could you not punish that officer?—There should be a hint of that kind.

21732. A gentleman appearing before us in Calcutta said that he thought it would be a good thing if the planters who were already Honorary Magistrates were also allowed to be Honorary Judges to settle disputes among the coolies themselves, not differences between the estates and the coolies; do you think that that would work?—No, I do not like the idea. I think the planter if he has any influence with his coolies ought to be an Honorary Civil Judge without any sanction of Government.

21733. You would trust to moral suasion?—Yes, I would never approve of a planter being an Honorary Magistrate or Judge or having any judicial power unless he exercised it at the district or sub-divisional headquarters.

21734. Under the observance of the Deputy Commissioner?—And of the Bar.

21735. When you say that in a number of cases the travelling allowance was not sufficient to meet the officer's expenses what do you include; do you take his living expenses into account?—No, except when the living expenses come up to more than they would if he remained at headquarters. Perhaps he might have to pay more for certain things on tour.

21736. You recognise that he is not entitled to be re-imbursed the cost of living if he were at headquarters, it is only the balance that you take into account when you say that in some cases the travelling allowances are not sufficient?—Yes.

21737. On the other hand, you mentioned people making money out of travelling allowances?—I have heard occasionally of people who have travelled long distances and have made money out of their travelling allowances.

21738. Under a system of fixed travelling allowances such as has been suggested, is it not possible that some officers, a few only, perhaps, might travel very little, and make the fixed allowance a source of profit?—Yes, it is possible.

21739. You have to guard against that; would you do it by getting returns from them, or how?—In the same way as you would guard against officers making too much travelling allowance—by the control of the superior officer.

21740. But your superior officer may be far away; the control must be on paper; how are you going to get the information requisite for the control?—I see your point. He would send for the travelling allowance bills, but the officer would have to send a statement.

21741. He would have to send diaries?—Yes.

21742. And those diaries would give, perhaps, not so much trouble as travelling allowance bills, but a great deal of trouble?—It would mean a little office work.

(*The witness withdrew.*)

The Hon. Mr. HENRY SAVAGE, C.S.I., I.C.S., was called and examined.

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21743. (*Chairman.*) You are the senior member of the Board of Revenue of Eastern Bengal and Assam?—Yes.

In the contract with Local Governments a lump sum of liberal proportions should be allotted (over and above the ordinary allowances), in the disposal of which that Government should be given a free hand.

The Local Government should have power to borrow so as to meet (*a*) loans to estates which come under the Court of Wards, and (*b*) loans under the Land Improvement and Agriculturists' Loans Acts, which should be amended to give fuller powers to the Local Government.

Many of the estates which come under the management of the Court are heavily encumbered, and the Court find it difficult to get loans at a reasonable rate of interest to pay off the incumbrances and save the estate. At present estates under the Court owe 15½ lakhs to private creditors at rate of interest varying from 5½ to 9 per cent.

A beginning has been made in this province towards a practical solution of the problem how to rescue the agricultural population from the clutches of the rapacious money-lenders. There is in this direction scope for the employment of as much money as Government can borrow. An allotment might be made to the Local Government of, say, a lakh a year for three years to meet interest on the money it borrows until the interest on the loans it gives out comes in freely. In general, the Local Government will probably be able to borrow at 4 per cent. and can well ask and obtain 5 to 6¼ per cent., of which at least 1 per cent. will be a net gain and may be accumulated as a reserve to meet interest on future loans. Possibly Local Governments may have to pay a shade higher interest than the Government of India pay, but there will be compensation for this since the Local Government will only borrow as the money is wanted and so will not have the money lying idle. Probably the local borrowings will draw on funds which are not drawn on by the Government of India and will not come into competition with them.

There is one special restriction imposed by financial considerations which should, in the transferred districts at least, be removed. This is the instruction against the acceptance of *salami* (premium) for settlement of land with tenants in Government estates and estates under the Court of Wards. The restriction was imposed at the instance of the Government of India in pursuance of the principle that it is financially unsound to take *salami* since it involves a draft on the future for the benefit of the present. Theoretically this is correct, but in practice, the result is that the *salami* is paid all the same, and the only result of the self-denying ordinance is that the pockets of the employés in the *khas mahals* and under the Court of Wards are enriched. The raiyats will not pay any rent above the ordinary local rates, but will pay the *salamis*; they believe their tenure is insecure if they do not. The loss to Government has been heavy.

As far as restrictions are imposed by law the best way of removing them will be by a general Act of Delegation.

The provisions of suitable accommodation for offices and officers at the headquarters of this Government has been delayed to a most unjustifiable extent by the action of some of the departments of the Government of India. This has involved loss in efficiency to an extent which it is difficult to estimate. I may instance the dislocation of business caused by the Accountant-General's offices being retained at Shillong, remote from the business parts of the province. The delay has also caused great inconvenience to officers who have been hard put to it to find house-room.

In all matters connected with the improvement of the relations of landlords and tenants, in matters concerning the prevention of disturbances on account of disputes regarding land, especially in new formations, and in matters regarding the improvement of village police, the credit of initiative may fairly be given to the Government of Bengal. In all these matters the Local Governments should be allowed a free hand. Reference to the Government of India and then further references to other Local Governments not only lead to inordinate delay, but tend to obscure the points at issue. For instance, Bengal wanted to pass a short Act to put a stop to, or at least check, the fighting out on the land of disputes regarding new formations which lead to much bloodshed, but when the matter was referred the proposal took the form of a project to amend the Criminal Procedure Code, and there it has rested up to now. Meanwhile the riots on *char* lands go merrily on.

Appeals to the Government of India should in no case be accepted unless submitted in the first instance to the Local Government and sent on by that Government. The Local Government should have full power to refuse to forward the appeal, and their refusal to do so should be the final order in the matter. No appeal from an officer of the Provincial or Subordinate Executive Service or from a ministerial officer should be accepted by the Government of India. The Local Government should, in the interests of the administration, be the final authority.

It should be the strict rule that no appeal will be accepted by the Local Government unless it be presented to the authority against whose order or action appeal is made. The present practice of accepting appeal petitions sent by post (often unstamped, anonymous or pseudonymous), and forwarding them officially for report, tends to destroy the prestige of the subordinate authorities and encourages the bringing of malicious charges. It should be the rule not to take any notice whatever of anonymous or apparently pseudonymous petitions, and if for special reasons it be deemed desirable to make any enquiries, these should be made "confidentially."

Appeals in a regular form should not be accepted by Government unless presented to, and forwarded by, the authority appealed against. It is perhaps scarcely desirable to impose the restriction that the authority whose order forms the subject of appeal should certify as to the admissibility of the appeal.

The Board of Revenue should be the final appellate authority in respect of ministerial officers in all offices of Commissioners and District Officers or their subordinates. It may be said that the Board have no direct concern with the criminal side of these offices; but experience has shown in Bengal that it is desirable to have the same final appellate authority for the employés in both as their duties are often intermingled. From the Board an appeal may be allowed to the Local Government if presented to the Board and the Board think it should be forwarded, but not otherwise.

The apparently inevitable tendency of the Secretariat is to regard every variation from the strict letter of rule as an enormity. The antidote is to be found in the closer touch between the Lieutenant-Governor and the Heads of Departments and Members of the Board which the formation of the new province has made possible.

There is no doubt that District Officers are kept too much at headquarters by the increasing complexity of their work and the continually increasing care which has to be taken to keep strictly within the letter as well as the spirit of the law. In the transferred districts every action of the District Officer is subjected to the subtle criticism of a well-trained Bar and the slightest error or omission is certain to form the subject of appeal. Add to this that it is not the officer who knows his district and the people in it and their language, but the one who can shine as an office man who gets on, and there is no need to search further for the obstacles in the way of personal contact with the people.

They may be removed by relieving District Officers of much of the routine work at headquarters, by giving to efficient members of the Provincial

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Service powers (coupled with special promotion) to take full charge of the duties of the District Officer in connection with the branches of administration, such as treasury, tauzi, arrears, collection, and registration, and by making a thorough knowledge of district work a *sine qua non* for employment as Secretary to Government.

At present many Executive Officers are very deficient in the knowledge of Bengali, which is the mother-tongue of nine-tenths of the population of this province. Urdu was the language which the majority of officers posted to Bengal learned first, and it was rarely that Bengali appealed to an officer with a knowledge of Urdu as a language worth learning. Now that all officers who come to this province will learn Bengali from the time of their arrival and will have to pass a stiff examination in it, there will be a rapid improvement in this respect.

No large increase in staff will be required, but some increase will be necessary to allow of the appointment of Additional Collectors. If Additional Collectors are appointed there will be no need for any general splitting up of districts. In any case, however, Mymensingh and Sylhet should be split up.

In this province I do not think the time has come for giving any extended powers to local bodies.

There are no village communities properly so-called in this province—at least in the plains districts. A beginning was made towards the creation of a community of interests in small areas by appointing for such areas a panchayat of leading villagers to supervise the village police. Steps have recently been taken in a few districts in this province to extend the powers of these panchayats to other matters; but the subject has not met with the attention it deserves. What is called the new panchayati system demands, as the necessary preliminary to its success, the personal whole-hearted support and attention of the District Officer both to instruct the members of the panchayat in their duties and to encourage them to perform them in face of the opposition which the system meets with from the police and ministerial staff who for many reasons are its determined adversaries. But in no instance has any District Officer given to the system the care and attention necessary. When the system is fully developed the panchayat will be the proper authority for the disposal of petty criminal and civil cases and for the management of all local educational and sanitary institutions, and of the village banks which will be the proper distributaries of the loans to agriculturists.

21744. I think you have had no Secretariat experience?—None whatever.

21745. Have you found that a drawback, since you have been on the Board of Revenue?—No, I do not think I have in any way.

21746. What subjects have you under you as senior member?—Everything connected with the land revenue; connected with that are partitions, Courts of Wards, agricultural loans, and so on.

21747. Who has excise, salt, and customs?—The second member has all miscellaneous revenue.

21748. You tell us that the Local Government ought to have a lump sum of liberal proportions which it can spend as it pleases, apart from the ordinary normal budget. Should the Government of India make a special grant of that, or should it be part and parcel of the settlement?—I would make it part and parcel of the settlement.

21749. Do you suggest any particular limit?—No, I have not really considered that.

21750. You have some difficulty in raising funds for Court of Wards?—Yes, sometimes considerable difficulty in getting money at anything like a reasonable interest.

21751. Have you any reason to believe that there would be a purely local market for loans in connection to the Court of Wards?—We should probably tap some local money in the various bazars, money which ordinarily would not go to Government of India issues.

21752. Would you have to pay a high rate of interest?—We might have to pay about 4 per cent.

21753. On the other hand, would you still have loans raised for provincial Governments by the Government of India?—I think on the whole it would be better.

21754. Would you be prepared to devolve to Commissioners greater powers in respect of expenditure upon Court of Wards' estates?—Yes. My proposal would be that, after an estate has been taken in charge by the Court of Wards, the Commissioner should become the Court of Wards to all intents and purposes, or estates with a rental of, say, a lakh of rupees and under. I would make the Collector up to Rs. 10,000 the Court of Wards. As matter of practice, after an estate has once been taken over, there is not much direct supervision by the Court.

21755. Is there a scheme?—We have a scheme, and after that the thing works of itself.

21756. Still in spite of the scheme, at the present moment the Commissioner has to go up to the Court of Wards for sanction?—Yes. I have to sanction, very often, two or three rupees expenditure. I would give all that to the Collector.

21757. Would you put any limit to the power of sanction of the Commissioner?—I would make the Commissioner the Court of Wards for estates for a lakh of rupees and under; then, for bigger estates I would give the Commissioner all powers of sanction up to Rs. 1,000 for any one project, not beyond that. Also I would give him full power in all cases in which the scheme has been sanctioned by the Court.

21758. How are you hampered at the present time by the control of the Government of India in cases of survey?—The Local Government can only order survey and settlement under certain conditions; there are other cases which have to go to the Government of India for sanction.

21759. What are the points which have to go to the Government of India?—All the district survey settlements have first to get the sanction of the Government of India.

21760. To what extent would you like the powers of the provincial Government extended?—I think they might have full powers in the matter; it is purely a local matter; it is not a political matter at all. The Government of India wish that there should be a survey and record-of-rights of the whole country, and that this should be maintained up to date. After that the Local Government should have all power to make any arrangement they think fit.

21761. Who pays for the survey?—The Government of India makes an allotment; for the main part of the survey the Government of India pays 25 per cent. and the rest is realised from the people.

21762. Within that extent you would give the provincial Government a free hand?—Yes.

21763. Are there many restrictions on the administration of Assam at the present time?—The restrictions to which I have referred are the restrictions on the making of rules under the Land Revenue Regulations and the restrictions on making records-of-rights.

21764. Those still remain?—Yes. The Local Government has to get the sanction of the Government of India for all records-of-rights, and the making of rules is "subject to the control of the Government of India," which I presume means that the rules have to be sent to the Government of India before they can pass. Under the Tenancy Act in Bengal the Government have full power to make rules.

21765. It is not "the previous sanction of the Government of India," but it is "subject to their control"?—I presume this means that the rules have to be sent up to the Government of India. In fact since the new province was formed no new rules have been passed.

21766. You would like to see appeals from officers limited?—They go too far at the present time.

21767. And in that case the Local Government should be the final authority?—Yes, in all appeals from the Provincial and Subordinate Services.

21768. You tell us that the Secretariat is rather inclined to regard every variation from the strict letter of the rule almost as a crime. Could you give us any particular instance?—I could hardly mention any without going into very minute details. I look upon this as the general tendency of a Secretariat.

21769. You suggest that this might be obviated if there was closer touch between the Lieutenant-Governor and the Heads of Departments Do you have any conferences between Heads of Departments?—I think not.

21770. Have you any powers as member of the Board of Revenue to call conferences of Commissioners?—There are no special powers laid down; I should have to refer to the Government before I could call any conference.

21771. Has it ever struck you that it might be a desirable thing to do?—I have often thought that it would be a good thing if we followed the Bengal practice of having a general conference of Commissioners and the Board at some period of the year.

21772. I have heard of a case of a member of the Board of Revenue being recalled from leave to preside at a conference of Commissioners?—That is what has been established in Bengal, and I think it would be well if we had the same thing here; but as yet there has been nothing of the sort here.

21773. You have not suggested that to the Local Government?—No. There has been all this agitation about, and I have not suggested it.

21774. The same thing might be applied to Collectors by Commissioners?—Yes.

21775. Then you say that District Officers are kept very much at work by the increasing complexity of their work, and that a man who is able to write a good report is apt to get on. Have you anything to say as to the selection or promotion of officers?—No. Except as to the selection to the Subordinate Civil Service.

21776. As a member of the Board of Revenue your opinion is not sought as to the ability of superior officers?—No.

21777. Have you ever noticed that a man who does good district work does not receive his adequate reward for it; can you really say that?—Yes, I think I may say yes.

21778. In recent years?—I would not like to mention particular instances, but there is certainly a tendency that way.

21779. Of recent years?—Yes, I think of recent years too.

21780. Why is that; is it that the Secretariat all stick together?—It is very much this; that the man who comes more under the notice of the superior authority is more likely to get the comfortable billets than the man who does not.

21781. You look upon that as a regrettable fact?—Yes; it is a fact which is very difficult to get rid of.

21782. Do you think that every officer who is employed for a certain time in the Secretariat ought to return to district work?—I think undoubtedly that no man should get a high post in the Secretariat unless he has had considerable district experience.

21783. Is there any rule in Eastern Bengal requiring that?—I do not think there is any rule which requires it.

21784. Is there practice which amounts to rule?—No; of course, we have a very short experience as yet in Eastern Bengal.

22785. We have had a great deal of evidence tendered to us that the staff in this province is too small for the requirements of the province; do you hold that?—I certainly hold that view.

21786. Are the districts too large?—No, with the exception of two; Mymensingh and Sylhet are much too large.

21787. With those exceptions the districts are of reasonable size?—Yes, I would not subdivide them, but I would give them more officers.

21788. In the higher or lower ranks?—In both, speaking generally; there are some districts which have sufficient officers of the higher ranks.

21789. What ranks are you speaking of?—The Deputy Collectors. I would make Additional Collectors, and give them promotion in that way, rather than by making them District Officers; they are much better fitted for it.

21790. It is an increase therefore of the Provincial Service that you look to more than an increase of the Imperial Service?—Yes.

21791. A Deputy Collector in this province has no territorial charge?—No; Deputy Collectors have generally charge of the whole district in certain items; for instance, one man is in charge of certificate work, but not always. Where the Sub-Divisional Officer has time (which is in very few sub-divisions indeed), he is put in charge of certificates. It is left to a considerable extent to the District Officer and the Commissioner to decide what the Sub-Divisional Officer can take. In sub-divisions anything like Madaripur, of which there are many instances, the Sub-Divisional Officers have not a moment to spare, and it is impossible to put them in charge of these things unless you have another Sub-Divisional Officer.

21792. Is it desirable to maintain the present system, not of territorial, but of subject charge?—I think it is necessary to do so unless you put in the sub-divisions experienced men in addition to the present experienced men there.

21793. If you did that, which system would you prefer?—Then I should prefer the sub-divisional system—the territorial system.

21794. Ought there to be any increase of status and authority given to District Boards?—No; up to the present time I do not think the District Boards have done anything to justify an increase of their authority. When a District Board does good work, it is the good work of the District Officer, not of the Board. Very few members take any interest whatever in their work.

21795. May that be because they feel no sense of responsibility for the work done?—I do not think it is that; I do not think they are capable of taking very much interest at the present time. Their education has not been in that direction; it is of a political nature, and good work in a District Board is not of a political nature.

21796. You think anything that would divorce the work of the District Officer from the District Board would be prejudicial to good government?—I am certain it would.

21797. Would you say the same with regard to any relaxation of control by the Commissioner over a municipality?—Yes. I think the municipalities have full powers to make very great improvements which they have not made. I can give instances, if necessary, where they have gone backward rather than forward.

21798. Particularly with regard to education?—No; with education the municipalities have very little concern.

21799. And the District Boards?—The District Board, as a Board, practically does nothing; it is the District Officer and the special inspectors who see to education.

21800. Are the villages capable of having any extension of authority?—Yes, I think they are; if you can get them properly formed and get the leading men to take an interest in them, it is a work that could be done; it would take a great many years and a great deal of the time of the District Officer to get them to do it. But speaking from my knowledge of Eastern Bengal, in every

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part there are men who could be got to take part in the work if they are properly organised, and if they are taken away from the control of the police. At present we have got panchayats, and we have started an improved panchayati system, which I think has a great future before it.

21801. You think that the time of the District Officer which would be devoted to this work would be time well spent?—Undoubtedly.

21802. With regard to the Court of Wards, we had it in evidence from a witness the other day that the account rules of the Civil Service Regulations, as applicable to the Court of Wards, practically formed a precedent which restrained and hampered the Local Governments in dealing with Court of Wards matters; are you of that opinion?—I do not know; I have never met with anything of that sort that has hampered me in that way.

21803. Would what you say about loans to estates or local borrowings apply equally to agricultural loans?—Yes, I think we could get the money locally.

21804. (*Mr. Meyer.*) You say that "in the contracts with Local Governments a lump sum of liberal proportions should be allotted to the Local Government, over and above the ordinary allowances, in the disposal of which that Government should be given a free hand." Is not that very much what has been done in your last financial settlement?—I am not aware, really, of what has been done in the settlement, but, if it has been done, well and good.

21805. The province got, in addition to its ordinary shares, a large lump sum to be spent at the Local Government's discretion gradually?—That was for Public Works only.

21806. It was given, generally speaking, primarily for Public Works, but it could be spent on any object within the terms of the settlement?—I have no knowledge of that. What I was thinking of was, money we wanted for the colonization scheme in the Sundarbans; I think we ought not to have to ask specially for that; we should have a sum of money that we could use when we wanted a little more than we had budgetted for.

21807. You say that the Local Government should have power to borrow to meet loans for estates coming under the Court of Wards. Has it not got the power now?—No.

21808. A zamindar can borrow himself if he is in charge of his own estate. If you are acting for the zamindar, cannot you borrow?—The Court of Wards can borrow, but I cannot go into the open market, and say, "we want a loan at 4 per cent. on the guarantee of Government."

21809. Do you want the Government to guarantee the private estate of zamindars?—Yes, we want Government to lend us the money, so that we can get it at a reasonable rate. It would pay Government, and pay us.

21810. The Government does that practically now, under the Agricultural Loans Act; the Government of India may lend you money at 3½ per cent., and you may lend out at 6½ per cent.?—Yes.

21811. Why are you not satisfied with that system?—If the Government of India will give sufficient, that will satisfy us, and if they do the same for the Court of Wards, we shall be satisfied.

21812. The Government of India has to find that money from capital; if it gives a large amount of capital for this purpose, there will be less money for railways and productive irrigation works, and so on?—Yes, and therefore they cut us down, whereas, if we would borrow ourselves, we should be able to tap sources which the Government of India could not.

21813. You think that that could be done to a considerable amount?—Not a very large amount, but I think a considerable amount.

21814. You have got a municipality here. Has that ever tried to borrow in the open market here?—No, I do not think it has.

21815. You speak of special restrictions in regard to survey and record-of-rights, and so forth, imposed by the Tenancy Act; do you mean the Bengal Tenancy Act of 1885?—Yes.

21816. That Act was passed in the Imperial Council as the result of a very protracted and bitter controversy?—Yes.

21817. Is it not possible that these references to the Government of India were put in as a matter of conciliation?—Very possibly; I think possibly that one about the survey and settlement was a matter of compromise.

21818. However, you would be glad to get rid of them now?—Yes, I do not think there would be any opposition.

21819. You differ from Mr. Melitus as to the power of the Local Government in matters of settlement; Mr. Melitus wants to keep the present restrictions in Assam, and you want to get rid of them?—Yes. Mr. Melitus objected to the settlements being given entirely over to the Chief Commissioner. I think he was referring particularly to one Chief Commissioner. I do not think there is any fear of the happening now of what he thinks really happened before.

21820. You think that the general policy of land settlement must remain with the Government of India?—Yes, the general policy.

21821. And there are certain restrictions with regard to the employment of provincial officers that you find rather irksome?—Yes, there is a little friction at the present time; it is a thing that might have been left to the Local Government.

21822. Then you speak of the acceptance of *salami* in regard to Government estates and Court of Wards estates; do you want it relaxed in both cases, or only in regard to Court of Wards cases?—I want it in both cases, because the money, in the case of Government estates, ought to come to Government; at present it does not.

21823. The general principles of Government in these *khas mahals*, as it is in raiyatwari areas, is to give out the land at a fixed assessment?—Yes.

21824. You want to exact, in addition to the fixed assessment, an additional premium?—We do not want to exact it; we want to be able to accept it, because the raiyats do not think they have a good title until they pay it, and they actually do pay it to some underling.

21825. You say the restriction was imposed at the instance of the Government of India?—Yes. Some years ago the question went up, and it was overruled, because of the general principle that it is not right for the present generation to draw a draft on the future, and this *salami* is, in a way, a draft on the future, because it is thought that if *salamis* are not taken the land may let at a higher rate in the future. As a matter of fact, the raiyats will not pay anything more than the customary rent, but they are quite willing to pay *salami*.

21826. Do you know if the principle was imposed in the first instance by the Secretary of State?—Yes, I believe it was.

21827. You say that in the matter of the improvement of the village police the initiative is due to the Government of Bengal. I think you had a good deal to say to that yourself?—Yes.

21828. Before that, had not the recommendations of the Police Commission paved the way?—No; the beginning was before the Police Commission; it goes back to 1874, the first Chaukidari Act.

21829. The pendulum swung to and fro; the last Act before the Police Commission came round was Sir Henry Cotton's Act, which put everything into the power of the police?—Yes, there have been many variations.

21830. The first move in the other direction came from the Police Commission?—Probably, they received evidence, I do not know quite who gave evidence in favour of extending the system.

21831. Subsequently—largely, I think owing to your own efforts in Bengal, the village system has been much reformed; the police have been largely cut adrift?—Yes, to a considerable extent.

21832. I gather that it is not quite the same in Eastern Bengal?—No; the District Officers have not been able to get time to do the same, chiefly on account of this agitation, which has in fact made the pendulum swing somewhat backwards again.

21833. A Police Officer whom we examined said that he had now nothing to say to the election of panchayats or chaukidars?—It is only in one or two districts that the new system has been introduced—in Dacca and Tippera.

21834. You say there should be no appeal from an officer of the Subordinate Executive Service dealt with by the Local Government. Take a Deputy Collector; he would be dismissed in the first instance by whom, supposing he had to be dismissed?—By the Local Government.

21835. Would you allow no appeal from the Local Government in a matter of that sort?—In that case of course.

21836. Would you allow one appeal in every case?—Yes.

21837. Would you like any further appeal in a case of dismissal; would you discriminate dismissal from some less stringent punishments?—No, I do not think I would. I should allow an appeal to the Local Government, but not a second appeal beyond the Local Government.

21838. The rule would be this, that everybody punished should have one appeal?—Yes.

21839. Except in the case of petty fines and black marks?—We do not fine now at all.

21840. And as to black marks?—I have never heard of an appeal against black marks.

21841. An officer dismissed should have a second appeal, provided that such second appeal does not lie beyond the Local Government?—That is so.

21842. Any officer immediately punished by the Local Government should have an appeal to the Government of India?—Yes, I think that would be a very fair arrangement.

21843. Not on to the Secretary of State?—No, I should not allow that.

21844. Then in regard to administrative matters, you say that the Local Government should have full power to refuse to forward an appeal to the Government of India. It might happen that the order has been passed by the Local Government as a Court of first instance; there again would you allow an appeal?—Yes.

21845. It is only where a matter has been dealt with on appeal that you would not go further?—Yes.

21846. You desire to allow considerable larger powers to Commissioners?—Yes; on the whole I would extend their powers; I would restrict the number of cases in which they have to come up for sanction.

21847. You would be in favour of making a Commissioner more of a Sub-Governor?—Looking at it from the point of view which you put, I think so. The Commissioner has at present very extensive powers.

21848. Can he even appoint a Sub-Deputy Collector?—I would give him power to appoint Sub-Deputy Collectors and the power of transferring—which he has nominally—the Sub-Deputy Collectors within his division.

21849. Would you allow the same powers as regards Civilians?—I would allow it up to the Collector.

21850. You would give him a budget of his own on which he might sanction Public Works?—Yes.

21851. Would you give him power to create appointments within a limited scale subject to the budget?—Temporary appointments, not permanent appointments.

21852. You have told us that every little appointment has now to go to the Local Government; if it is a permanent appointment, can you even appoint a peon?—No.

21853. Is that necessary?—No; it might be left to the Board.

21854. Would you give the Commissioner a budget of his own for general and miscellaneous purposes?—I would give him a round sum to use to the best advantage.

21855. Has the Commissioner in this province, as in Bengal, some little allotment for miscellaneous purposes?—He has a very small allotment.

21856. Then, you would give him power to confer magisterial powers under the code?—Yes, I see no objection whatever. In the very great majority of cases it is a mere matter of form; when it is sent up to the Local Government, the Local Government simply says "ditto."

21857. You say the control which Government now exercises over municipalities should be maintained. Would you be prepared to give that control mostly into the hands of the Commissioner?—As a matter of fact it is mostly in the hands of the Commissioner now.

21858. Not altogether?—Not altogether.

21859. Can he make members of the municipality?—He selects them. He gazettes for the municipalities, and they are sent up to the Local Governments for the District Boards.

21860. Might he select all the members?—Yes.

21861. Might he pass bye-laws?—The bye-laws ought always to be considered by the Legal Remembrancer; after the Legal Remembrancer agrees to them, the Commissioner might pass them. Very often we get bye-laws which are not legal.

21862. Speaking generally, might he have all powers short of constituting or dissolving or suspending a District Board?—Yes.

21863. Would you say that with regard to all municipalities, or would you discriminate, as they do in Bombay, between city municipalities and others?—No, I do not think that that is necessary here; there are no really large towns.

21864. Under the Land Acquisition Act would you allow the Commissioner the powers of Government within a certain amount. At present you cannot acquire the least strip of land for public purposes under the Land Acquisition Act without going up to Government to get the matter notified?—He would be all right as long as he got the money.

21865. Of course in growing towns dealing with things of that sort it is a delicate matter to take up lands especially where matters of commercial interest are involved. Suppose the land was valued at not more than Rs. 5,000, and the money was available, would you allow the Commissioners to exercise the powers that Government now exercises?—Certainly; in a case of that sort the Government would simply pass the order as a matter of form.

21866. You have spoken of the Bengal conferences. Who takes the chair at those conferences?—Generally the senior member of the Board.

21867. They consist of the two members of the Board and the Commissioners of Divisions?—Yes, and various Heads of Departments and certain Judges and the Secretaries to Government.

21868. Would the value of those conferences be enhanced if the Lieutenant-Governor himself had presided and heard the opinions of his officers?—Sir Andrew Fraser preferred to have the opinions put to him in that way, and he would come and talk the matters over with us afterwards and give us his opinion.

21869. The conference, you might put it, sent him an address, and he made a speech from the throne in reply?—Yes.

21870. Suppose that system was introduced here, what would you advise the Lieutenant-Governor to do?—I think it would be a good thing if the Lieutenant-Governor presided; of course not always. On certain subjects the meeting might be presided over by one or other of the members of the Board.

21871. It might resolve itself into sub-committees?—Certainly.

21872. Assuming that the Commissioner gets considerably enhanced powers, what would you do with the Board of Revenue?—I think there ought

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to be no intermediary between the Board and the Local Government; the Board ought to be coadjutors of the Lieutenant-Governor.

21873. Would you make the two members of the Board, as has been suggested, colleagues of the Lieutenant-Governor?—In a way. The Board, with its present powers of appeal, and so on, should be as it is at present, and then in matters which are referred to Government I would let the Board decide those cases which are now decided by the Secretaries. There is a considerable number of small matters which the Secretaries decide themselves without consulting his Honour at all; those the Board should decide and submit the order to his Honour, as the Secretaries do; that is the Bengal system.

21874. Might you not delegate to the Board, as at present constituted, a number of the functions at present exercised by the Lieutenant-Governor?—Yes, that would have the same result, practically.

21875. The other proposal was somewhat wider; it was suggested that the two members of the Board should be able to advise on matters outside revenue—on the whole administration in fact?—I suppose that is the statutory position of the Board; they are the confidential advisers to the Governor by statute.

21876. In matters of police for example?—The regulation does not restrict it at all. They are confidential advisers to Government.

21877. Would you be quite satisfied, if the Bengal system was adopted—if in a case that is to go to the Lieutenant-Governor, for instance, the Revenue Secretary to the Local Government noted first, and then you noted, and then the case went to his Honour, so that he should have your opinion as against the Secretary's opinion?—Yes, and above the Secretary's opinion.

21878. Of course he could agree with the Secretary?—He could agree with the Secretary, but the Board ought to be able to see the reasons. Very often in the Secretariat they have references which we have not in the Board's Office; members of the Board ought to have the benefit of those.

21879. On perusal of the Secretary's note it might be that you would see a point that you had not considered?—Quite so.

21880. You do not think it is necessary to go beyond that?—No, I think the Board has quite sufficient to do in its present position.

21881. If you had that position, would you need a separate office for the Board; could you not amalgamate with the Government Secretariat?—To a certain extent it might be possible, but it would have to be worked out very carefully. There are a number of different departments like the Court of Wards that must be separate. Whether it is one with the Secretariat or not, the Board's office consists of many parts.

21882. You have spoken of friction between the Board and the Government; is that not always liable to arise between two separate offices?—Between two separate offices it is certain to arise.

21883. Would it therefore be desirable to amalgamate the offices?—To amalgamate the offices would have a beneficial effect.

21884. Suppose you enhance the powers of Commissioners to a large extent and gave them considerable powers in administration generally, and as you have just said in Court of Wards matters, would it still be necessary to have two members of the Board of Revenue?—I think so, if the Board has to do a large amount of inspection, which the Board ought to do. A very great deal turns upon the standing of the Collectors. Twenty years ago Collectors in Bengal were more often of the standing of 15 to 27 or even 30 years' service, they were experienced officers. Then the amount of inspection that was necessary was small, and it was then that the Commissioners very often became post offices, because practically their senior officers knew as much about the matter as the Commissioners did. In recent years it is very different; the Commissioner has become an absolute necessity, because of the very junior officers who are put in the responsible position of Collector. As long as that continues, so long will inspection by the Commissioner and the Board be most useful.

21885. Suppose you get back to the old position, would you then see any use for the Board of Revenue?—When we get back to that—which is not likely to happen for many years to come—the question might then come up practically, whether the Board could not be reduced in number. I do not see at present any possibility of it.

21886. Perhaps you take into consideration in that answer the general conditions of the province?—Yes.

21887. As regards your district organisation, you know the Assam system, and naturally you know the Eastern Bengal system still better. I gather that you prefer the Assam system theoretically?—Theoretically, yes.

21888. But your difficulty is the establishment?—Yes.

21889. Could you not meet that difficulty more economically, and perhaps more satisfactorily, by making more use of your Sub-Deputy Collector class?—I do not think so. The work of the Sub-Divisional Officer in these heavy sub-divisions in criminal matters is the work of a First Class Magistrate to a very great extent; the amount of writing and making records that he has to do is something very great; I know many of them work fully their eight or nine hours a day.

21890. In such sub-divisions who takes the second and third class cases?—There is generally a Sub-Deputy and then there is generally a local Bench which takes a lot of the cases.

21891. So that these people are really oppressed by first class cases?—Yes, it is not the small cases that are the trouble.

21892. You agree generally that it is rather a waste of power to make a man a First Class Magistrate and put him on to do second and third class cases?—Certainly, we have always tried to get over that by establishing Benches.

21893. You advocate an Additional Collector to be appointed from among the Deputy Collectors; you say that he is to be a sort of colleague of the Collector?—I would put him in independent charge of certain branches such as the treasury.

21894. With no control?—Only by the Commissioner. You might give him power, the same as now Deputy Collectors are made District Officers. As a rule very few of the Deputy Collectors are absolutely fit to be District Officers in all branches, but in certain branches like treasury and certificates, they are quite capable of being put in independent charge.

21895. How many listed districts have you in this province—districts in which Collectors may be taken from the Provincial Service?—I think it is three.

21896. But you would have a good many more Additional Collectors?—Yes, considerably more.

21897. Your Additional Collector would then be the superior officer of the district staff as regards treasury work?—Yes, they would not come into contact much with other departments.

21898. Would you have the Civilians and the Deputy Collectors come under two masters within the district?—Yes, to some extent.

21899. Would that not result in some friction?—I do not think so.

21900. A young Civilian after his preliminary training goes out to a sub-division, and there he is mainly occupied with criminal work?—Yes.

21901. All the revenue subjects, such as there are, are mainly dealt with by the Deputy Collector at headquarters?—Yes.

21902. After some years of this sort of work he becomes a Collector and can act as such?—No, he comes in as Joint-Magistrate.

21903. Then the day comes when he has to act as Collector and he has to plunge into a number of subjects with which he has had very little to do?—That is so; it is objectionable, but how to get rid of it is another question. As Joint-Magistrate, of course, sometimes he gets a bit of experience in collectorate matters.

21904. But a man who has served in Assam would not be in that position; he would have had general revenue knowledge?—That is so. As Joint-Magistrate, when the Collector is on tour he has charge of the work at headquarters, and there he gets an insight into the work.

21905. The Collector here does not go regularly on tour; he tours spasmodically for a few days?—Not for a few days; he ought to go for a number of days together. I do not know what they do at present, but as Collector when I was at Backarganj I used to go out for a month at a time. On the whole, we generally make two tours. My principal tour was in the rains, when we could get about by boat to all parts of the district, and the other in the cold weather.

21906. Anyhow, the Joint-Magistrate's revenue experience is only at intervals?—Yes; it is not a perfect education by any means.

21907. Do you have any transfer of officers as between Assam and Bengal?—We have several Assam officers coming into Bengal.

21908. Is that a good thing on the whole?—I believe in the beginning it was not a good thing, but, of course, these officers have acquired experience.

21909. Mr. Melitus told us that he would have preferred every officer having to serve in both sub-provinces, but he did not wish them always to be moving to and fro one way and another?—My idea would be in their younger days before they are Sub-Divisional Officers it would be a good thing to give them experience in both; then they would be better fitted to become either Deputy Commissioners or Collectors.

21910. But as a rule you would let a man gravitate to one or the other when he became Collector?—The question would be for how many years; a man ought to be a Collector for five years in one district, and that would take up a good part of his collectorate time really. I would like the distinction between the two parts of the province to disappear as rapidly as possible.

21911. You think the larger powers, which you see no objection to giving to Collectors and Commissioners would not require any greater care in the method of selecting these officers?—No, I think not; the Government has full power of selection at the present time. It will always remain a question of the personal equation.

21912. Without mentioning any names, has it been exercised?—I should say generally it has been exercised; but I certainly know of cases in which it has not been exercised.

21913. There are men who have been allowed to become Collectors who ought not to have been?—Men who have been appointed before they ought to have been; perhaps men who ought never to have been appointed.

21914. And perhaps you would go so far as to say that there have been Commissioners appointed who ought not to have been Commissioners?—That is so.

21915. The general orders are quite sufficient; what you want is, some greater stringency in their application?—Yes.

21916. Suppose there is that stringency, and that A B is not considered fit to be a Collector, would you keep him on?—No, I think Government ought to have the power to say to him, "You must go"; giving him a fairly liberal pension. But, of course, there are men who improve in their later years. There ought to be considerable discretion used before they tell a man to go. A man may not be fit to be a Collector when he is of seven years' standing, and by the time he is of ten years' standing, he may be fit; I would give him time for improvement.

21917. If after repeated trials he is found unfit?—I should say it would be good for the Government, and good for the man, to get rid of him.

21918. Take a man who is passed over for a Commissionership?—Generally that would come at a time when he has earned his pension; then I should say, certainly, let him go. I think that if a man is not fit to be a Commissioner when he gets to the end of his service, 21 years, the Government ought to have full power to tell him to take his pension.

21919. There again, I suppose, sometimes a man would come at a rather early age?—Yes; there might be a good man who would be put in first, while another man of a lesser calibre would come in afterwards.

21920. You would not send a man off at once; you would give him another chance?—Yes.

21921. We were informed by some of the previous witnesses that here in Eastern Bengal the District Board Engineer used to do most of the Government Public Works, buildings, and so on?—Yes, pretty well all, at one time.

21922. That was put a stop to on the formation of the new province; the then Lieutenant-Governor adopted the Assam system. Do you think that that was a good change?—If the Public Works Department can be kept up to strength, then the change was a good one; but if it is to be attenuated, and the department becomes as it was in the old days, one man to a division, then it is impossible for him to do the work.

21923. So far as Eastern Bengal work is concerned, is that not exactly what you have got now?—They have got some more; I have not seen much of the work since the new province was formed.

21924. You do not think that the District Board Engineer was of a sufficient calibre to take charge of buildings, roads and so forth?—It depends altogether on the District Engineer, and that depends on the pay the District Board can give him; when the District Boards is rich enough to pay him Rs. 500 a month, it is all right; but when they pay him Rs. 250 or Rs. 300 you have a man in a position in which he can do very great harm indeed.

21925. Would it be an economy of labour if the Government and the District Board shared the Engineer?—Something of that sort would be a good plan.

21926. Do you think the statement that has been made that the District Officer has his time taken up and is absolutely overburdened by demands from above is not really accurate?—I think that that is not really the case.

21927. What helps to block him, if it does block him, is the demands within his own district?—That is true; he has to be very, very careful nowadays. In Eastern Bengal we have always had the very severest criticism applied to the acts of all our officers.

21928. (*Sir Steyning Edgerley.*) As regards members of the Board becoming *quasi*-colleagues of the Lieutenant-Governor, you said it would not be necessary that they should become full colleagues; what is your objection to their becoming full colleagues?—If they become full colleagues, it would imply their being on an equality with the Lieutenant-Governor, and I do not see how it would work.

21929. The analogy is brought in from Madras and Bombay?—But is there not some little friction there?—I am not speaking of my own knowledge, but from what I have been told on very high authority.

21930. I do not think there is much friction in Bombay?—I believe I am right in saying that in Bombay there once was a very large amount of friction. There would not be the same danger in this province or in Bengal, of friction as there is in Madras or Bombay, because there the Governor

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is a man new to the country, and either he has to accept the advice of his colleagues who know the country, in which case he has not much authority of his own, or if he asserts any authority he goes against the advice of his colleagues. Here the Lieutenant-Governor would be an officer who has as much knowledge of local conditions as his colleagues. I do not see the necessity of making the members of the Board colleagues.

21931. Do you see any objection?—No. I cannot say that I see any objection.

21932. They could still, of course, do their appellate work?—They would still have the same legal status as a tribunal.

21933. Certain evidence was given to us in Calcutta which seemed to show that people felt that there might be a lack of continuity in one-man Government; that would be remedied to some extent by a three-men Government, because they would not all retire at the same time?—That is no doubt one of the defects of one-man Government. I think at present the Board system is rather a popular institution with the people. As a matter of fact the Board in this province was formed because of a popular outcry against the abolition of the Board, and I think it is popular because it is more accessible.

21934. You think it would be more popular than the Government without a Board?—I think so; the people would prefer the Board in its present position.

21935. You say that a certain number of powers might be delegated, some of them affecting the Criminal Procedure Code, others the Bengal Tenancy Act, the Land Acquisition Act, the Court of Wards, Act, and so on. Have you thought at all as to the best procedure of delegating?—I think it would have to be by a general delegation Act in the case of statutory matters; in the case of mere departmental matters it could be done without a general delegation Act.

21936. Do you mean by a delegation Act an Act saying that the Government could delegate these powers after giving notice, or would you have specific delegating sections for each power?—I would say that the Local Government could delegate such and such powers; that would be the simpler form.

21937. To take an illustration. You think it is possible that the restrictions in the Tenancy Act were the result of a compromise?—I think they were; I have no distinct recollection, and without looking the matter up I could not say definitely, but it is possible.

21938. Suppose the Government took power by an Act of a general nature, and said "We may delegate this, that, and the other after giving notice in the Gazette and inviting objections"; suppose they used the Act as regards powers under the Tenancy Act which at one time were the subject of controversy, you think that probably there would now be no question about it?—I think now it is a matter of ancient history, and there would be no question raised about it.

21939. Do you think anybody could say, if the Legislature gave such powers, that you were in 1908 committing a breach of faith because the Legislature had originally passed the Tenency Act in a form constituting a compromise?—I do not think that after this lapse of time it would apply.

21940. Of course, you would want full notice of what you were doing?—Yes, it would be fully notified, and all objections listened to.

21941. You think that an increase in the Provincial Service would suffice in the districts?—Generally, I think so.

21942. A witness this morning told us that he had been to places where they said they had not seen a *Sahib* for five years; do you think that is possible?—I have just been out to a place where it might be said, but such cases are very rare.

21943. This was represented to us as being a large centre of the jute trade?—I do not see how that could be.

21944. Do you think that the European element in the Service is dangerously weak?—Perhaps we may be somewhat short in the *cadre*; the Secretaries to Government would be best able to answer that question; but, as far as I have seen, the only objection I have is that the Collector has come down rather low in the Service; there are men of six years' service serving as Collector; that is much too low.

21945. What is the cause of that?—Probably inadequate staff and leave.

21946. You think that the *cadre* ought to be of a strength that would bring the standard of service for a collector up to 10 or 12 years?—Yes.

21947. That is the old expectation of the Service?—Yes.

21948. Then as regards Local Self-Government; if anything is to be done you think attention should be concentrated for some years to come on the village and the village organisation, and build that in underneath the municipalities and District Boards?—I think it should not spread from above; it should come from beneath.

21949. Your Sub-Deputy Collectors get what pay?—From Rs. 100 to Rs. 250.

21950. Are they not quite fit to be First Class Magistrates?—Some of them are, but those who are fit to be First Class Magistrates generally get promotion into the Provincial Service. There are very few of them that I would give first class powers too.

21951. Have you strict educational qualifications for them?—Yes, at the present time we have; they are generally B.A.'s; there is no set rule on the subject; in fact, a good many are appointed from the settlement staff, and some of those may not even be B.A.'s, but most of them are.

21952. Assuming that they are drawn from that rank, is there any great difficulty about making them First Class Magistrates?—The power of a First Class Magistrate is very great, and besides, the Sub-Deputy Collectors are wanted for the Collectorate work. The pay would hardly justify one in giving them very important criminal work; I should be rather afraid of it.

21953. You know that such powers are given to officers of similar grade in other provinces?—Yes, but I should be afraid of the influence that might be brought to bear.

21954. A question has been raised as regards the permanent travelling allowances. Mr. Melitus told us that in the case of officers such as the police—the lower paid officers—the expense of travelling had risen so much that these rates were no longer adequate to cover expenses; would you agree?—I should say that it is very possible that the present allowance does not meet expenses, and that very often officers, in order to make ends meet, have to work so as to get the highest travelling allowance possible.

21955. Is not that a very bad thing?—It is a very bad thing undoubtedly.

21956. Have you any experience of permanent travelling allowance?—Yes, as Commissioner.

21957. You do not like the system?—I do not.

21958. It gives less work?—Very little, I should think.

21959. Less audit?—There may be a little less audit, but nothing of importance.

21960. Not in the aggregate?—No, in regard to the Commissioner I suppose it does, because there would be nobody to check his diaries.

21961. The daily travelling allowances has led to Manuals of Distances and so on?—Yes, but I much prefer the daily travelling allowance rule; I think it is much more equitable.

21962. Would it be a good thing to extend to the Executive Service what you have in the Judicial, that nobody should hold an appointment above the grade of District Officers until he has served for three years as a District Officer?—I think it would

be a very good rule indeed ; a man learns as District Officer what he cannot learn in any other way.

21963. You think that there is no noticeable progress in local self-government within the last generation?—I do not think there is any real progress.

21964. Can you suggest any reason for that?—The people from the *mufassal* do not care to come into the District Board apparently ; the men who come into the District Board are to a very great extent the pleader class, and I do not think they have much interest in the country ; they like to be members of the District Board, and that is about all.

21965. Is that not capable of remedy by altering the franchise or by other means?—I do not think there is anything like real public spirit. There is a great amount of factious spirit ; here and there you meet with a man who really takes a hearty interest in the work and does good work, but that is the exception.

21966. You do not think that that is growing?—I do not think it is growing ; in fact, the men who formerly did take a considerable interest in the *mufassal* are to a great extent gravitating to the towns ; all our zamindars are gravitating to Calcutta.

21967. Is it the same with regard to the municipalities?—Yes.

21968. So that it is rather a hopeless outlook,—I do not see at present that there is much prospect of improvement ; I do not see that there has been any improvement in that line in the course of my service.

21969. It was suggested to us that the Local Boards take very little interest in primary education ; that they are bound down very tightly by codes and rules, and that the education is practically paid for by provincial grants, and it was suggested that it is a growing expense of which the Boards could not see the end, and that it would be much better for the Government to take over the responsibility for primary education and perhaps substitute some other objects for the Board's works?—I do not think that Local Boards take much interest in primary education ; they may in secondary education, but in primary education I doubt whether they take any interest. An interest might be taken by the village panchayats, and many of them would possibly take an interest ; I have heard so.

21970. In fact, your advice is to tackle the question of the panchayat?—Yes, to improve from the bottom.

21971. And one thing is enough at a time?—Quite.

21972. It was suggested to us that the young Civilians would get a much better training if, instead of being at first put at headquarters, they were sent out in charge of the Settlement Officer, and forced to learn their vernacular out in the districts where they could not get on really without speaking it?—I would give them both. There is no doubt they ought to go out in the *mufassal* ; in fact, there is a rule that they have to go for so long ; we have also framed new rules for examination in the vernacular, which have been sanctioned by the Government of India, which will certainly compel every man in this province to be able to speak and write Bengali.

21973. Can you tell me anything about the salt administration?—I was in charge of it at one time.

21974. That is an imperial head of account?—Yes.

21975. But is it provincially administered?—We have very little to do with it. We have salt godowns at Chittagong where salt is imported ; then we have various bonded warehouses in other parts of the country. Then we have a certain amount of watch to do along the sea coast to see that there is no manufacture, but that is very little.

21976. Is the establishment provincial or imperial? The Officers are under the Board to a certain extent, but I do not know whether they are appointed by them ; the Board does not make the appointment at Chittagong ; that is imperial ; at these local bonded warehouses the appointments are made by the Collector, and they are paid for by the bonder.

21977. You do not know quite what the status of the establishment is?—As far as the bonded warehouses go it is provincial.

21978. And the inspecting establishment?—There is very little of it ; I think it is paid provincially. It comes into the provincial budget, but it is a very small thing altogether.

21979. You heard Mr. Nathan yesterday give us a very rosy account of the Home Department?—Perhaps that was natural.

21980. You think it was somewhat rosy?—Yes.

21981. (*Sir Frederic Lely.*) Is not the popularity of the Board of Revenue largely or entirely due to the fact that the parties may appear before it in person or by Counsel?—I think so to a great extent ; they get a hearing.

21982. If the Councils were to allow the same, the preference for the Board would disappear probably?—Possibly, but then the Council would have to be the same as the Board. The Board is stationed at Dacca ; we only go to the hills by permission.

21983. But you go on tour?—Yes.

21984. And you are able to take a bird's-eye view of the whole administration of the country from the Sub-Divisional Officers up to the Board of Revenue?—Yes.

21985. Has Government ever laid any stress upon the acquirement of conversational power in the vernacular by District Officers?—I do not think Government ever has.

21986. They have never taken any note of it?—I do not think so ; I do not think Government has ever promoted an officer because he happened to be good in languages.

21987. Or disapproved of the promotion of any one who was not good?—I think not ; they have neither approved or disapproved.

21988. You mention the new rules as to examination ; does not the matter depend rather, not on rules, but on the method of examination?—Yes ; the rule is that a member of the Board of Revenue should preside at the examination in Bengali, and then every one will be subject to the same strictness ; and it will be possible to be strict.

21989. There is hope of an improvement occurring?—Yes, I have no doubt that there is bound to be an improvement.

21990. Have you any suggestions to make for diminishing transfers of officers from district to district?—The only thing I can think of is that Commissioners and the Board ought to be consulted a little more freely. It is impossible, of course, to get behind the personal equation ; we know of transfers that are made on personal grounds.

21991. You would not suggest any other definite rule?—No.

21992. Would you allow a man returning from furlough to claim a district merely on the ground of seniority, with the avowed purpose of getting out of it as soon as he got a chance?—No, I certainly should not.

21993. To obviate that would you object to a rule by which a man who was appointed a permanent Collector undertook to remain in the district for say, three years?—That is supposed to be the underlying rule at present.

21994. It is only by some such rule as that that you could obviate the cases I referred to?—Yes, that is supposed to be the rule.

21995. Practically Eastern Bengal and Assam are uni-lingual areas?—Assamese is spoken by about a million inhabitants, compared with about 27 millions who speak Bengali, and the languages are pretty much the same, so much so that, although I do not know Assamese, I can read it.

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21996. With reference to Bengal proper, would you see any great objection to dividing the Presidency into language areas, and after a certain period confining a man to one area; for instance, allowing a man to be for ten years in one district and then allowing him to make his choice?—Then they would all choose Bihar.

21997. You would admit that the man who acts as the link between the Sub-Divisional Officer and the people is a man of very great importance?—Certainly.

21998. He communicates to the people the views and orders of the Government?—There is no one under the Sub-Divisional Officer, unless it be the panchayat; I am speaking of Eastern Bengal.

21999. There is no one in the least degree corresponding to the tahsildar or the *mamlatdar*?—No; of course where there are Government estates there may be a tahsildar, but as a rule he will not be under the Sub-Divisional Officer.

22000. Then is it not true that there is a gap between the Sub-Divisional Officer and the people?—Yes; and that gap I would fill up by the village panchayats.

22001. At present it is not filled up?—No.

22002. The police thanadar does something towards it?—To some extent.

22003. You have no one you can trust to communicate orders to the people, and you have no one to give you information and advise about the people?—No, unless you go on tour.

22004. There is nothing but what the Sub-Divisional Officer may get himself directly?—No.

22005. Do not a peripatetic Board of Revenue and Commissioners practically cover the same ground—I mean as touring and inspecting officers?—To a certain extent they do, but the Board of Revenue generally see the Commissioner's inspection notes, and look into matters of importance such as they have had experience of.

22006. The basis of their work is distrust of the Commissioner, a doubt whether he does his inspection thoroughly or not?—To some extent. I have been a great deal on tour this last year; that has been in connection with the Ministerial Officers' Salaries Committee.

22007. I am speaking of the general administration?—Then, of course, also the Commissioner has not much to do with settlements and records-of-rights; that is the work of the Director of Land Records.

22008. Still, the Commissioner has a general interest in them?—No, he has very little to do with them.

22009. He would have more interest in them than the Board of Revenue would have in municipalities and District Board work?—Barely. He is really outside the record-of-rights.

22010. But there are many subjects which are absolutely outside the sphere of the Board of Revenue?—Of course there are.

22011. And generally speaking the Commissioner's outlook would be more comprehensive than that of the Board of Revenue?—Yes.

22012. And also, as he is confined to a limited division while the Board of Revenue has to go over the whole Presidency, his outlook would be, perhaps, more personal than the outlook of the Board?—I do not know that; on the other hand, the Board of Revenue would have the whole province to look to, so that their outlook one would think would be more comprehensive.

22013. Speaking generally, are the municipalities in Bengal partly elected, and under considerable control by Government?—Yes.

22014. You would not suggest any change?—From my personal experience of municipalities I should say certainly there should be no change in the direction of relaxing control.

22015. Not in the direction of substituting assistance for control?—No; I could give instances to show that they are not to be trusted.

22016. You would say the same of the District Board?—Yes.

22017. Would you suggest confining the membership of the District Board to residents of the particular *taluk*; would that improve the *personnel*?—That is so to some extent.

22018. But I suppose there is nothing to prevent an outsider getting himself elected?—He must be a voter.

22019. Cannot you suggest anything further by which the help and advice of the people might be brought in aid of administration, apart from the villagers?—Unless by the extension of the panchayat system, and making them the electors.

22020. In enlisting the village to the aid of the administration, would you propose to work through the existing panchayat or would you discharge him altogether?—I would work through him and improve his status. I would enlarge the size of the village and get a large area to choose from, so as to get better men.

22021. Do you think that the help of the Registrar of Co-operative Societies might be enlisted with any advantage in making this beginning?—Yes, I think he ought to work through these panchayats.

22022. Do you make any what I may call demi-official effort to get the people into the help of the administration. For instance, if a road runs through a landowner's estate, do you ever make over to him the grant for a road and ask him to spend the money on his own responsibility?—I do not remember doing that, I have very often got them to join in, and help, and given the land free.

22023. But you have not thrown the responsibility on them?—Not in that way; sometimes for digging wells and tanks we have done so.

22024. Does the Government lay any stress on the intercourse of a Collector with his people?—Not that I have ever found.

22025. You have never known a case of Government writing to the Collector and saying, "We understand that you are not sufficiently in touch with your people"?—I have never heard of such a case.

22026. I understand that you are not in favour of a formal Advisory Council?—No, not a formal Advisory Council.

22027. Does the practice exist in Bengal districts generally of keeping darbar lists, or rather, a list of leading men whose advice on behalf of various sections of the community would be valuable?—That is the darbar list really.

22028. Is not the darbar list confined to social respectability?—Partly, and partly it includes generally any men of intelligence that we happen to know of.

22029. Does that exist in every district?—Yes.

22030. Every new Collector has the opportunity of ascertaining whom to ask advice from on any particular subject?—Yes.

22031. Would you be in favour of the Collector being empowered to pay the expenses of any gentleman he wished to call in and consult?—No, I would rather say that the Collector ought to go and see him.

22032. But that is not always possible?—I do not know that these matters come up very frequently, and when he is on tour, he could see any of these men.

22033. If a matter arose in which he wished to consult men of light and leading, you would not suggest any rule of that sort?—I would not suggest any payment.

22034. Are you of opinion that the Collector's office needs what has been called modernising?—Yes, that is part of what we are employed in doing in the Salaries Committee; we are practically reorganising the office, reducing numbers, getting better work out of them, and arranging to train the men at the first stage, so as to make efficient officers of them.

22035. How about the use of type-writers and shorthand-writers?—That is one of the things we are going to have.

22036. What would you say to exempting the Collector from the duty of counting the cash-balances?—I think he ought to be exempted altogether from the duties of the treasury.

22037. And the technical examination of record-rooms?—That I should give to a special staff to be sent round from district to district, independent of the Collector.

22038. Would you give the Collector in a large district a personal assistant?—No, I have thought of the matter; in fact, it was partly one of my proposals at one time; but on looking into the matter I do not like the idea. For one thing, there would be a great danger of his becoming the Collector in many ways; he would be regarded as having far more authority than he really would have, and there might be many wrong things going on.

22039. He might save the Collector a good deal of useless routine work?—I would do that through the Additional Collector that I propose.

22040. Would there not be the same danger with reference to him?—No, because he would be a much senior man; you could not get as personal assistant to the Collector a Senior Deputy Collector; the cost would probably be prohibitive. I do not think it would work.

22041. Would not the limitation of appeals be very much against popular sentiment?—I do not think so.

22042. You do not think that there is an ingrained feeling that there should be free access to the supreme authority?—No, I do not think there is anything of that sort.

22043. You think that there is nothing that is worth taking into account at any rate?—No.

22044. Do you know anything of Orissa?—Yes.

22045. Are you of opinion that the connection of Bengal and Orissa has had an injurious effect on Orissa?—I do not know that it has had much effect at all.

22046. Do you consider that a Commissioner in Orissa might, with advantage, be endowed with more decentralised powers?—Yes, certainly; it would be a good thing for Orissa to have a Commissioner who would be more independent.

22047. (*Mr. Dutt.*) You tell us of the possibility of friction if the members of the Board of Revenue were raised to the status of colleagues of the Lieutenant-Governor. Would the risk of that friction to some extent be avoided if His Honour was empowered to act on his own responsibility against the opinion of his members, pending a reference to the Government of India?—Yes, I think it would go very far to prevent any evil effects from friction; it would not prevent the friction, but it would prevent any evil arising.

22048. Now about this general Act of delegation, how do you propose to frame it. You said that the Local Government should be empowered to delegate such and such powers; I suppose you mean that those specific powers would be mentioned in a schedule of the Act?—Yes.

22049. That when it was desired that the Lieutenant-Governor should be empowered to delegate certain powers under certain Acts, all those Acts should be mentioned in the schedule?—Yes.

22050. Under the law a survey and record-of-rights can be undertaken at the request of the majority of the proprietors of an estate?—Yes; the Local Government can, on application, order a survey and record-of-rights without a reference to India.

22051. When there is not such application, the Local Government has power, with the sanction of the Government of India, to undertake a survey and record-of-rights partly at its own cost and partly at the cost of the zamindars and tenants?—Yes.

22052. Was it intended that it would be undertaken only on special occasions?—Yes; I cannot exactly remember; but it was rather a compromise; presumably it was to meet the fear of the zamindar that the Local Government would do something rash or outrageous.

22053. In fact, it means the Government undertaking the work at their own instance and making the zamindars and tenants pay for it?—Yes, that is what it comes to.

22054. Under those circumstances should it not be under some sort of control of the Government of India?—I do not think so; I do not think it is at all likely that the Local Government would do anything rash.

22055. If it was undertaken all over Bengal, would it be popular?—Yes. There is always strong opposition at the beginning, but afterwards landlords and tenants have all agreed when the thing has been done well, that it is a good thing.

22056. Do you think it would involve some cost in keeping up the record-of-rights?—Yes, the record-of-rights ought to be kept up to date, and there should be an establishment for that purpose which the general revenue should pay for, because the making of the record and the keeping of it up to date means a very great diminution in the number of Magistrates required. It is a matter for the public; the whole public is interested.

22057. Has it been decided that it should be kept up from the general revenues?—I do not know that anything specific has been settled, but there has been some correspondence which I think tends that way.

22058. With regard to appeals, do you remember the details of the Bengal Circular, 1905, which specially defines the right of appeal?—I do not remember the details, but I had something to do with the framing of it; it goes on the principle of allowing one appeal certainly, and then a subsequent appeal in certain cases.

22059. Would you like to modify those principles or would you stick to them?—I would like to stick to them.

22060. Do you say that the Divisional Commissioner ought to have the power of appointing Sub-Deputy Collectors?—Yes.

22061. Would some sort of sanction from the Government be necessary, because there would arise the question of their pay?—It would have to be a certain number; the Commissioner has the nominations at the present time; it would come to the same thing; you would have to give so many; there would have to be correspondence with the Government about it. I do not say that it would simplify the work much, but it would improve their status.

22062. These Sub-Deputy Collectors are Gazetted Officers?—Yes.

22063. And so far all Gazetted Officers have been appointed by Government?—Yes.

22064. Would it be likely to raise the status of the Sub-Deputy Collector himself, if he were appointed straight off by the Commissioner, instead of being appointed by the Government?—I do not think it would affect his status in any way.

22065. Have you watched the result of the recent changes in the police according to the recommendations of the Police Commission, so far as those changes affect the control of the District Magistrate over the police?—I have not had much experience in that matter; I have had a little experience as Commissioner.

22066. Are you able to form an opinion whether it has enlarged or curtailed the powers of the District Magistrates so far as control of the police is concerned?—So far as my experience goes it may have to some extent curtailed the powers of the District Magistrates, but not to any appreciable extent.

22067. Do you think that it would be a move in the right direction to curtail the powers of the District Magistrate?—No, not to curtail his powers

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over the police, certainly not; I do not think it would be a good move at all.

22068. You have told us that the District Boards have made practically little or no progress in the last twenty years. Do you think that that is the fault of the members themselves or that here is some fault in the system of working the District Boards?—I should ascribe the fault really to the members themselves more than to the system. I do not think it is in them to take interest in the matter; they do not give their minds to it.

22069. As a District Magistrate you have come across men, who have really tried to work the local self-government scheme?—I have, but they are a very small minority. I could name some who have done a great deal, but their numbers are very limited.

22070. It was suggested to us by a European witness in Madras that he resigned his seat on a Board, because the members of the Board had practically no work to do and no trust reposed in them. Do you think there is something in that which would explain the small interest taken by members of the District Boards?—I hardly think so; I think the members of the District Board have a possibility of doing a great deal, if they would put their minds to it, in the matter of sanitation, in the matter of tanks and wells for the locality in which they reside, and so forth.

22071. Are these matters entrusted to sub-committees to deal with them separately?—Yes, there are sub-committees formed for various purposes, but they differ in various districts, so that it is impossible to give a general reply.

22072. Suppose such committees were formed in all districts, and members of District Boards were told off to do this or that work specifically; would that be likely to create in the members, a little more interest in the work which they have to do?—Very possibly. I think it is to a considerable extent tried now. Perhaps not generally.

22073. You have told us that practically the only link now between the Sub-Divisional Officer in Eastern Bengal and the villagers if there is a link, is the thana police officer? Do you think it is possible to appoint Magistrates in every thana or in every circle of two thanas to take up cases in that area?—I think it is quite possible, when we get the reformed panchayats to work, to form a Bench of three presidents of panchayats and let them work as a Bench of Magistrates for their three circles.

22074. My question referred rather to the appointment of Stipendiary Magistrates, men of the rank of Sub-Deputy Collectors?—No, I should not like that; you would have to increase the number of Sub-Deputy Collectors very considerably, and I do not think the people would like it. It would take them away from the influence of the Bar at headquarters, and there would be constant applications for transfers. I do not think it would work.

22075. You are aware of course that such a system prevails both in Madras and in Bombay, where they have smaller revenue circles?—Yes.

22076. By the provision of such small circles would not a Circle Magistrate with revenue powers be able to foster the creation of the panchayats themselves?—What we want, in order to get the panchayat system into working order, is to have someone in charge of each thana, and he might be given a certain amount of criminal powers; but the time will come when we get the record-of-rights and amendment of records when there will have to be a considerable number of officers up and down the place, then they might combine the registrar's duty with the magisterial duty.

22077. (*Mr. Hichens.*) In your opinion are there substantial improvements which could be made which would save the Collectors and the Commissioners themselves a great deal of routine work?—The proposals of the Salaries Committee make the routine work better done; it will make the office work better done, and so, of course, it will to a certain extent save the labour of the officers.

22078. You propose to economise the time of Collectors by the appointment of special officers for the purpose of routine inspection?—Yes.

22079. They would be appointed at district headquarters?—I would leave the Additional Collectors at headquarters entirely; I would not have them go out at all. They would have quite sufficient work there.

22080. You would not propose to relieve the Collector entirely of that class of work?—No, I do not think that would be at all necessary or desirable.

22081. Would you say that the towns has progressed on the whole?—In some places; places vary. In some places there have been substantial improvements; in others I could speak of retrograde action.

22082. Where there is a substantial improvement, is it appreciated by the people of the town?—I very much doubt it. I can tell you about Dacca here; that is an instance in which it has not been appreciated.

22083. I suppose that is one of the main reasons why they do not take an interest in their work, because they do not appreciate it?—They do not appreciate it—that is one great reason.

22084. The only way to superinduce that interest, I suppose, would be patience and education in the value of it?—Yes, steady work and steady pressure and education; as they get the advantages, they will probably come to realise the benefit of them.

22085. Do you think that enough money is spent by the municipalities on improvements of that sort?—I think that many municipalities could raise a much larger income and spend more money to very great advantage.

22086. These improvements are desirable not merely from a hygienic point of view, but also from the point of view of promoting self-government?—Yes, from both points of view.

22087. Do they get any Government contribution?—The town of Dacca is receiving considerable assistance from Government in the way of assistance for schemes of sanitation and waterworks, too.

22088. You would say that it was worth while that their endowment, whether it was from Government or whether it was from taxation, should be fairly liberal, so that they could go in for substantial works of improvement?—Yes, it would be a good thing if they could increase their income in many ways.

22089. What was the longest time you were Collector in any one district?—About six years in Backarganj; that was not exactly at one stretch, because I was away on leave, and transferred; but I think altogether it comes to about six years.

22090. Did you find that in your sixth year you were getting stale?—No, I found, on the contrary, that every year I passed there I got to know more about the place and was able to do more good.

22091 Is there no objection to Collectors being posted for more than five years, if possible ten years, in one district?—I suppose it would hardly ever happen in a man's service to be so long as ten years in one district; five years would be about as long as it could be, considering leave and promotion, and so on; but certainly up to six or seven years; probably a man does more good in the last three or four years of that period than at any other time.

22092. Would you urge that apart from considerations of promotion, and so on?—Yes.

22093. You say, "The apparently inevitable tendency of the Secretariat is to regard every variation from the strict letter of the rule as an enormity"; do you mean by that rather that a man who deals with a subject by means of correspondence is probably unsympathetic as compared with a man who has to deal with individuals on the spot?—Yes; one man looks at it from his office point of view, and the other man looks at it from the practical point of view.

22094. You mean that a man who writes is apt to be more aggressive and more unpleasant on paper than a man would be in dealing with people personally?—Certainly.

22095. Therefore in so far as power has been accumulated in the hands of the Secretariat, there is a danger of their using it unsympathetically as compared with the Collector in his district, for example?—Certainly.

22096. Applying that principle still further, would you say that possibly changing "provincial Government" for "Collector" and changing "Government of India" for "Secretariat," the same thing applied?—Yes, I should say, it probably applies. It would be a good thing if there was more personal intercourse.

22097. Would you say that, in regard to matters of broad principle, the Government of India was impersonal and looked at them from the broad point of view and was apt to give scientific advice?—Yes.

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22098. But that when it came to what one may call more or less finnicking detail of uniformity they were rather apt to play the part of the provincial Secretariat?—Yes, that is so, as far as my experience goes.

22099. Would you say that the important thing is to rule not by mere rigid uniformity and adherence to the law, but more by the dictates of the heart?—Yes.

22100. And if that is to be achieved, it must be done by giving more power in regard to details to the provincial Government?—Yes, that is, I think, what is wanted.

(*The witness withdrew.*)

Adjourned.

THIRTY-FIRST DAY.

DACCA, *Friday*, 10*th January*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.S.I., I.C.S.
R. C. DUTT, Esq., C.S.I.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. L. J. KERSHAW, I.C.S., was called and examined.

22101. (*Chairman.*) You are Secretary in the Financial and Municipal Departments?—Yes.

The powers of Local Governments in regard to the preparation and passing of estimates should be enlarged. Under the present system estimates (under imperial, shared, and wholly provincial heads) are passed by the Local Government in December and January, forwarded to the Accountant-General, and by the Accountant-General forwarded on the 20th January to the Finance Department of the Government of India. The Local Government is responsible for the preparation of the estimates, but the rules regulating the budget procedure take no account of the Local Government between the 20th January and the date (about March 15th) on which the estimates are finally passed by the Government of India. During this period the estimates are submitted by the Accountant-General to the Government of India in three editions and returned by the Government of India to the Accountant-General twice. The estimates originally sent up are altered without reference to the Local Government, on a consideration mainly of the revised estimates of the year which change from month to month, as the actuals of each successive month are to hand. So far, then, as the prescriptions of the code are concerned, the Local Government has no knowledge of the alterations—and these are at times considerable—made, nor has it any direct communication with the Government of India during this crucial period. In practice, however, copies of the budget notes are supplied unofficially by the Accountant-General to the Local Government early in February, and again towards the end of February or early in March. The Local Government can then see what alterations have been made, and can submit representations against reductions, usually through the Accountant-General. It can also suggest on its account, through the same channel, any additions which may be necessary. But as the budget notes of the Accountant-General are models of compression, it is difficult for him to present with sufficient force the arguments of the Local Government against reductions or the necessity for additions. As the time which the Government of India can give to a consideration of provincial estimates is exceedingly short, any direct official representation by the Local Government is undesirable. It is also the case that the Accountant-General himself sometimes alters the figures passed by the Local Government. Such alterations are usually unimportant and are based on the latest actuals, but the practice is to be deprecated as it is entirely foreign to the legitimate work of the Accountant-General, and, if allowed to grow, would result in the creation of a third budget authority. If the present system of scrutinising provincial estimates in detail be continued, it is difficult to see how matters can improve as the successive revises are carried out in Calcutta under high pressure, and it is not possible to give more than a day or two to the estimates of each province. Apart from the objection that the Local Government has no direct communication with the Government of India, the Local Government cannot, under this system, be held responsible for the accuracy of the estimates, as the figures finally sanctioned in March may, or may not, bear any resemblance to those passed in January. It is also, I believe, the case that the tests brought to bear on the estimates are mainly arithmetical, and it is inevitable that sufficient consideration cannot always be given to local conditions.

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The objections to the present system are the following:—

(i.) The estimates when originally submitted to the Government of India only contain the Accountant-General's compressed explanations of increases or new items.

(ii.) While the estimates are being dealt with by the Government of India, the Local Government has not a fair opportunity to submit representations against reductions

(iii.) The tests applied to the estimates are mainly arithmetical, and alterations are made on the basis of the revised estimates. In cases in which owing to local circumstances the revised are no true *criteria* of expenditure in the coming year, inconvenience may result from curtailment.

(iv.) The whole system is calculated to produce a feeling of irritation and antagonism at budget time, and if provincial estimates are in successive years substantially reduced, there must exist the grave danger that a Local Government will deliberately over-estimate in the hope of obtaining a sufficient allotment.

(v.) The Local Government is not responsible for the accuracy of the estimates.

It is but fair to say that, when deductions are made by the Government of India, they are, where possible, made so as to produce the minimum of inconvenience, and take the form of lump deductions so that expenditure is not restricted. But this is not always the case, and items are at times cut down. I do not propose that the Local Government should (so far as provincial receipts and expenditure are concerned) finally pass the estimates. The net excess of receipts over expenditure or of expenditure over receipts is a figure which closely affects imperial finance in the Ways and Means estimate, and the Government of India must retain the authority to estimate such excess. But if such authority be reserved, there seems no reason why greater responsibility should not be given to Local Governments. The true division of responsibility would be that the Local Government should have final authority to deal with its own estimates without interference, and subject only to a general control and to code prescriptions, while on their side the Government of India should be able to give effect to their opinion on the estimates as a whole by applying a *plus* or *minus* correction to the closing balance. The Local Government would revise its own estimates in February and March by the light of new actuals and alterations would be communicated to the Government of India by the Accountant-General. There would, in fact, be two sets of budget notes—one for all estimates which would be submitted to the Government of India by the Accountant-General, and the other for provincial heads which would be submitted by the Accountant-General to the Local Government—so that, without interfering in details, the Government of India might watch the progress of the provincial estimates preparatory to making its lump correction. But there are objections to this course, as the accounts of the Empire, as shown in the Financial Statement and presented to Parliament are made up by major heads. I am not certain that these objections are insuperable, but if considered so, the same principle should be applied, save that the Government of India, in place of making a lump correction at the foot of the estimates as a whole, would, where they considered it necessary, make a correction at the foot of each major head without altering details. This is indeed only a development of the present practice, with this important difference, however, that if the system were clearly laid down in the code, the Local Government would feel directly responsible and more accurate estimates would be framed. Much of the work now thrown upon the Government of India would be transferred to the Local Government, and more harmonious relations would result. In the first instance I would apply this system to all wholly provincial heads of revenue and expenditure. If successful, the system might be extended to shared heads where the provincial share was a half or more. A more complete separation than at present exists between imperial and provincial finance would follow the adoption of these proposals. So far as the broader question is concerned, I think that in a non-famine province like Eastern Bengal and Assam the system of *quasi*-permanent settlement is the best possible. But in concluding a settlement the provincial shares of the divided hands should be so regulated that the fixed assignment will be as low as possible. This would necessitate that in the selection of heads of divided revenue and in the apportionment of these heads between imperial and provincial, each province would be treated on its own merits and with regard to the capacity of the expansion of the shared or wholly provincial heads. With the greater portion of this province permanently settled, a half share of land revenue receipts is not so valuable an asset as in temporarily settled provinces. In a province so situated, I think that the balance should be adjusted by the assignment of a larger share than a half of growing heads, such as stamps and excise.

I would not be prepared to give borrowing powers to Local Governments. I would not go further than to permit Local Governments to guarantee interest on local railways and other similar productive works. But to attract local capital, a guarantee of a higher rate of interest than 3½ per cent. should be permitted. The maximum liability under these guarantees should be fixed for each province, but within this limit the Local Government might have a free hand.

In regard to the creation of new appointments, the enhancement of salaries, etc., when the charge falls wholly or in part upon provincial revenues the powers of sanction of the Local Government should be equal to those of the Government of India. If delegation on these lines were carried out, the Local Government would not be unfettered. In the first place the general control of the Government of India would remain and it would be open to that Government to lay down general lines of policy. In the second place the Local Government would exercise its powers subject to the prescriptions of the codes, and the Accountant-General who is the watchdog of the Government of India, is on the spot to see that these prescriptions are not evaded. In the third place, the Government of India have, through the monthly proceedings, an opportunity of seeing what each Local Government is doing, and if from these proceedings, it appeared that a Local Government was abusing its delegated power, or exercising them in a manner out of agreement with the declared policy of the Government of India, it is open to the Government of India to take action in exercise of their general powers of control. Beyond these checks there is the safeguard that a responsible provincial Government, administering revenues assigned to it in trust, will in the exercise of these enlarged powers follow the prescriptions of the code, and loyally carry out the policy of the Supreme Government.

The Local Government should be permitted to sanction expenditure for which specific provision has not been made without specific reappropriation if it undertook to find funds towards the close of the year. In the middle of the year neither the Local Government nor the Accountant-General can safely reappropriate from any head, and if reappropriation be insisted upon, it may happen that the reduced head may require to be added to later in the year. If reappropriations are made in block, say, in the middle of February, both the Local Government and the Accountant-General are saved a great deal of unnecessary trouble. This system would throw on the provincial Financial Secretariat additional responsibility, and would involve the keeping of a careful watch upon the progress of expenditure, but this is not unreasonable. We are in this province working, by permission, under this system, and the system works well. I would not delegate the power to authorities subordinate to the Local Government.

As to the delegation of powers conferred by law, specific amending legislation is desirable. It seems

proper that the Legislature which restricted the exercise of an authority should specifically declare that it is desirable to delegate that authority.

The Government of India have a much better appreciation of the importance of adhering to financial rules than Local Governments. They have a rooted dislike to relax the prescriptions of the Code or to create what may prove to be inconvenient precedents. But in special cases, on the recommendations of the Local Government, they are not unreasonable. This rigidity is wholesome, and has a steadying effect on provincial Governments. Not the least valuable results which would follow decentralization would be the removal of the tendency in Local Governments to avoid references to the Government of India in unimportant cases by straining the meaning of the codes where the special circumstances of a case are such that this course seems warranted.

The powers of the Local Government to withhold petitions might be somewhat extended without danger. The right of appeal to the Government of India against orders affecting officers personally is certainly very liberal, but I would not curtail it. The restriction of the right would be keenly resented, and any convenience which might result would be small compared with the dissatisfaction caused.

The demand for returns has not increased to any great extent of recent years. A great deal was done 5 or 6 years ago in this direction, but as returns have a constant tendency to increase it should be a standing rule that each Local Government should depute an officer once every five years to overhaul reports and returns.

We have two systems of rural local self-government in this province, one in Eastern Bengal, the other in Assam. I have had experience of the latter system while I served in Assam, but my experience of the Bengal system is limited to what I have seen of its working at headquarters. In Eastern Bengal official control is so close and exercised from so many directions, that there is no sense of local responsibility, and any real progress in local self-government is impossible. It will not help matters to widen the powers of Boards. I am in favour of completely recasting the system. I would remove from the Commissioner and District Officer all control over local bodies, and would centre control in a Local Self-Government Board, composed of a senior officer nominated by Government and a highly paid non-official elected by the Boards themselves. The cost of this Board would be met partly from provincial revenues and partly from local funds, and in it would vest all the powers now exercised by the Collector, Commissioner and the Local Government. I would reserve only to the Local Government a general power of control, but would direct that in the event of a disagreement between the two members of the Board the Local Government would decide. This Board would deal direct with District and Local Boards, and would exercise its control not merely through reports and returns but by inspections and consultations. It would be a real motive power and an authority to be referred to for assistance and guidance. The District Officer might be elected a member or Chairman of a Board, but his position would be in no way different as such from that of an ordinary member. He would officially be outside the system, but he would be consulted freely by the Central Board in regard to nominations, large projects, etc.

With the removal of local control there would probably be an immediate loss of efficiency and some waste of money, but the ultimate result would be the creation of a sense of true local responsibility, and the price to be paid does not seem excessive. Local bodies are at present administratively incapable, and I do not see how under present conditions this defect can be remedied. Some control is necessary, and a central control such as I have described would not only be popular, but would produce in the long run better results.

At the outset I would not widen the powers of Boards. They have at present more powers than they can properly exercise, and more money to spend than they know what to do with. I would be inclined to limit their control to Public Works, rural sanitation and water supply, veterinary improvements, pounds and a few other minor matters. I would entirely provincialize all education and medical expenditure, vesting the control of these departments in the Director of Public Instruction and the Inspector-General of Civil Hospitals. This would involve a complete re-adjustment of the contributions made from provincial to local. But when it became apparent that Boards could safely be entrusted with wider powers I would enlarge their powers of sanction in regard to expenditure on the objects under their control.

I doubt whether District Boards could usefully be entrusted with powers of supervision over small municipalities. Local official control is more necessary in municipalities, and the change would not, I think, be popular.

22102. You send your budget, you say, on the 20th of January of each year through the Accountant-General, and the Government of India have to dispose of all their objections and so forth by the 15th of March?—Yes.

22103. Between those dates your budget comes back to you twice?—Not to the Local Government, but to the Accountant-General.

22104. And through the Accountant-General the provincial Government have an opportunity of seeing the objections raised by the Government of India?—Of seeing the alterations made.

22105. And the objections taken?—It is a case of alterations, that is all.

22106. Is any direct official representation possible by the provincial Government to the Government of India regarding the alterations?—I have known demi-official representations to be made, nothing else.

22107. In some cases the Accountant-General on his own authority makes alterations in the budget?—Only to a very slight extent.

22108. Are you afraid of that practice growing?—The alterations which I have known to be made were justified; the only thing is that if the practice grows it might possibly become objectionable. It depends entirely on the Accountant-General.

22109. Is the danger more theoretical than real?—Possibly.

22110. You take some objections to the present system?—Yes. In the first place the provincial Government is under the Code held responsible for the accuracy of the estimates; as a matter of practice the Local Government cannot be held responsible, because the alterations are made subsequently by the Government of India, on successive actuals. When the estimates are framed by the Local Government, the Local Government has before it the actuals of six months; when the estimates are revised by the Government of India they have before them the actuals of 8, 9 or 10 months. If the Local Government had these actuals before them they might possibly frame different estimates. Another objection is that the very short time in which the budgets are passed through the successive revisers does not give the Local Government sufficient opportunity of protesting against any alteration if it thought protest necessary, and it can only do so through the budget notes. The budget notes are very compressed, and the Accountant-General may possibly not represent the views of the Local Government with sufficient clearness.

22111. Have you any reason to think that he does not do so?—No; on the contrary I think he does his best to put the views of the Local Government forward. I lay no stress on any inconvenience which may result from reductions, but a great deal of useless work might be avoided if more discretion were left to the provincial Government in framing the estimates until the last stage, when the final corrections in excess on one side of the account over the other is made. That it is admitted must be done by the Imperial Government.

22112. What remedy do you suggest?—I would allow the revisions which are now made by the Government of India to be made by the Local Government; that is to say, I would have a duplicate set of budget notes, one dealing with wholly

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provincial or shared heads, which would go to the Local Government and be dealt with by them exactly as the Government of India now deal with the budget notes.

22113. The budget notes are prepared by the Accountant-General?—Yes. I would have the whole of the figures, whether imperial or provincial, go to the Government of India, but the Government of India should make no alterations in the provincial budget until the last moment, and then should apply its corrections; the estimates would then stand as framed by the Local Government with the correction either on the estimates as a whole or by major heads, whichever was found most convenient.

22114. At what date should this last moment be fixed?—The date at present is the 9th of March; that is the last date on which any alteration can be made by the Government of India, and then by telegram.

22115. You want the greatest possible extension of time for the provincial Government to criticise the alterations made by the Government of India?—My proposal is that there should be no alterations made by the Government of India until the latest possible date.

22116. And the latest possible date is the 9th of March?—If this proposal were accepted, it would mean that the estimates would finally be sent upon some date in February.

22117. What is the latest date on which you think that estimates should be submitted by the provincial Government to the Imperial Government?—I should submit them, as at present, on the 20th January, and again early in February and again late in February; or possibly twice would be enough.

22118. Then in practice you would adhere to the present system?—By no means. Under the present system the Local Government submits the estimates on the 20th January; under the system I propose they would again deal with the estimates, with further materials in the way of actuals, in February, and these would go up to the Government of India in the second edition.

22119. But what is the latest date that you wish your provincial budget to reach the Government of India for the first time?—The same date as at present, the 20th January.

22120. Then what is the difference between your proposal and the present system?—I propose that the Local Government should alter its budget on successive actuals; at present it does not; the Government of India do it; there is the difference.

22121. What improvement would result from your proposal?—The Government of India would be relieved of a great deal of work, to begin with.

22122. And more work would be given to the provincial Government?—Yes.

22123. Then you want a transference of burden in preparing the budget to be made from the Government of India to the provincial Government?—Yes.

22124. Your proposals would not save work, but would alter the incidence of work?—It would alter the incidence of work and give the real responsibility to the provincial Government.

22125. And it would make their estimates apparently more accurate?—Yes.

22126. In reality it would be very little change?—I am not prepared to admit that, because the actuals would be at the disposal of the Local Government, and the local knowledge at the same time; at present the Government of India has the actuals alone.

22127. Is there no system possible by which both parties to this arrangement might be saved work; might it be possible to transmit the budget in a more complete state at a later date than the 20th January?—I think it is desirable to have the estimates prepared in January as at present, whatever system is adopted.

22128. You would not submit them for the first time to the Government of India at a later date?—No, not for the first time.

22129. Then, you want the deductions which are to be made by the Government of India to take the form of lump deductions?—That is so. It is really very little different from the present procedure; there might be objections (and I do not know whether it is possible to surmount them or not) to a system under which the reductions on the budget as a whole would be shewn in the form of a minus to the closing balance. The Government of India would accept the estimates passed by the provincial Government as they stand, but would retain the right to say what the excess of receipts over expenditure, or *vice versâ*, would be.

22130. Supposing that that was the only possible means of reducing the budget, would not that reduce the control of the Government of India over expenditure to which they now contribute a share?—I do not think so. Under the present practice the intention of the Government of India is not to restrict expenditure; the only object is accurate budgeting.

22131. At the present moment the provincial Government may transfer expenditure from sub-head to sub-head quite freely within their budget?—Quite freely.

22132. Does it ever arise in practice that, a reduction having been made in the total expenditure by means of reductions from particular major heads of expenditure, that reduction has been subsequently corrected by a transference from major head to major head by the Local Government?—That was the case last year; the lapses under certain major heads made up for the deficiencies in others; this year it is doubtful; it may be necessary this year to go up to the Government of India for a reduction of the closing balance; in other words, the amount at our disposal may not meet the expenditure.

22133. So that the action of the provincial Government by this transference from major head to major head, has practically nullified the work of the Government of India in reducing by anything save a lump reduction. You have accepted the total reduction, but you have corrected the views of the Government of India?—The object of the Government of India is not to reduce our expenditure; all they say is "You are at liberty to spend it if you can; then if we do spend it, we go up to the Government of India for a closing balance. Such an application could not be refused if we proved our case.

22134. Then the work of the Government of India goes for nothing in many cases?—I am not prepared to say that.

22135. You suggest that if your views were adopted, more harmonious relations would result between the two Governments; do you find that there is a certain amount of bickering on paper at the present moment between the two Governments?—The objection is that we have no opportunity of bickering; there is no time.

22136. You would like to do it if you could?—We write up demi-officially about an estimate, that is all.

22137. Are their relations really inharmonious on the whole?—I would not say so, but they are apt to become so; there is some irritation, of course.

22138. Do you think that the present system of *quasi*-permanent settlement is satisfactory, subject to your remarks?—Yes.

22139. Were the difficulties which might be experienced by Eastern Bengal with regard to growing revenue in the case of land revenue adjusted when the last permanent settlement was made; was not allowance made for the fact that you differed in this respect from other provinces?—Our settlement is only provisional; we have not got a permanent settlement so far. Our shares were more or less the same shares as in the case of the Bengal settlement, that is to say, half the land revenue.

22140. Was not the fact that the land revenue would not grow both in Bengal and in this province taken into account?—It is not altogether a non-expanding head; only a portion is non-expanding—a little less than half.

22141. Was allowance made for the fact that some portion of your land revenue is not an expanding revenue?—No specific allowance was made; but we were treated liberally on the whole.

22142. In consequence of this fact?—Not altogether in consequence of that fact.

22143. Partially in consequence of the fact?—I doubt whether that fact was taken into consideration.

22144. Do you think it was not taken into consideration at all?—Not specifically.

22145. What do you mean by "specifically"?—It was not mentioned in the correspondence.

22146. But was it allowed for in practice; you say you think you were treated liberally?—Yes.

22147. You do not wish to see general borrowing powers given to the Local Government, but you would like to see them free in the matter of local railways and small productive works? Do you think you would get a purely local market for loans of this sort?—Not for the whole loan, possibly; if the rate of interest guaranteed was sufficiently high I think we could get money in the local market; I doubt whether there would be any new sources tapped at 3½ per cent.

22148. Would the fact that you might tap a new market counter-balance the disadvantage of paying a little more for your money?—I think so. It is an advantage that the people of a province should be financially interested in local schemes such as light railways, motor services, and so forth.

22149. If a loan were issued by the Government of India for such a purpose would it be taken up largely, if at all, locally?—Not at 3½ per cent.

22150. Suppose the Government of India issued a loan at 4 per cent., would you then get no advantage over them?—No, not at that rate of interest.

22151. Is it really that you are prepared to pay a little more for your money in order that you may interest the people in what is going on in their own locality?—Quite so.

22152. With regard to the creation of new appointments and so on, I suppose the time has hardly elapsed for the Government of India to say what they propose to do under the Secretary of State's despatch of the 1st November, 1907?—We have not learnt it at present.

22153. Has there been time for them to convey their views to you?—No, the orders were only issued in November.

22154. It therefore may be possible that they are going to enhance your powers?—Yes.

22155. In any case you think it is desirable that they should?—Yes.

22156. You point out that even if you got such delegation extended to you as the Government of India now enjoys, there would still be certain restrictions on your action?—Yes. The general restriction is that the Government of India may lay down general lines of policy; then there is the fact that the printed monthly proceedings are sent to the Government of India.

22157. Then there is the check of the Accountant-General?—Yes; that is to see that the rules are not evaded.

22158. Will you tell us what these monthly proceedings are?—Cases are divided into A and B cases, according to their importance; important cases are printed and bound up in volumes by the departments and the correspondence parts of the files, not the notes, are sent to the Government of India monthly.

22159. Are these monthly proceedings entirely necessary?—I do not know what use is made of them by the Government of India; I have no doubt they find them useful in order to know what is going on in the provinces.

22160. Do they entail a certain amount of trouble in compilation?—They entail great trouble.

22161. Could they be rendered less often than they are, equally effectually?—The printing is the difficulty.

22162. It is not the trouble of compilation?—No, the papers as a rule are there: the compilation is not much trouble.

22163. How is the printing a difficulty?—In our particular case (probably in other provinces the same difficulties would not arise) all our printing work is done in Shillong, and we are working under difficulties there.

22164. Would the same check be obtained if the proceedings were rendered quarterly or annually?—Yes, the same check would be exercised.

22165. As to the sanction of the revision of establishments, what is the limit now?—The Government of India limit now is Rs. 50,000.

22166. You want in connection with the revision of establishments the same powers as the Government of India?—Yes, where the charges are provincial.

22167. Then with regard to travelling allowances, there is the objection lest any alteration that you make should inconvenience the authorities in other provinces?—Yes.

22168. What is your remedy for that?—The remedy would be communication with the neighbouring provinces which the orders might effect.

22169. You would substitute in the rule for "other provinces," the words "neighbouring provinces"?—Yes.

22170. Suppose you refused to be bound after all the neighbouring provinces had expressed their views?—Then a reference ought to be made to the Government of India.

22171. You are working in Eastern Bengal and Assam upon a system by which you can sanction expenditure without specific reappropriation?—That is so. We got special permission in this province from the Government of India.

22172. What was the reason for that?—We are more or less in a state of flux at present, and accurate budgetting is very difficult; the totals may be correct, but the expenditure under major heads is very difficult to estimate. To find money for new schemes it is difficult to reappropriate, say, in the middle of the year from a particular head; we reappropriate later on in the year, *en bloc*.

22173. Does the system work well?—Yes, from our point of view.

22174. Might it be extended to other provinces without any danger?—I think so.

22175. You want leave to abolish appointments as well as power to create them?—Yes, cases are rare, but they do arise.

22176. Does the Government of India exercise its powers with any really prejudicial effect to Local Governments?—No. They treat us on the whole very reasonably.

22177. Where they restrain you, and perhaps cause you some inconvenience, is it because they themselves are under rules which they are bound to obey?—That may be so.

22178. And perhaps they are overscrupulous from your point of view in keeping within the four corners of the law?—That may be the case; I do not know.

22179. You would like to do away with the control of Commissioners and District Officers over local bodies?—Yes. I would like to replace the control which they now exercise by a Central Board composed of a senior official nominated by Government and a non-official member elected by the Boards themselves, to be paid partly from provincial and partly from local funds.

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22180. Would that not lead to a good deal of centralization?—There would be centralization in a way, but I think it would quicken work.

22181. You want to retain the control of Government over district authorities (using the word in the largest sense), but you want to remove the personal control of the Divisional Officer?—To give him more freedom.

22182. May not that result in a system by which the control instead of being exercised by local knowledge would be a control through a paper knowledge?—Not if the Board were formed as I recommend.

22183. Could two gentlemen, touring throughout a province of the size of this one, have the same local knowledge that is now possessed by Collectors and Commissioners?—They could consult the Commissioners and District Officers freely.

22184. If they rejected the advice of the officers, where does the local value of the Commissioner and Collector come in?—Very probably they would not reject the advice of the local officers.

22185. If they did not reject advice, what is the good of substituting the Board for the local control of these officers?—It gives more freedom to the Board itself.

22186. To the old Board you mean?—Yes.

22187. Would you suggest that where the Local Board (whatever its character) and the Collector or the Commissioners differed, your new Board should practically accept the views of the Local Board?—I do not understand in what case they could differ, because there would be no direct communication between the District Board and the Magistrate.

22188. Your new Central Board goes down to examine a project which is put forward by the present District Board, which holds a particular view; the Collector of the district holds a different view: should the Central Board preferably accept the view of the District Board or that of the Collector?—It depends entirely on the merits of the case.

22189. Might not the control of the Government over the District Board in that case be just as much as it is now?—The control would be partly exercised by the Boards themselves through the elected non-official member.

22190. Then he is to go, not by the merits of the case, but by the views of the constituents, as it were?—He would be a non-official member of Government so to speak.

22191. And introduce into the Government the non-official view which in your own mind is not sufficiently present there now?—Yes.

22192. You think that system would expedite and not retard the consideration of local questions?—Just so.

22193. Would you give over to this Board all the control which is now exercised by yourself, as Municipal Secretary to Government?—The whole control.

22194. Suppose there is a difference between the two members?—Then there would be a personal reference to the Lieutenant-Governor himself.

22195. Having no local knowledge of his own, he would sum up the case as put before him by the two members and decide?—Yes.

22196. Would that not be the substitution of a paper control for personal control?—No, I think it would be real control.

22197. Have you put this view before your Government?—Only recently.

22198. Have they expressed any opinion about it?—It was not accepted.

22199. You think there might be some loss of efficiency and some waste of money?—I think certainly there would be.

22200. What would be the counterbalancing advantages?—It would give Local Self-Government a chance to show whether it was worth anything.

22201. Suppose it failed, could you go back?—It probably would not be necessary to go back.

22202. Could you go back?—I think we could go back.

22203. Instead of making so great an experiment as this, would it not be worth while to begin with the village community and give them some training in Government?—That would be the creation of new *quasi*-official bodies; here we have bodies ready made. The experiment ought to be made on existing bodies rather than by creating new bodies.

22204. Would you favour the creation of some village autonomy?—I can offer no opinion of any value upon that.

22205. But you consider the present system unsatisfactory and you think that an experiment might be made in the direction you suggest?—An experiment might be made, not in the whole province, but in a selected portion of it.

22206. Would you extend to the municipalities and district authorities which came under your scheme any greater power than they have now?—No.

22207. Would you limit their power in any way?—I would limit it by withdrawing some of the matters with which they deal, especially education. That can be done equally well by the Education Department of Government, and I do not think it would be objected to, certainly not in Assam.

22208. As Municipal Secretary do you find that the municipalities and District Boards take any interest at all in education?—From the reports that are received there is no great interest taken.

22209. Do you propose the removal of education from their control because you think you will get greater educational progress?—I think you will have more efficiency in having everything under a departmental head.

22210. Even though that efficiency should be secured against the wishes of the municipalities?—I am not prepared to say that. If they did object, it might be necessary to reconsider the whole position.

22211. Would you remove any contribution which the District Boards or municipalities may now make?—There would be an entire readjustment of the contributions now made.

22212. But you would be prepared to face all this in order to give your scheme a chance?—Yes.

22213. (*Sir Frederic Lely.*) With reference to your scheme for controlling Local Boards and municipalities, do you attach no importance to preserving the position of the Collector?—I admit that there is that objection.

22214. Is not the Collector more likely to have accurate local knowledge than a Central Board?—That is so.

22215. If the views of the Collector and the views of this Board happened to be opposed to each other, which do you think would be most likely to be the sound adviser?—It would depend entirely in each case; possibly, with a Magistrate who had been a short time in a district, his view would not be entitled to the same weight as that of a man who had been there some time.

22216. Take the average Collector, who has the average means of knowing the district; your supposition that he would have been a short time in office might equally apply to the officer of the Central Board. Take an average man for each, with equal opportunities; which would be the more likely to give sound advice?—I think the local man would be more likely.

22217. What is the advantage of making the Collector stand aside?—To carry out the objects of Local Self-Government.

22218. But to carry them out effectively you would reject the man who is most associated with the interests of the district?—Not quite; it is possible that there may be another agency which would carry out the work much more effectively; but if the object of Local Self-Government is first to remove

part of the work from Government to local bodies, and secondly to educate the people up to a sense of local responsibility, this scheme would give them a chance of doing that.

22219. You think the advantage of the Central Board would be that they would not be so likely to bring personal influence to bear on the members of the Board?—It would make the Boards less a one-man concern than at present.

22220. You propose that they should get knowledge upon which they should base their action by inspections and consultations; would that not be likely to create undesirable friction in a district, if an outside Board came into the district and claimed to meet the Boards there and consult with them over the head of the Collector?—Not if the Board also consulted the Collector, as they would do.

22221. Your proposal would be to create an Advisory Collector?—Not quite that.

22222. Do you not think that the better the Collector, the more he would resent the interference of men who from the nature of the case would be more ignorant of the state of things than himself?—A Collector does not resent the Head of the Department coming down to his district; this would be the Head of the Local Government Department coming down.

22223. He would resent the Head of a Department coming down and interfering in local cases; suppose he has formed a strong opinion that certain water-works are necessary for the health of a town, and an outside person has a different opinion; would not the Collector resent that outsider coming in and over-ruling his opinion?—Not if the outsider were the Sanitary Commissioner, who is an expert.

22224. Who absolutely knew nothing about it, who decided it, on theoretical grounds on paper?—No; he would do it after examination.

22225. You prefer this development to village Government, on the ground that the District Board is an existing institution, whereas the village would be a new one; but as a matter of fact, is not the village of much older standing in the constitution of the country?—I mean an institution which is recognised as an official body, such as the District Board ought to be.

22226. The District Board is an exotic?—Quite so.

22227. You would allocate certain subjects to the Boards, and certain subjects you would put under provincial control?—Education and medical expenditure I would provincialise in order to lighten the duties of the Boards.

22228. Can you suggest any principle on which you can divide these subjects?—There are Government Departments which could carry out the work, probably more efficiently than the Boards.

22229. Is not education a subject that comes home more to the people, especially as parents, than anything else?—I do not think the Boards take an interest in education.

22230. (*Mr. Dutt.*) When the budget actuals are sent early in February, and again late in February, has the provincial Government no chance of revising then and submitting the revised budget to the Government of India?—As a matter of fact, the provincial Government does make alterations between the 20th January and 9th March. They are communicated to the Accountant-General and by him to India.

22231. Will you explain exactly what further revision on the part of the provincial Government you advocate?—A revision on actuals, that is to say, when the estimates are first framed, usually the only actuals available are for the first six months of the year; these estimates might be further revised by the Local Government as eight and nine months' actuals were to hand. I want the revision to be made by the Local Government instead of by the Government of India, on the advice of the Accountant-General.

22232. What is the nature of the alterations which are made by the Accountant-General?—They are very slight; I do not lay much stress on that point.

22233. What is the nature of the alterations made by the Government of India?—They are lump deductions almost entirely. They are intended to be in the interests of correct estimating.

22234. Are any alterations made on any other ground within your experience?—Any alteration which would have the effect of raising expenditure might be added by the Government of India; for instance in the Forest Department a time scale of pay was introduced which involved expenditure; the Government of India itself added that.

22235. New facts having come to the knowledge of the Government of India such an alteration is also made in the interests of correct estimating?—Obviously.

22236. What is the manner in which the authority of the Local Government may be delegated to subordinate officers when the Local Government desire to do so?—In many instances the Local Government is at liberty to delegate; in other cases permission must be obtained. We have already delegated a certain number of powers.

22237. I am speaking now of powers which have been conferred on the Local Government by particular legislative measures. Suppose the Local Government desires to delegate some of those powers to the Commissioner or Collector, what ought to be the method pursued in delegating them?—I think a special Act ought to be passed for each power, a special Amending Act to the Act which prevents delegation.

22238. In order to attract local capital, you would allow a higher rate of interest from the Local Government; you admit that would in the long run be a pecuniary loss to the Government?—It might be an immediate loss. The Local Government would guarantee the payment of interest; instead of paying the Government of India 3½ per cent., it would guarantee 4 or 5 or 6 per cent.; the difference would of course be loss.

22239. You say you are against the curtailing the right of appeal which now exists in personal matters. What are your reasons?—It would cause great dissatisfaction among officers; I do not think it gives much trouble now, not having regard to the importance of the matter.

22240. It has been suggested to us that the very fact that there is an appeal against an order makes an officer more careful in passing orders of punishments; do you think there is something in that?—Yes.

22241. Does this existing right of appeal give a sense of security to Government officers in the appointments which they hold?—The right is appreciated.

22242. Does it make Government service a little more popular?—I think it does.

22243. You say that the present District Board administration is to a large extent one-man rule?—I have not been Chairman of a District Board in Eastern Bengal, but I understand it is the case.

22244. There is no real sense of responsibility in the members who come to the meetings; they just say yes or no?—Exactly.

22245. And they are not induced to take a real interest in the matters which are placed before them?—I do not say that. They do not feel responsibility for matters such as Public Works, education and so forth.

22246. You think it would be better even if you restricted the field of operations, to give the members some real responsibility?—To try it would be desirable as an experiment.

22247. Would the District Boards send up their budgets to this Central Local Board through the Collector?—No, they should be sent direct. I do not think it would be desirable under the system I propose inasmuch as the Magistrate would be out of this system, to send the budget through him. I would leave it to the Central Board to consult him.

22248. You would not make it imperative?—No. They should consult him as a rule.

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22249. So that the Collector would not be furnished with a copy of the budget?—Not unless the Central Board cared to let him have a copy.

22250. When large schemes are sent up for sanction, should they be forwarded through the Collector, or should the Central Board send them on to the Collector?—I would leave the Central Board to consult either the District Officer or the Commissioner or any other Department.

22251. Would it generally be desirable that the Collector should be consulted?—Certainly.

22252. If the Collector was kept informed of the annual budget and also of large schemes sent up to the Central Board, would he remain generally ignorant of the state of things in his own district?—If he had the budget, and if he were freely consulted by the Central Board on all large projects, he would have a certain amount of knowledge of what was going on; he would not have the knowledge that he has now.

22253. But would it not entirely dissociate him from the work of the District Board in his own district?—It would dissociate him directly; indirectly he would exercise an influence.

22254. Would that influence be sufficient for practical purposes?—It probably would not; immediately it would not; eventually it might.

22255. Would you invest the Central Board with a general power of control over self-governing municipalities?—In the first instance, I would exclude municipalities from the scheme. Local official control is in quite a different position in the municipalities.

22256. (*Mr. Hichens.*) We have been told by certain witnesses that the cause of the apathy of the people in regard to municipal and local affairs is, not so much that they have not got responsibility, but because the particular subjects which are entrusted to their charge do not interest them at all; do you think that is true?—To a large extent.

22257. Is it any use giving them responsibility in these matters if they are not interested in them?—As an experiment we might see whether if the local official control was removed, they would take any interest, or not; at present we do not know.

22258. Is not the first desideratum to interest them in the things themselves; for example, to make them keen on having a water-supply and to shew them the benefits of it and so on?—That is part of the process of education.

22259. Is it any use going in for other drastic remedies until you have superinduced that idea?—I cannot see how that education can be effected without giving them some responsibility. It is possible that interest might be created by giving them some responsibility, and, as an experiment, it is desirable.

22260. You give a certain number of more or less detailed recommendations of wider powers which the provincial Government should have in financial matters, and you allude to a principle which is underlying them; what is that principle?—That where the charge falls upon a provincial or a divided head, the powers enjoyed by the Local Government should be equal to those enjoyed by the Government of India under the code.

22261. Would it apply to a matter like travelling allowances?—It would apply if the charge were a provincial one.

22262. Say, that the code provided that special allowances for travelling should be given in hilly districts; would you allow the provincial Government to decide what were hilly districts and what were not?—That would follow from the principle.

22263. Suppose the Accountant-General did not agree?—In that case the Local Government would have power to fix the special rates of travelling allowance in special localities; it would not be open to the Accountant-General to question the orders of the Local Government unless the total amount exceeded the limit.

22264. When a question of interpretation in a matter of that sort arises, who is to decide it?—The Government of India.

22265. Still?—Certainly. If the Accountant-General says to the Local Government "You are exceeding your powers and I will not pass this charge," either the Local Government must cancel its order, or the matter must be referred to the Government of India.

22266. You are not prepared to go so far as to say that the provincial Government should have power to settle matters of that sort?—No.

22267. (*Mr. Meyer.*) Has your financial experience been confined to the province as at present constituted?—In the old province of Assam I was on two occasions Secretary. There was only one Secretary, and there was a certain amount of financial work to be done.

22268. This is a province that has only been formed for about two years. Were not the estimates rather difficult to deal with both for the Local Government and the Government of India?—Very difficult.

22269. You say, "The estimates originally sent up are altered without reference to the Local Government on a consideration mainly of the revised estimates of the year which charge from month to month." There I suppose you refer to the estimates for the current year?—Yes.

22270. Is not one of the factors the proportion which the budget estimate of previous years bears to the actual experience of those years?—That is a factor.

22271. This province being a new one, that factor was lacking?—We had not got that particular factor.

22272. In Assam, on the other hand, in the undivided province, you had the figures for a considerable series of years?—Yes.

22273. Did not the Government of India then alter the figures, not merely with reference to the actuals of the few months of the current year, but with reference to the history of the past?—I did not actually serve as Secretary during budget time; I do not know what happened.

22274. As this province increases in age, and as you get a certain series of years of figures for the province as now constituted, will not estimating become easier?—Certainly.

22275. Have the alterations that the Government of India have made been justified as a rule?—Not always. I have in my mind a particular major head.

22276. As regards the budget as a whole, the Government of India cut down your expenditure somewhat?—Not very much.

22277. As far as actuals have gone, was that cutting down justified in the aggregate?—It was justified on the figures of the revised, that is to say, the Government of India, proceeding on the revised, were perfectly entitled to make those reductions.

22278. I am speaking of the figures for 1906-07. In the budget of 1906-07 the Government of India cut your expenditure a little. Taking the expenditure as a whole was that justified?—The expenditure was within 2 per cent. of a 2-crore Budget.

22279. If the Local Government figure had been accepted, would the budget have been considerably above that 2 crores?—It would have been, but the point is that the Public Works Department were not able to spend.

22280. You say the Government of India reduced it to 2 crores, and as a matter of fact the actuals justified their cutting?—Yes, that was the first year. I think a good deal had to do with working up to the figure. The agreement we had was a curious agreement between estimates and actuals.

22281. The Government of India's final figures are arrived at, of course, on consideration of a large number of detailed heads?—Yes.

22282. It is possible therefore that, although in the aggregate the Government of India may be right, in a particular major head they might cut it too much or too little. Do I understand you want to give an instance of that?—In this year's budget there is an instance in education. The budget as sent up by the Local Government was reduced; it was pointed out when the budget was first sent up that the revised estimates of the year were in this particular case of no value, inasmuch as the Education Department was progressing and new schemes were coming into force. A reduction was made by the Government of India. A demi-official protest was made, and the budget was reduced. Now the expenditure will certainly exceed the estimates as finally passed by the Government of India

22283. In order to meet those cases, does not the rule specially lay down that the Local Government may transfer from one budget head to another, provided it does not affect the aggregate provincial revenue?—Yes.

22284. That does not necessarily vitiate the action of the Government of India?—Not unless the aggregate is exceeded.

22285. The Government of India want, of course, to have their estimates under each major head as accurate as possible, but in the end they want to arrive at the final figure?—Quite so.

22286. They may have made a mistake in the particular major head, and they are quite willing to let you remedy that, provided the eventual surplus or deficit is not affected?—Quite so.

22287. Even then, you can go up to the Government of India and get sanction?—For a reduction of the closing balance, yes; that may be necessary this year.

22288. Further, in this province you have been allowed a special concession in the way of reappropriation?—Yes.

22289. The reason was these special circumstances of the province, that you had not the same guide from the past as exists elsewhere?—Yes.

22290. Is that a safe system to apply elsewhere, where you have the guide of the past?—My experience has been limited to this province. It works well under our present circumstances, and it seems to me that it would work well under normal conditions.

22291. You say, "We will spend x rupees in the hope of being able to find it by reappropriation, while we cannot find it now"?—It comes to that.

22292. That is practically overdrawing your banking account in the hope of replenishing it presently?—No budget, however carefully framed, can be infallible.

22293. Would it be safe to apply that system of overdrawal generally?—I personally see no objection to it, if the provincial Financial Department will take the responsibility and watch actuals carefully.

22294. If the Government of India had to deal with eight major provinces and other Imperial Departments, all working on this system of overdrawals, might not their estimates be materially vitiated?—I do not see why they should be.

22295. You represent that the provincial Government has not got sufficient opportunity of learning the alterations made by the Government of India. Are not the Government notes at once communicated to you by the Accountant-General?—I have said so.

22296. And the budget notes contain the reasons for the alterations?—Very briefly.

22297. But they are there?—Not always.

22298. You desire that your Financial Secretariat should have much more liberty in regard to preparing the estimates for the heads which are either wholly provincial or divided? Do not the divided heads of revenue and expenditure directly affect the imperial surplus?—I have proposed that this principle shall be applied in the first instance only to provincial heads.

22299. But the divided heads are much more important?—In that they concern the Government of India.

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22300. As a matter of provincial revenue, which is the more important, your divided heads, or your wholly provincial heads of revenue?—The divided heads, of course.

22301. Therefore will it do very much good unless you apply it to the divided heads?—On the revenue side there is no particular objection; the question is one of expenditure.

22302. To the expenditure more under the entirely provincial heads?—Yes.

22303. There are some important heads, such as forest and excise, on which the expenditure is divided?—Those are the two most important.

22304. So far as there are divided heads, the Government of India is directly concerned?—Yes.

22305. Ought it not to have a say from the outset as to matters which affect its own revenues as well as your revenues?—I do not propose that in divided heads of expenditure the Local Government should have the power that I refer to.

22306. You begin with the entirely provincial heads, and then you get on to the divided heads?—I say, "In the first instance I would apply this principle to all wholly provincial heads of revenue and expenditure. If successful the system might be extended to shared heads, where the provincial share was a half or more."

22307. So that you look forward to extending it?—If the result showed that the Local Government could budget in an accurate way.

22308. Then you desire, if possible, that the Government of India should take over provincial estimates exactly as they stand, and make no alterations under each head, but at the very end make a lump deduct or add?—Yes. Either in the estimates as a whole or by major heads, as may be found most convenient.

22309. They cannot possibly make such a lump alteration without having scrutinised each major head carefully?—Quite so.

22310. Therefore they might have made the alteration in the major head?—There is no objection to that.

22311. Further, the whole system is to show the expenditure under each major head?—Yes.

22312. Consequently it would vitiate the present system entirely if they had a lump at the end of the budget which did not appear under any head whatever?—I propose as an alternative that the deductions shall be shown under major heads.

22313. Do you think your lump system would be practicable on the estimates as a whole?—It would be for the Government of India to say whether it would be possible under the present system of showing imperial and provincial under each major head in the imperial statement of accounts.

22314. You propose, anyhow, even if the system of allocating the alterations under the heads is continued, that the Government of India should have nothing to say until about the 9th March?—No, that would be impossible; I should say towards the end of February it should receive, as at present, the estimates as originally passed and as revised by the Local Government, preparatory to making these lump deductions.

22315. You have never served in the Government of India Secretariat?—No.

22316. Are you aware that the imperial budget is one that involves an enormous amount of work and labour? You have to deal with eight provincial Governments with settlements, some minor Administrations, and a variety of spending departments and also revenue-making departments. Do you think the Government of India could possibly do the work if they had to leave the correcting of these very important estimates to the end of February?—They would prepare for it, but the actual correction would be made at the end of February.

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22317. They would have in their mind the corrections to be made, they would not communicate them to you, but suddenly in February they would plank them down on paper?—Exactly.

22318. You think that would be an improvement?—I think so.

22319. You speak here about Local Governments being driven by the cutting of the Government of India into over-estimating their revenue. Is it not a fact that the Local Government generally under-estimate their revenue?—I merely said that it is conceivable that such a result might occur.

22320. Do not the Government of India generally add to your revenue estimates?—Yes.

22321. Therefore there is no cutting down of your revenue, on the contrary there is an enhancement?—Quite so.

22322. You are aware of the correspondence that went on between the Local Government here and the Government of India in the matter of your provincial settlement. Is it not the fact that the figures furnished by the provincial Government were so incorrect that Sir Bamfylde Fuller had to withdraw them two or three times?—Only once. The figures (calculated by the Government of India) on which the original settlement was based were inaccurate; we went up and suggested other figures, and with very few exceptions they were accepted by the Government of India. The item you have in your mind, I think, is an item referring to supervision charges in the police.

22323. My impression is that the whole letter had to be re-written, because the figures were wrong from beginning to end?—The alterations on the settlement proposed by the Local Government were, with few exceptions, accepted entirely by the Government of India.

22324. I am asking whether certain actuals that were furnished were correct or not correct; I think it was about January, 1906?—That was before I came in. The figures were very indefinite; it was difficult to get correct figures from the Accountant-General of Bengal.

22325. Are you satisfied that the mechanism of your Financial Secretariat is such as to make it likely that you can turn out almost correct figures?—I think if we had the same materials at our disposal as the Government of India, that is to say eight, nine, or ten months of actuals, we could do it.

22326. It has been suggested that provincial Governments might possibly receive greater latitude in the matter of their estimates if the expenditure heads, that are at present divided, were made wholly provincial, the provincial Government, of course, receiving some additional revenue in compensation; would you be in favour of that scheme?—No, I am quite satisfied with the present system of divided heads; I do not see any objection to it.

22327. On the other hand, as long as expenditure is divided it is easier for the Government of India to criticise and to add fresh expenditure if necessary?—Yes, and it is desirable that if the Government of India share the revenue they should share the expenditure; that is one of the cardinal principles of these settlements.

22328. Suppose the provincial Government had to bear the whole of the expenditure, and that resulted in a loss?—Under land revenue we do bear almost the whole of the expenditure and only take half the revenue.

22329. The bulk of the land revenue is "administration"—establishments concerned with administration?—Part of it is transferred to "administration."

22330. You spoke of local borrowing for railways and other productive works; what do you mean by a productive work?—I had in my mind a motor-car service.

22331. I meant rather from the point of view of finance?—A bridge would not be a productive work, because it would not levy tolls; a light railway would be a productive work.

22332. A productive work as we understand it in the Government of India, is a work that will pay for the ordinary working expenses, and interest charges, and yield some margin of profit; is that what you mean by a productive work?—Generally, yes.

22333. Does not the Government of India at present borrow as much as it can for Public Works of this description?—Yes.

22334. How would you gain by borrowing a little more?—I do not propose that we should borrow; I am against the Local Governments borrowing.

22335. In the matter of guaranteeing, were not there some proposals circulated?—Yes; I do not think orders were passed on them; the Local Governments reported on the matter, and it was left there.

22336. There was a suggestion made that you should be able to guarantee within certain limits?—Yes, 3½ per cent. was what was suggested.

22337. Would you desire larger powers for the Local Government under the Local Loans Act?—I think the currency of a loan might in special cases be extended.

22338. You can guarantee a loan for 20 years, but you cannot guarantee a loan for more without reference to the Government of India? What power would you desire?—I would leave the matter as it is; we have a case at the present moment where we want a longer period, but it is desirable that we should go up to the Government of India on a matter of that sort.

22339. It has also been suggested to us elsewhere that the Local Government might sanction a local body raising a loan in the open market, if it was a rupee loan raised locally and of relatively small amount?—I am no believer in local bodies borrowing.

22340. Have you anything to do with the Port Trust here?—In the financing of it, in giving loans and contributions.

22341. Do you think that it has got sufficient powers; do you control its budget?—No; that goes to the Public Works.

22342. But so far as the restrictions in the Act are concerned, there is nothing to alter?—No, I have no suggestions to make upon that.

22343. You think these monthly proceedings might be less frequent?—The Chairman suggested that.

22344. I asked your opinion, that was all?—Sufficient check would be exercised if they were submitted quarterly.

22345. If a check is to be exercised through the proceedings, is it not desirable that it should be exercised as soon as possible?—It is.

22346. Therefore from that point of view, if the proceedings are to form the basis of a check, is it not desirable that they should be submitted monthly?—They are not submitted until some months after, in reality.

22347. (*Chairman.*) Even so there is some delay, but the delay would be considerably increased under a quarterly system?—I suppose it would; there would be delay naturally.

22348. (*Mr. Meyer.*) As regards this schedule of yours, one of the items is that the Local Government should have power to grant pensions up to a limit of Rs. 10 a month or gratuities not exceeding the equivalent value of that amount when no loan or gratuity is permissible under the rules (Article 924 (*b*), Civil Services Regulations). That is the limit imposed on the Government of India. Would you like larger powers to the Local Government if possible?—That is where there is no pension permissible under the code. The cases are not very many, but, if the Secretary of State cared to delegate his powers, the limit of Rs. 10 might be increased. It is not a practical question; there are very few cases.

22349. In regard to leave rules, it has been suggested that some considerable number of transfers are due to the rigidity of the leave rules—that

a man has to come back at a certain time and cannot go on leave again within a certain period, and that that leads to more frequent changes than if the leave rules were more elastic and the man kept a running account, as it were, with the Local Government so that the Government could allow him leave at such times as suited the Public Service. Would you be in favour of relaxation of the rules in that direction?—It would be very dangerous; if leave were granted to one officer in that way, the same concession would have to be granted to another officer.

22350. Does not a man in the higher Services earn three months' leave for every year's service?—Yes.

22351. Taking the operation of that rule, he might at some particular time have a year's leave to his credit. At the same time, he is estopped by another rule, which prevents him taking furlough within three years after returning from other furlough. Would it be expedient in such a case, if it was desirable that the man should go on leave at a particular time, for the Local Government to say "You have got your leave due, and you can go; it does not matter that you took leave only two years ago"?—That would be very convenient possibly to the officer and to Government, but it might be difficult to refuse the same concession to another officer who had the leave due but who did not satisfy the three years' rule.

22352. I am speaking of abolishing the three years' rule. The suggestion is that the officer should keep a running account with the Government of the leave he has earned by his total service, deducting the leave he has taken, and that as long as leave is due to him the Government should be able to grant him leave without any restriction as to the length of time that has elapsed from his taking leave before. What is your opinion upon a relaxation of that sort?—If you do away with the three years' rule, you will certainly help in the way of avoiding transfers, but it will be very difficult to refuse leave to a man who has leave due, except on public grounds.

22353. Would not the Local Government be sufficiently stern in refusing leave?—The three years' rule is a good stand-by.

22354. A man is next in order of promotion for an acting Collector, and it is known that he wants to take leave six months later; would you say, "You must either forego your promotion or forego your leave for the present"?—I would give him promotion, but refuse him leave.

22355. No man has a right to acting promotion?—Not as a right.

22356. No man has a right to leave; it is only when the exigencies of the Public Service permit. The State says, "We cannot give you both, you must choose one or the other"; do you consider that unreasonable?—No.

22357. You want to make the travelling allowance rules more elastic also?—Not more elastic; it is rather that changes should be more at the discretion of the Local Government.

22358. Would you have general principles laid down by the Government of India?—The Government of India would be entitled to lay down general principles.

22359. But, subject to those principles, the Local Government might have a considerably freer hand than they have now in the matter of details and expenses?—Yes.

22360. Article 278 (*a*) of the Civil Account Code, practically gives the Local Government power, within the limit of Rs. 1,000, to incur non-recurring expenditure which is not specifically provided for. It has been suggested to us that it would be useful to increase this power; would you hold with that?—I see no objection to extending it.

22361. Some witnesses have suggested that the Accountant-General should have no right to challenge the action of the Local Government within the limit laid down under this section; would you hold with that?—No.

22362. You think it is necessary for the Accountant-General to see that the spirit of the rule is observed?—Yes.

22363. The rule is intended not to enable the absolute infraction of existing rules, but merely to provide for something that has not been covered in detail elsewhere?—Just so.

22364. Then, however far the financial powers of the Local Government may be increased, you agree that it is necessary to have general rules and restrictions laid down by the Government of India and, further on, by the Secretary of State?—Yes.

22365. In interpreting those rules, you think that the power of interpretation should rest with the authority which lays down the restrictions?—Certainly.

22366. It has been suggested that, apart from interpretation, the Local Government should have power to make exceptions, and to say, "We know that this is against the rules, but it is a little matter, and we will do it." Would you be in favour of that?—No, I would allow the Local Government to make no exceptions.

22367. Is that because you think that a series of exceptions might fritter away the rules?—There is that danger.

22368. Is it desirable that the Accountant-General should be able to challenge the financial action of any Local Government as *ultra vires*?—Yes. He does so at present.

22369. It has also been suggested that, as to a number of these proposed relaxations of rules, the Local Government is the best judge of what is necessary in the province. Against that it is urged that the relaxation proposed is generally not so much in the interests of the province, as in the interest of some particular officer; would you agree to that?—I am not prepared to say that.

22370. Are not a large number of the cases which you send up to the Government of India personal concessions to individual officers?—A large number are.

22371. With regard to those individual officers, is it not sometimes a little painful to refuse a personal friend?—Not always.

22372. Some officers might not take such a Spartan view?—That is conceivable.

22373. It is also conceivable that there is some advantage by reference to an outside authority—the Government of India—to whom these officers are in general mere names?—If that is not purchased too dearly at the expense of delay and trouble.

22374. You have said that in regard to these larger concessions to the provincial Government which you have advocated, you are dealing with cases in which the provincial Government pays wholly or in part. You administer some services, which the Imperial Government pay for. You think those stand on a different footing?—Quite a different footing. We have no right to ask for any delegation where the expenditure is not wholly, or partly, provincial; in the cases you refer to we are not administering our revenues; we are administering revenues of the Imperial Government.

22375. You have not the check caused by the fact that if you are a little too extravagant you yourselves will feel the pinch later on?—That is another point of view.

22376. The whole principle of the provincial contract is that the provincial Government gets a certain amount of responsibility because it has to meet the consequences?—Yes.

22377. In regard to imperial expenditure you have no contract?—We have no contract, and no responsibility.

22378. You would have on the one hand all the arguments as to the desirability of increasing appointments, and on the other hand you would have no argument for economy?—That would be the case.

22379. At the same time, the provincial Government does have some limited power of increasing

imperial establishment charges?—To a very small extent.

22380. You would increase that?—I propose, as a matter of convenience, to increase the amount up to Rs. 5,000 in any one year. We have cases in Chittagong, in connection with salt and customs, where expenditure is necessary in the course of the year, and a reference to the Government of India is necessary. It is not always possible to suggest reappropriation in the middle of the year, and the limit might usefully be increased to Rs. 5,000.

22381. You would not relax the restriction of Rs. 50 on the creation of permanent appointments?—No.

22382. Have you any experience of sending up to the Government rules under the Opium Act?—We sent up rules last year.

22383. Is it necessary that these rules should receive the previous sanction of the Governor-General in Council?—Yes, seeing that opium is an imperial head of revenue and expenditure, and seeing that it is desirable that the administration of that department should be uniform throughout the provinces.

22384. Do not your rules deal wholly with the internal consumption of opium?—Yes.

22385. That is not an imperial head entirely, it is a divided head?—That is so.

22386. Having regard to that, and to the fact that these rules also cover a great mass of detail, might it not be sufficient to alter in that Act the words "subject to the previous approval of the Governor-General in Council" to "subject to the control of the Governor-General in Council" so that the Governor-General in Council might lay down general principles, and the details might be left to be dealt with locally?—That would save a good deal of trouble.

22387. We have heard about the establishment of excise superintendents?—We are forming two Services now, one for the superior and one for the inferior; we have recruited for both Services.

22388. They are to replace Deputy Collectors who have hitherto been told off for excise work, on the ground that permanent agency is more satisfactory than an officer who may deal with excise for a time and then be taken off just as he begins to understand the work?—Just so.

22389. The excise supervision is to remain under the control of the Collector?—I believe that is the idea. It is one of the recommendations of the Excise Committee.

22390. Would you be prepared to endorse the suggestion that the Commissioner should have considerable budget powers; that you should break up the provincial civil work budget largely, and give portions to each Commissioner from which he could sanction Public Works in his division?—I do not like that idea at all.

22391. At present no permanent appointment, however small, can be created in the Government service except by the Local Government; would you be prepared to delegate any powers to the Board of Revenue or to Commissioners?—Not permanent appointments; as to temporary appointments, they already enjoy fairly large powers; in some appointments the limit is Rs. 100.

22392. It has also been suggested that Collectors should have sums provided for them in the budget from which they would make temporary increases to their clerical staff to meet some special pressure of work; would you be in favour of that?—If a scale were laid down within which they could entertain additions to establishment.

22393. That could be obtained by a lump grant; suppose you give a Collector Rs. 300 he would have to make that Rs. 300 do?—Yes; it is a question of funds entirely; it would be for the Board to lay down a scale of establishments.

22394. Have you had considerable experience of Local Board work in Assam?—Yes.

22395. Is not the Deputy Commissioner President of his own Sub-Divisional Board?—He is usually Chairman of the Sadar Sub-Divisional Board, not of the others.

22396. Has he any powers over the others?—Some projects go through him. He is not directly over them.

22397. Has there been any system of federation, as one may call it, for these Boards?—There have been proposals for the formation of a Joint-Committee. The first idea was to have a District Board; that was abandoned. It was then proposed to have Joint-Committees formed of delegates from the Sub-Divisional Boards under the presidency of the Collectors in order that they might employ a highly qualified District Engineer.

22398. Has the idea been abandoned?—It has been hung up.

22399. Has there been much inconvenience from these small Boards working independently?—I think they are working admirably.

22400. You exercise a pretty rigid control in regard to education over the District and Local Boards in this province?—In regard to the expenditure of imperial grants, we do. Over the expenditure as a whole the control is fairly rigid, but particularly rigid with regard to imperial grants.

22401. As a rule your Government officers select the schools which they are to aid, and in Assam they are rigidly tied up by scales; the number and pay of the teachers depends on the number of boys in each class and so on; would you maintain those restrictions which seem to apply quite independently of the imperial grants?—Those restrictions existed before the imperial grant was made. I think I am not entitled to speak about education.

22402. If local bodies were allowed more voice in the matter of education, would they not take some interest in it?—I am not prepared to say that they would.

22403. How many Conservators of Forests have you here?—One.

22404. Is the Commissioner much consulted in forest matters?—Reservation proposals come through him and he gives an opinion.

22405. Your forests are mainly in Assam?—No; we have large forests in the Rajshahi Division and some in Chittagong.

22406. Do you think the Forest Code is unnecessarily rigid?—No; we have had no inconvenience that I can recall.

22407. You do not complain of the number of references on relatively petty detail that your Conservator has to make to you, and that you have to make to the Government of India?—They are not excessive; we make no recommendations with regard to delegations. We do not feel any inconvenience.

22408. How long does it take you to put all officers in possession of the necessary orders after the Government of India sanction your budget?—That is done by the Accountant-General. I think they get the budgets with the details in May from the Accountant-General. It takes something like two months.

22409. Is it desirable that they should get that as early as possible in the year?—Yes.

22410. (*Sir Steyning Edgerley.*) Would it be any administrative advantage if you could give them that information by the beginning of March?—I do not think that would be possible.

22411. If your yourself could settle your provincial budget, and know that it was not going to be touched, you could begin the work of distribution by about March 9th?—It could be done, but I do not think any practical inconvenience results from the fact that an officer has not got a budget on the 1st April.

22412. Have you any system here of a sort of provisional sanction by which works can go on?—Establishments of course go on automatically;

from the beginning of April, the expenditure on contingencies, say, continues, even though the officer may have no budget.

22413. And works in progress under the Public Works Department?—They continue.

22414. Then as to the idea of abolishing re-appropriations; you suggest that you should re-appropriate *en bloc* in February. Is it necessary to wait so long?—The longer one waits, the more certain one is of one's position as to the lapses and excesses.

2415. As a matter of fact you could really begin to reappropriate about October?—No, in October before the cold weather starts, which is really the opening season, it is difficult to say what the figures would be.

22416. You would have got five months actuals; is that not sufficient?—Not altogether. I would rather wait till later.

22417. As regards these general powers of delegation, you say that if these lines were carried out, the Local Government would not be "unfettered"; is it the feeling in the provincial Government that you are unnecessarily hampered?—Perhaps it is an unfortunate expression. There are restrictions at present.

22418. You have got the safeguards of general policy and audit and monthly proceedings, and you add: "Beyond these checks there is the safeguard that a responsible provincial Government, administering revenues assigned to it in trust, will in the exercise of these enlarged powers follow the prescriptions of the Code and loyally carry out the policy of the Supreme Government." Would you consider that a considerable safeguard?—The best safeguard of all.

22419. Then if you have got that, and if you have got to administer revenues which go partly to the provincial exchequer or partly to the imperial exchequer, what is the object of discriminating between powers over imperial and provincial establishments in departments which the provincial Government administers?—The revenue is not provincial revenue or shared by the provincial Government; the same responsibility does not exist.

22420. You said that you agreed that the Local Government has no responsibility upon imperial heads; do not you think that that requires reconsideration?—Did I say "responsibility." I should have said "powers."

22421. I took down the word "responsibility"?—I withdraw that entirely; there is not the same sense of responsibility as under the provincial and divided heads.

22422. Do you suppose that the people engaged in the collection of the revenue really know whether it goes to imperial or provincial?—No.

22423. The ultimate credit would in no way affect the collection of the revenue?—I doubt it.

22424. And the expenditure would be in regard to establishments; it all has to come up to the Local Government?—The Local Government has no power of increasing establishments under an imperial head. The proposal comes up through them.

22425. Do you not consider that you could be safely trusted to exercise the power?—If the Government of India care to delegate the power, we will take it cheerfully. I think there is no risk, but it is not a delegation that we press for.

22426. You are about to take over the expenditure on salt administration?—Yes.

22427. The establishment is to be really the same as the excise establishment?—They are to be amalgamated; I understand that that is the scheme.

22528. Excise is a shared head; salt is wholly imperial?—Yes.

22429. How do you propose to deal with the difference of power in regard to that expenditure?—That particular point has arisen as to the debit of the joint establishment; it will have to be settled.

22430. But as to the powers of the Local Government in regard to sanctioning establishments?—That point will also have to be settled; in that particular case I think they should be treated as a provincial charge.

22431. Take the small customs establishment in Chittagong; is that an imperial head?—Yes.

22432. Do you see any objection to the Local Government administering it?—Not from the point of view of convenience.

22433. Or from the point of view of the Government of India?—No; we do not press for the delegation; if we are given larger powers we should use them.

22434. So that there is no reason in the matter of establishments for keeping up that distinction between imperial and provincial?—I would not be prepared to say that.

22435. I mean where the provincial Government administers?—There may be reasons from the Government of India point of view of which I am not aware. There is this particular point, that it is Government of India money; that is one reason. Except that, I am not aware of any objection.

22436. Then again, you speak of the difficulty of measures affecting neighbouring provinces; do you not think that it would be a perfectly sufficient rule to say that each province must make out its own case without quoting precedents from elsewhere?—Great inconvenience may be caused by one province doing something which makes it almost impossible for the neighbouring province to refuse to do the same thing; we have had actual cases. The Government of Bengal went up to the Government of India for increased compensation allowances to officers drawing up to Rs. 30 a month in Bengal; that was sanctioned; and we had to do the same thing here a year afterwards.

22437. As to the control of the Government through proceedings; is it not the rule that these monthly proceedings have to go to the Secretary of State, by the third mail of the following month?—I am not aware of the rule. We certainly do not keep it here.

22438. You think that where you want to devolve powers, it is necessary to have amending legislation of the particular section?—I think that is desirable.

22439. Do you think that that is desirable absolutely, or as a matter of expediency?—It would, of course, give more trouble to have a number of amending Acts, but it is desirable that each case should be taken up and a specific amending Act passed.

22440. A witness yesterday gave us an instance in which a very desirable little improvement merged itself into an amendment of the Criminal Procedure Code, and there it has rested ever since. If you go in for specific legislation, in the matter of delegation you may very likely have to wait a very long time for your amendments?—That is so.

22441. And of course proposals for such amendments will come in considerable volume and fairly continuously as the provinces grow. Have you not got to set those disadvantages against the theoretical advantages of specific legislation? Do you think there is any insuperable reason why a general amending Act, securing previous notification of intention and invitation of objections and so on, should not be considered?—I know of no insuperable reason.

22442. You do not think there is any reason of principle or any very strong reason?—Except that it is desirable that the same Legislature which passed the Act should declare that the delegation was desirable.

22443. The same Legislature would pass the general Act?—That is so, but the form of the Act would not be to detail specific delegations.

22444. A witness gave us an instance of that kind in the Bengal Tenancy Act; as matters over which there was originally very much discussion, he thought that considerable delegation now would

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be accepted without a word; would you agree in that case?—If it were correct that there would be no opposition.

22445. You would learn that by notification and invitation?—But why not amend by a specific Act in that case?

22446. If you found that there were objections which were generally very strong, you probably would; but is there any objection in principle to having power to use such an Act in the probably numerous cases where no strong objection was shown?—I prefer the other method.

22447. You say that the guarantee of loans by a Local Government might be an immediate loss; you mean it would be the price you would pay for expansion of facilities in a particular area?—Yes, the difference between 3½ per cent. and whatever the rate is.

22448. There would be compensations?—Certainly.

22449. And those compensations might fully cover the loss?—I think they would in this case.

22450. As regards your Local Board scheme, was not something of the same sort proposed in 1883?—I am not aware of that; that was when the system was first started.

22451. Suppose the Collector ceased to be Chairman of the Local Board and ceased to be on any of the municipalities; it has been suggested that he might then have a small Administrative Council with him partly nominated and partly elected from these local bodies, and exercise the outside control at present reserved to higher authority on the spot?—I do not quite like that scheme.

22452. It supplies your non-official element, and it supplies your local knowledge, which are defects of the scheme of a Central Board?—It creates a new body, the Advisory Council.

22453. It is not an Advisory Council, it is a Local Self-Government Administrative Council?—That would be a separate body.

22454. It would be a separate elected body?—Which it might be very difficult to get rid of.

22455. The same argument would apply to the Central Board?—That would be an official body, and it might be possible to abolish that at any time. I doubt whether, if you created a new local body, you could abolish it; it would be difficult.

22456. Why more difficult than to abolish a central body?—You could abolish a central body, but I do not think you could abolish this new body that is suggested. I prefer the other scheme.

(*The witness withdrew.*)

Mr. JOHN EDWARD WEBSTER, I.C.S., was called and examined.

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22457. (*Chairman.*) You are Secretary in the Government of Eastern Bengal and Assam in the Judicial and General Departments?—Yes.

I am doubtful of the expediency of delegating greater financial powers to Local Governments.

As regards appeals, any member of the public dissatisfied with the administrative action of any Local Government or of any officer of Government can appeal to the Government of India, and the petition must be forwarded to the Government of India by the Local Government, unless it falls under one of the 14 specified sub-heads. It would not be expedient to extend greatly the discretionary power to withhold petitions now possessed by Local Governments, nor would it be desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the Local Government that reasonable grounds of appeal exist. I am, however, doubtful of the necessity of transmitting to the Government of India all petitions of the nature specified. I do not quite understand the object of transmitting petitions of the nature specified in notes (*a*) and (*b*) to Rule 11 (*b*) of the Memorial Rules. Petitions containing a prayer for mercy or pardon, other than those preferred by persons under sentence of death, should not be transmitted unless in the opinion of a Local Government reasonable grounds for the exercise by the Governor-General in Council of his prerogative of mercy exist.

The general rule as to the right of appeal, of officers of Government against decisions affecting them personally should be that every officer should have one appeal and no second appeal should be allowed. The Governor-General in Council must, of course, have the right to interfere and revise any order of a Local Government if he thinks it necessary to do so. This would leave the Gazetted Officers of Government, who can ordinarily be dismissed or reduced only by the Local Government, a right of appeal to the Government of India. Local Governments might also have discretion to withhold petitions against their orders fixing the pensions of Non-Gazetted Officers of Government.

The demands for returns from Local Governments has not increased of recent years, but more information regarding matters of general administration is now required to be given to the Supreme Government.

Recurring expenditure must be controlled by Government, but some devolution of control is possible by giving lump grants for buildings, &c., fixing graduated scales for certain establishments and other forms of expenditure and extending the contract system. Much has already been done in these directions, and I can make no definite suggestions for further extension.

The influence of the Commissioner, in matters pertaining to departments other than the Land Revenue Department, is sufficiently strong, and adequate weight is given to his views.

Executive Officers have not sufficient opportunities of personal contact with the people. The obstacles are partly overwork, partly the extent of the district and sub-divisional charges, and partly the small concern that the Executive has with land-revenue administration.

The majority of Executive Officers do not possess sufficient knowledge of the vernaculars, and owing to the great extent to which their work must in existing circumstances be done through English-speaking clerks, it is hardly possible to expect them to be fluent in the vernacular.

Several of the districts and some sub-divisions are too large for efficient administration. A larger number of cases should be tried locally, and this is impossible with the large charges entrusted to Sub-Divisional Magistrates. In order to give a sufficient proportion of senior Collectors, the number of junior civilians must be increased considerably.

It would be difficult with the present staff to go much further than is now done in the selection of officers on the ground of special capacity, but there is no doubt that the possibility of delegating powers is much limited by the inexperience of certain officers who perforce are employed in responsible positions. If a large increase of financial control be delegated, the personal responsibility of disbursing officers must be more strictly enforced.

Transfers of officers have in the past been undesirably frequent, but every effort is made to avoid such transfers, and I can suggest no method by which their number can be reduced. In the case of Medical Officers there is a tendency to give excessive consideration to the emoluments attached to particular districts, and to the predilections of the officers themselves.

It would be advisable to restrict considerably the present functions of District Boards and municipalities by taking away from them the direct control of departments of Government organized under Departmental Heads, such as hospitals and education, of provincial communications, and of all matters of other than purely local importance. In respect of such matters their functions should be purely advisory, and in respect of the residue entrusted to their charge they might be allowed a greater measure of independence.

I am certainly not in favour of creating any new Advisory or Administrative Councils to assist Divisional or District Officers, but the existing Boards and committees might advise on subjects not directly under their control.

If it were possible to give village authorities greater powers in the disposal of local affairs, I would certainly do so, even at the sacrifice of efficiency. But in this province there is really no such thing as a village community, and our attempts to create a responsible and trusted village authority have met hitherto with no success. I would persevere, selecting carefully the local areas, but the prospect is not hopeful.

I consider the reference now made by Judges in respect of unclaimed intestate property under section VII., Regulation V. of 1799, wholly unnecessary.

It seems also unnecessary that a Magistrate, who can convict a man and commit him to jail, should be compelled to obtain the orders of Government before sending an insane criminal to a Lunatic Asylum, or that results of every half-yearly examination of lunatics made by the visitors of an asylum should be reported to Government even though no recommendation be made.

No useful purpose is served by the reports to the Local Government regarding accidents on Railways (Section 83, Act IX. of 1890).

I have always doubted whether the system of administration through Divisional Commissioners is sound, and whether it would not be better to do away with them and entrust the control of local bodies, and of the departments in which such local bodies are interested, to a Central Board. The Commissioners were created to perform the functions of the Board of Revenue when communications were much slower and central control more difficult than now. They are necessary at present, as many District Officers are very inexperienced; but if all our Collectors are to be officers of eight years' service or over, a central control will be sufficient, and the abolition of the Divisional Commissioners will not only give us more senior Collectors, but will raise the prestige of the District Officers.

22458. In 1905 you were appointed to the Financial and Municipal Departments in the same Government?—Yes, temporarily.

22459. Two months afterwards you were transferred to the Judicial and General Departments, your present position?—Yes.

22460. In your judgment was that sudden change of office in your case advantageous to the Service generally?—I think it was advantageous. I had no particular turn for finance.

22461. Do you think that the transference of an officer from one branch of the Secretariat to another, two months after he is in charge of the former branch, is a good system?—Not as a rule.

22462. You do not wish to see any curtailment of the right of appeal at present enjoyed by officers, but you would like the Local Government to have some powers to withhold petitions. Are there many such petitions?—Not a large number.

22463. Do a great many of them go through you?—Yes, a good many; not the greater number.

22464. Is the Sanitary Board in this province under you?—No.

22465. Do you get any complaints by the Inspector-General of Civil Hospitals as to the inefficiency of any of the officers under him?—I cannot remember a case.

22466. Are there many members of the staff under the Inspector-General of Civil Hospitals who are not up to the mark?—They are not all of the same class, but I do not know of any one who is so inefficient as to be incompetent to perform his duties.

22467. Is any part of the civil medical staff not up to the mark?—The Assistants in charge of many of the dispensaries are not competent officers; those are not Government servants; they are entertained under local bodies.

22468. Do you receive in your department a great many general returns and reports?—Not a very large number.

22469. Are they increasing?—I think not; my impression is that more things are reported now than formerly.

22470. You share in the views which are held by Mr. Kershaw as regards the construction of a Central Board to deal with municipal authorities?—Yes. My idea is that there should be one officer of Government, associated probably with an elected officer, and that they should exercise all the powers of Government, and some of those at present exercised by Commissioners of divisions.

22471. (*Sir Steyning Edgerley.*) As to the Central Board, did you hear the suggestion I put to Mr. Kershaw as to the possibility of outside control by a collector with an Administrative Council?—Yes.

22472. Do you dislike that idea?—Yes.

22473. It is not quite so violent a change as the Central Board; it would be much easier experiment to try?—I should not like that scheme.

22474. You are of opinion that "petitions containing a prayer for mercy or pardon should not be transmitted, unless in the opinion of a Local Government grounds for the exercise by the Governor-General in Council of his prerogative of mercy exist"?—That is, other than petitions by condemned persons.

22475. That refers to the exercise of clemency under section 401 of the Criminal Procedure Code?—Yes.

22476. But if the Local Government considers that there are reasonable grounds, they have concurrent powers and can use them themselves?—Yes.

22477. Then why should they trouble the Government of India at all?—Sometimes there may be a *primâ facie* case which may not appeal to the Lieutenant-Governor at the time as being sufficiently strong, but he may recognize that it is possible that the Governor-General in Council might take a different view.

22478. You are in favour of relieving the District Boards and municipalities of duties, such as hospitals and education. Of course you would take away the provincial grants for those purposes also?—Yes.

22479. Would you give the Boards other subjects to deal with instead?—I would not give them any others.

22480. You say, "It seems also unnecessary that a Magistrate, who can convict a man and commit him to jail, should be compelled to obtain the orders of Government before sending an insane criminal to a lunatic asylum"; do all Magistrates know in which asylum there is room for an insane?—No, not at present.

22481. Is that not partly the object of the reference, to know where to send him?—It might be arranged that certain districts should send their insanes to certain lunatic asylums.

22482. Suppose you started off your lunatic on that assumption to an asylum, and when he got there it was found that the asylum was full?—If at any time the asylum was full, an order could be passed temporarily directing all the lunatics to be sent to another asylum.

22483. Is it not far better that the Magistrate should know beforehand where an insane ought to be sent?—The Government as a rule has no information as to what room there is, and has no greater opportunity than the District Magistrate of judging.

22484. Is any first class Magistrate in the province in just as close touch with the Inspector-General of Civil Hospitals as Government is?—No.

22485. Then what is the advantage you expect from your suggestion?—The practical point is that we send men from certain districts to one asylum, and from certain districts to another asylum; if at any time there was any reason to change, the District Officers would request us to make an alteration.

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22486. (*Mr. Meyer.*) Have you anything to do with mining concessions in your department?—I have had a few cases where people wished to mine beyond the inner line.

22487. I am not speaking of Native States now, but of the province generally?—Not except where people wish to mine beyond the inner line—not necessarily in Native States.

22488. You have oil fields in Assam?—Yes, they are under the Chief Secretary.

22489. You would not take up mining work *per se*, but merely because it happens to be in a Native State?—Or within the province, and yet beyond the inner line.

22490. It has been represented to us by some witnesses that it was a grievance that the Government of India not long ago told the Local Governments to adopt a uniform set of petroleum rules; have you anything to say as to that?—I think there should be a uniform set of petroleum rules. It is a matter that concerns commerce; many firms have business in several provinces.

22491. And it is really an imperial matter now-a-days, though it may not have been a few years ago?—Yes.

22492. To what contract system do you refer when you say, "Some devolution of control is possible by extending the contract system"?—I mean the contract contingent system, by which officers have a certain allotment within which they can spend as they like.

22493. Have not your Commissioners that now to some extent?—Also our Collectors. A good deal of expenditure is under the contract contingent system.

22494. You desire to do away with Commissioners and let the Collectors be directly dealt with by the Board of Revenue. You are aware that that system applies at present only in one province, namely, Madras?—Yes.

22495. Are you aware that the Madras system works satisfactorily, first because it has a more numerous Board of Revenue than elsewhere; secondly, because the Collector is in a considerably higher position there than he is in most of the provinces?—I am aware that that is the case.

22496. In Madras the districts are all parcelled out into sub-divisions; each Sub-Divisional Officer exercises practically the powers of the Collector in miniature; the Collector comes in as practically the local Commissioner, and then you get the Board of Revenue?—Yes.

22497. Do you desire to see that system adopted in this province?—I do not know that I would enlarge the size of our districts.

22498. Have you got that sub-divisional system in anything like the same way here?—No.

22499. In the event of your scheme being adopted, would you accompany it with the adoption of a regular sub-divisional or territorial system?—I should like to increase the powers and jurisdiction of our Sub-Divisional Officers.

22500. To give them the whole duties of a Collector as far as possible, instead of only magisterial work?—Yes; they have certain revenue powers now.

22501. At present there is a material difference between the two parts of the province; in Assam they have already got that far?—I have never served in Assam, but I believe that is so.

22502. In Eastern Bengal, though the Sub-Divisional Officers do some other work, they are mainly confined to magisterial work?—I believe so.

22503. They cannot take appellate magisterial work?—Not unless they are specially invested with powers.

22504. Are they as a rule so invested?—No.

22505. The Collector is in charge, nominally, of the largest sub-division in the district?—Yes.

22506. Do you desire to change all that, and first of all to relieve the Collector of the direct charge of any sub-division; secondly, to give the Sub-Divisional Officers (who would have to be more in number, of course) general powers, revenue powers as well as magisterial, and to do away with the Deputy Collectors at headquarters, except, of course, for matters like the treasury?—I do not think I would greatly increase the number of Sub-Divisional Officers.

22507. Would you make the Sub-Divisional Officer a miniature Collector, dealing with anything as far as possible within his own range, and do away with these special Deputy Collectors at headquarters?—As far as possible, yes.

22508. (*Mr. Hichens.*) We have been told that now-a-days there is a tendency to make regulations and rules about all sorts of minute points, and consequently to leave less discretion to Local Officers?—I have heard that complaint, but I do not think I have sufficient experience to say anything about it.

22509. Who has power to make rules—the Board of Revenue?—The Board of Revenue has considerable powers.

22510. Has the Chief Secretary power to make rules?—Only in the name of Government.

22511. Have all the Secretaries got power in the name of the Government?—Yes, in their own special departments. No Secretary can go beyond his own department.

22512. Have Heads of Departments powers to make rules, too?—They have certain limited powers.

22513. Does it go down below that?—Rules having the force of law are generally made by Government.

22514. Do they go to the Lieutenant-Governor in person?—As a rule they would.

22515. Therefore there is as much control as can reasonably be expected in the matter of new rules?—I think so.

22516. (*Mr. Dutt.*) You say: "I do not quite understand the object of transmitting petitions of the nature specified in notes (*a*) and (*b*) of the Memorial Rules." What are notes (*a*) and (*b*)?—They refer to petitions regarding civil cases to which Government has been a party.

22517. In such cases, where Government has been a party, should not memorials go up to the Government of India?—It would depend on the nature of the memorial; I really do not understand what the rule means.

22518. In that case you would not exclude such memorials from being sent up to the Government of India?—No, but I should omit from the rules the note insisting on their being sent up.

22519. You would lay it down that in important cases they must be sent up, but not in other cases?—I should leave them to be dealt with under the general rules for the transmission of memorials to the Government of India.

22520. Then about petitions containing a prayer for mercy or pardon; you say in those cases the Local Government need not send up such petitions, unless in the opinion of the Local Government there are sufficient grounds for sending them up. In that case are you not depriving the Government of India of the prerogative of mercy?—Yes, but I do not think any practical injury is caused to anybody by that.

22521. Is there not a general feeling in this country that all people convicted or punished have a free right to appeal for mercy?—I am not aware of it.

22522. With regard to second appeals you say that second appeals should not be allowed in personal cases. Would you make any exceptions to that?—I would make no exceptions.

22523. Might there be cases in which an order of dismissal was passed after some sort of demi-official communication with the officers immediately superior?—There might be demi-official communications previously, but there must be a formal inquiry afterwards.

22524. In the case of the dismissal of a Collector's head clerk or a sharistadar, it is possible that the Collector might be in some sort of demi-official communication with the Commissioner before he passes the final order?—That is possible.

22525. In such a case, the head clerk or sharistadar appeals to an authority whose mind has to some extent been already formed on the subject?—He might have an opinion.

22526. If that was the final appeal, would it be fair to the appellant?—Yes.

22527. You say you would like to see a large number of cases tried locally; of course you mean criminal cases? Have you any idea how to make that possible?—Magistrates can very often arrange to go out to the place; if a matter is not very urgent, he may possibly do it in the course of a tour; in urgent cases he may make special arrangements and go out for a special purpose.

22528. But he cannot do that generally with regard to the whole district, or a Sub-Divisional Officer could not do that generally with regard to the whole of his sub-division?—Not in all cases.

22529. How would you like the idea of having junior Deputy Magistrates or senior Sub-Deputy Magistrates placed in charge of small circles, consisting of one or two *thanas*?—I think it might work.

22530. If it was feasible it would be in accordance with your recommendation to have a large number of cases tried locally?—Not entirely. My idea is to go into the villages and try the cases among the villagers.

22531. If you had a number of small circles with a Magistrate in each, it would be more possible for that officer to go to the villages than it is now for the Magistrate or Sub-Divisional Officer, and so far it would be more possible to carry out your idea under that arrangement?—Yes.

22532. In other respects might the creation of such small circles be beneficial?—Yes.

22533. You say you would restrict the District Boards' field of operations, but you would give them a greater measure of independence; will you tell us what you mean by that?—I am under the impression that we began in the wrong way; that it would have been better to give very restricted powers and probably a smaller local jurisdiction with a greater freedom from bureaucratic control, than to give them larger powers and a greater measure of bureaucratic control.

22534. Do you mean that the District Officer need not necessarily be the Chairman of the District Board?—Yes; I think the Board would be less efficient with that change, but it may be worth while as an educative measure to try the experiment.

22535. Then who would be the controlling authority for the District Board if the District Magistrate was removed?—You would have a Local Self-Government Board for the whole province.

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22536. In that case would every District Board send up its budget to that Board?—Yes.

22537. Should the budget be sent through the Collector in order to keep him informed of the operations of the Board during the year?—It would be a good measure.

22538. Should the District Magistrate have a chance of expressing his opinions in forwarding the budget for the decision of the Central Board?—Yes.

22539. When the District Board undertakes such large schemes as require the special sanction of the Central Board, should those schemes be forwarded through the District Magistrate and should he record his opinion on them?—He would generally be consulted by the Board. The District Board would need to consult the Collector first. Once the scheme was formulated, it would go direct to the Local Self-Government Board, who would consult any officers whose opinions were required in the matter.

22540. (*Sir Frederic Lely.*) Your district work has been for four years as Assistant Settlement Officer, and for four years as District Judge, so your proposals to abolish the Commissioner and bureaucratic control and so on are not based upon much practical experience?—No.

22541. Who does the first class magisterial work in a district?—Sometimes the Joint-Magistrate, sometimes a Deputy Magistrate of the first class, a member of the Provincial Civil Service.

22542. Is the Sub-Divisional Officer invariably a First Class Magistrate?—Not invariably.

22543. When he is not, who does the work of his sub-division?—He does as much as he can, and the rest has to be done by Magistrates at headquarters.

22544. Is it the practice to invest Second Class Magistrates with powers to commit?—I cannot remember accurately, but I think it is unusual.

22545. It has been suggested that it is a waste of power to employ a First Class Magistrate to try second and third class cases; is that true invariably?—No; many cases that might be tried by Second and Third Class Magistrates are of very great difficulty.

22546. A man who has only second class powers is presumably a man who is not fit to be given first class powers?—Presumably so.

22547. And therefore not fit to try difficult cases?—He is not fit to try difficult cases.

(*The witness withdrew.*)

The Hon. Mr. Havilland LeMesurier, C.I.E., I.C.S., was called and examined.

22548. (*Chairman.*) You are Commissioner of the Dacca Division?—Yes. The limits by which provincial Governments are bound in creating and remunerating appointments and in dealing with the restrictions imposed by the Civil Service Regulations might with advantage be enlarged. So far as my experience goes, the Government of India do not treat provincial Governments with excessive rigidity or uniformity, nor do they treat them too much from a departmental standard, but in many cases the financial limits are placed too low and references in individual cases are unnecessarily frequent and take up an excessive amount of time owing to the rigidity of the rules.

As regards the right of appeal to the Government of India or provincial Government the present rules have greatly diminished the amount of work under this head. Subordinate authorities when punishing those below them are now compelled to observe a very careful procedure, and to record in a convenient form the nature of the evidence, the plea of the accused person, and their findings on the facts. If these are in order the first Appellate Court has little difficulty in disposing of the case one way or the other, and if the first Appellate Court in return deals fairly and clearly with the points raised on appeal, there will ordinarily be very little left for further applications. At present all such applications have to be sent up through the various authorities concerned, and so long as this condition is insisted on and the appellant is required to place with his petition a copy of every successive order already passed against which he appeals, much more is not needed. I would however confine this opinion to the case of appeals against punishment, and I would discourage by every possible way appeals by persons who imagine themselves to have a claim on a particular appointment or who protest against promotion being given to others. In such cases I would allow even the single appeal but very sparingly, and I should require the person making it to set out his grounds very clearly in his petition before notice was taken of it.

The question how far it is possible and desirable to allow Commissioners and Collectors to control

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to a greater extent than at present expenditure in their divisions or districts is largely one of how far the Financial Department of the Government of India is prepared to allow provincial Governments, and they in turn to allow their subordinates, any increase of funds "to play with." If a Commissioner or Collector is given a limited sum every year to spend as he thinks best, he will inevitably spend the whole of it in order to avoid lapses, and it is impossible to say that the real wants of one division or district may not be more pressing than those of another. Commissioners in this province are already given two allotments, the one to assist local bodies by grants-in-aid, the other for minor Public Works. Owing to the numerous demands from all quarters, these grants are easily and profitably expended in this division, but I should be sorry to say whether the objects to which I allot them are more pressing than those of my brother Commissioners in the other divisions.

On the general questions of delegating powers, I would venture to suggest:—

(1) The Board of Revenue has a very great and important function as the chief Revenue Court. Its decisions on appeal are the guide to all the subordinate Revenue Officers in their *quasi*-judicial work and they have gradually built up in the Board's manuals a whole code of the Revenue law of the province. Owing to the presence of the member in charge at the arguments by counsel and pleaders, the public have more confidence in the decision of revenue appeals in the last degree by the Board of Revenue than they would have in the decision by a Chief Commissioner disposing of matters purely on the papers; and to leave final decisions to Commissioners would lead to much confusion of practice. Many of the minor functions of Government in the matter of sanctions and the initiation of revenue proceedings (such as cess revaluation) might be delegated to the Board of Revenue as the chief revenue authority, Government reserving to itself merely general supervision and the power of interference, where necessary, in the interests of political expediency or considerations other than revenue.

(2) In the matter of the Court of Wards, Government might delegate to the Board practically all its powers except those of the declaration of a proprietor to be disqualified on his own application (since the law requires that the assumption of his estate shall be in the public interest, this appears to be a necessary reservation), and the appointment of manager to the great estates whose administration is a matter of political importance, and whose manager in practice ranks on a footing little, if at all, lower than that of the Collector himself.

(3) The Board of Revenue should cease to address Government officially, and instead should work directly with the Lieutenant-Governor. Such a scheme was initiated in Bengal, and has I believe since been carried further. The Members of the Board and their Secretaries dispose, as at present, of all work essence of it is that whilst the in which the Board is the final authority, in cases which have to be referred to Government the Secretary to the Board becomes a sort of Deputy Secretary to Government. He deals with the papers both in the Board's office and in the Secretariat and finally puts up the case to the Revenue Secretary to Government, who after further consideration submits it to the member in charge of the department, and the latter finally disposes of the matter in direct communication with the Lieutenant-Governor. Should the Member and the Revenue Secretary differ in opinion, the latter has the right of asking that the case should be submitted for the orders of the Lieutenant-Governor, even though it be one with which the Secretary is ordinarily competent to deal direct. This system secures to the Lieutenant-Governor the great advantage that the last word should be said by the most experienced of his officers. On the other hand the Revenue Secretary is assured that before a proposal comes up to him, it has been carefully examined both by the Board's office and the Secretariat, and that therefore it is not an impracticable one, nor presumably will it be necessary to refer the matter back. Lastly, the Members feel that as the papers will be seen by them, no notes or criticisms of a disrespectful nature regarding themselves will find a place on the file, and they secure at once their present power of initiating proposals which their experience suggest to be necessary and the added advantage of considering them finally after thorough examination and criticism. A similar scheme might also be applied to other departments, such as Education, Police, etc.

To Commissioners should be delegated all executive sanctions of importance in connection with Revenue and Court of Wards work or other expenditure within the present competence of the Board of Revenue, once the latter have accorded their sanction to a large scheme. There is at present far too much reference, especially in Court of Wards matters, not only to the Board, but to the Commissioner, and it might perhaps be said roughly that what is now referred to Government might (with few exceptions) be delegated to the Board, the Board's duties to the Commissioner, and the Commissioner's to the Collector.

I do not consider that the influence of the provincial Governments is in the direction of excessive rigidity or uniformity, nor are the provincial Secretaries inclined to regard matters too much from a purely departmental standpoint. There have been cases, no doubt, where such was the tendency of the individual Secretary, and I have often, as a Collector, considered that my own opinion which had been overruled was the right one. On the other hand, I have often with later years had occasion to change my own opinion. Since I have been a Commissioner, I have had no cause to complain that my influence in matters appertaining to departments other than the Land Revenue Department was not sufficiently strong, or that adequate weight was not given to my views. On the contrary, in my opinion the position of Commissioners and the importance given to their opinions have greatly improved within the past few years.

The question whether Executive Officers have sufficient opportunities for personal contact with the people is connected closely with the succeeding question whether any general increase in the administrative staff or any general reduction in the area of district charges is required. In this province at the present moment the Civil Service *cadre* is short of its full strength by at least 10 per cent., and there are also serious shortages in the Police Department, and in the Public Works and the Medical Departments also. Eastern Bengal has for many years past suffered from under-officering, and several of the district charges are exceedingly onerous. Proposals have been submitted to the Government of India for the division of the district of Mymensingh into two, and in view of the rapid development of the Backarganj district by the settlement of waste lands, it will not be long before that must also be divided. Similarly several of the sub-divisions are excessively large; notable instances are Madaripur in Faridpur from which (and a part of the *sadar*) it is proposed to form a new sub-division; Tangail in Mymensingh which also will probably soon require to be divided; and Pirozpur and Patuakhali in Bakarganj, the Sundarbans portions of both of which will soon require to be formed into a separate charge. The great

difficulty in transferring more work to sub-divisions is the absence of a resident population at most of these places, at all events in Eastern Bengal. Ordinarily the sub-divisional town is the creation of Government itself, and it is inhabited purely by the few pleaders and muktears practising in the local courts and a few shopkeepers and traders ministering to their needs. In such places there is but little opportunity for the Sub-Divisional Officer to mingle much with the people, in the sense of the land-owners and the cultivators of the *mufassal* area. To do this he must go on tour, and his tours should be tolerably leisurely, involving halts at places where though he may not have any very special work to do, he can have opportunities of talking with the people and of being visited by, and returning the visits of, the zamindars residing within reach. This means that at every sub-division there should be a fully-powered second officer able to carry on current criminal and treasury work whilst the Sub-Divisional Officer is on tour, and similarly that at district headquarters there should ordinarily be at least a Joint Magistrate (or where criminal work is really very heavy and requires constant attention, an additional District Magistrate) to set the District Officer free to tour and see what is going on. Another useful measure would be the more extensive employment of shorthand writers.

With regard to the Executive Officer's knowledge of the vernaculars, the great difficulty in the undivided province was the number of languages spoken. Now that the area has been reduced, and officers find Bengali prescribed as the first and most important language, there will be a distinct improvement under this head.

If larger powers are to be given to Commissioners, Collectors and other local officers, it will be necessary to resort more largely to selection. In fact no officer is even now *entitled* to look for higher promotion than the 1st grade of Joint-Magistrate, and if this rule is adhered to, nothing further seems to be required.

The question of the transfer of officers is a very difficult one. The best method of securing continued service would be to have at each man's station an "under-study" ready to take his place, but this would mean the duplicating of the entire establishment. I have myself been moved some 22 times in my 21 years' service, but these moves have been less frequent as I have grown older, and a certain number of transfers during a young officer's earlier period of service are on the whole a good thing for him. I am also inclined to think that the number of transfers during the past years has been abnormal. The annexation of Burma in 1885, the under-recruiting for some years prior to that event, the great development of settlement operations in Bengal, and finally the creation of the new province have all meant a greatly increased demand for officers; and *cadres* have had to be enlarged before the necessary recruits were forthcoming. It will be necessary to improve the residences for officials at several headquarters stations to which at present, owing to want of accommodation, only bachelors can be posted.

As regards Heads of Departments, one measure, though apparently a small one, would be a great relief. At present the office of Inspector of Local Works is usually held, in addition to his other duties, by the Executive Engineer or Superintending Engineer. This officer's proper duties sometimes cover the whole of the division, with the result that he is not able to pass orders on the District Board proposals as early as could be wished, nor can he ordinarily find much time for inspection of work away from the district headquarters. The Inspector of Local Works, in the Dacca Division at any rate, should be a whole time officer, and in that case he might in this capacity deal not only with the District Board and municipal projects but with the minor public works which Collectors initiate and carry out from the Khas Mahals Improvement Fund or from the funds of Court of Wards estates. At present a Collector often finds there is delay and difficulty in getting professional advice on these and kindred matters. If the Executive Engineer is stationed at a headquarters station other than the Collector's own, the latter officer finds he has to refer in the first instance to a Public Works Department Sub-Divisional Officer who is frequently only an overseer and disinclined to assume responsibility or to go out of his way to offer helpful suggestions. The consequence is that the Collector is prone to press for these matters being put under the District Engineer whom he knows and controls, and from whom he can require assistance. This system is expensive, since a contribution of 15 per cent. has to be paid to the District Board on the value of all works executed by this agency, and further for this very reason, it encourages the District Engineer to accept more work of this kind than he can do justice to consistently with his duties to the District Board, and in too many cases the latter suffer in consequence. It would be a good thing to place at the Collector's disposal an officer of the Public Works Department of adequate standing, having regard to the nature and extent of the work to be done in each district, to assist him in these matters, and the professional control over this officer should be exercised, not by the Executive Engineer, but by the Inspector of Local Works, as the funds from which these works are executed are treated as outside the provincial Public Works Department budget, and it is advisable to avoid the trouble involved in reallotting to a Public Works disbursing officer.

Only one district municipality, Dacca itself, is of any importance in this province, and its present position is hardly such as to call for additional powers being given to the Commissioners. Probably when further developed, the question of special legislation for it may be taken up in the provincial Council. The other municipalities of the division except Narainganj really consist of a more or less important and wealthy, but "kutcha" built, bazar and a few official and private residences and public offices and the Municipal Commissioners seldom own much house property therein. It is not advisable to give larger powers to these bodies except in some degree to raise the limits to which they may expend money or sanction appointments. I would classify the municipalities according to income, giving higher powers to a 1st class municipality, than to a 3rd class one, which is little better than a village. In the case of towns like Narainganj, Chandpur and Chittagong, where most of the taxation comes from some great industry or commercial undertaking, there seems to be a need in the first instance for giving more voting power to those interests before greater powers can be conferred on the municipal body. With regard to District and Local Boards, proposals have been made by the Government of Bengal in the Local Self-Government Amendment Bill which was discussed in the Bengal Council, but withdrawn. I am not disposed to advise the grant of further powers than were then proposed. District Boards have hardly yet accomplished their full purpose, and they will still require to be guided and controlled for a good many years to come. Local Boards, especially in this division, have not done much to justify their existence. This is due to the absence in many of the sub-divisions of persons interested in and qualified to deal with the work which might be delegated to Boards. In many cases the Boards, for the above reason, have not had delegated to them even such powers as the Act allows, and I should not be inclined to give any more powers until those the law gives are fully availed of.

I am in favour of the creation of an Advisory Council in every district, which the Collector might consult on questions of general and local policy, such as claims of road improvement, medical relief, improvement of water-supply, village sanitation, and kindred matters, as well as on legislation proposed by Government or which the public show a tendency to ask Government to initiate. Members should be free to ask the Collector to give notice that such and such a subject should be discussed at the next meeting or to lay before a meeting (after notice) definite proposals of their own with a view for discussion. The Councils should be composed of representatives elected by the District Board and by the municipalities, by the Landholders' Association, if there is one, and the Muhammadan

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Association, also by nominees chosen from the principal traders and merchants by the Collector at the instance of such leading merchants as he can consult, together with gentlemen selected for their public services and prominent position in the district. There should be periodical meetings, as well as extraordinary ones called by the District Officer when he has any important matter to discuss either of his own suggestion or at the instance of the members, and the Council should have the power of asking the Collector to summon before them the District Engineer and the principal Medical and Educational Authorities of the district to give technical advice. The Collector should preside at all meetings.

The suggestion that the District Board should exercise supervision over municipalities will not be popular, but there is much, I think, to be said in its favour. The system would seem very applicable to the small semi-rural areas which form the greater number of the municipalities of this division. I have endeavoured to encourage these bodies to club together for the purpose of engaging a competent staff of engineers and medical and sanitary experts, food and nuisance inspectors, &c., but without success. At present a taxdaroga on Rs. 20 and a so-called overseer on Rs. 10 or Rs. 15 frequently represent all the agency available for these purposes. If the District Board were given the supervision of these departments and empowered to appoint the necessary staff, I think the salaries should be realised by rateable contributions from the municipalities concerned, and not by a system of percentage grants paid to the Board for the use of its own servants.

I have several times endeavoured to give more to do to the village panchayats appointed in this province for assessment and collection of the chaukidari tax by sending to them criminal complaints for preliminary local investigation and by endeavouring, in districts where there were union committees, to arrange that the same persons should be appointed to serve on Dispensary or School Committees, union committees and the chaukidari panchayats where possible. I do not, however, expect much can be done in this way. The chaukidari panchayat has not hitherto been held in esteem, and the other offices are frequently held as purely honorary functions by gentlemen who, though by birth natives of the village concerned are actually engaged in professional work in the large towns or in Calcutta itself. An experiment has been made of late years in the district of Dacca by enlarging the panchayat circles and appointing the head or president of the panchayat to exercise certain of the preventive functions of a Magistrate under the Criminal Procedure Code and to control the village chaukidars. The result has, however, not been very satisfactory, chiefly owing to the prevalence of factions in most of the villages, the result of which is that the action of the president, whether justly or not, is almost invariably decried by persons belonging to the opposite faction. For this reason union committees have not been tried in the division. If the extended powers proposed by the Bengal Self-Government Amendment Bill were passed, and at the same time the union committees placed directly under the District Board, it might be possible to do something through them for the improvement of local sanitation and village roads, and when such bodies prove successful in these matters they might be given wider powers to deal with petty civil and criminal cases and in revenue matters connected with Government or temporarily settled estates, but any action of the kind would have to be very gradual. At present the most practicable measure is the sending of complaints for investigation. To make this effectual, power should be given to the Magistrate to compel the submission of the report asked for within the specified period under penalties, as at present there is distinct unpunctuality, if not procrastination.

22549. You have served in the Secretariat in addition to your district experience?—For a short time.

22550. Would there really be a substantial part of the work which could be reduced if these restrictions upon the Local Government were removed?—Yes, there are references about salaries chiefly. Also very often cases come up when rules are broken, and you have to make a reference to the Government of India. In the case of officers drawing over Rs. 250 a month, you have to go up to the Government of India.

22551. Is the number of references very large?—It is not so much the number, but that a case has to be made out in each instance.

22552. The matter itself is trifling, and yet the amount of work involved is very considerable?—I think it is considerable.

22553. If the Government of India received greater freedom from the Secretary of State, would you like to have that freedom extended to the Local Government?—Yes.

22554. You are not in favour of relaxing the present right of appeal, but in some way you think that the difficulty of dealing with appeals might be lessened?—Only in this way; appellants should be required to send up the case complete and not be allowed merely to file the last order. Not infrequently people file the last order, relying upon its not being very complete; there is no reason why they should not send up the case complete.

22555. You want the appellant, as a condition of the right of exercising his appeal, to state the whole case without reserve?—Yes.

22556. But even supposing you make that rule, the appellant might send up the papers as if they were complete; you would have to go into them, and until you have got some answer from the officer concerned you would not know whether the papers were complete or not?—You would know what authorities he has had to go through, and if all their orders are put up together you ought to have a fair idea whether the case is complete or not.

22557. He cannot skip one of these authorities?—No, you would ask him why he has not referred to so and so.

22558. Then you would have to go into the case more or less. Would the condition which you suggest really lessen the work of dealing with these cases?—I think it would. The Under-Secretary would at once say, "This man does not show that he has been to the Commissioner or to the Board," and the appeal would be returned. The appellant would have to complete the link or explain the omission; that is done already a great deal.

22559. Does the appeal then come on again?—Only sometimes; sometimes the man drops it; he sees that it is no use.

22560. Then sometimes you get petitions from people who think they have a claim to a particular appointment?—Yes. I would limit those to the consideration of the provincial Government.

22561. Do they now sometimes go on to the Government of India?—They are generally sent back, but they do try to get in.

22562. Still, the provincial Government has the trouble of sending them on to the Government of India?—Yes; there are limits as to salary; as to people below Rs. 100 we have the power to withhold the appeal.

22563. Is there a system in this province of Commissioners getting a lump sum which they can deal with more or less at their discretion?—I have two grants; one for miscellaneous public improvements and for local Public Works, another for minor Public Works to be executed by the Public Works Department or by Collectors.

22564. With regard to the first, how do you allot that; do you allot it on the recommendation of the Collectors?—On the recommendations of the Collectors, together with my own inspections.

22565. You do not accept the recommendation without yourself going to the place?—I generally go round to the place and see what the requirements are and say, "I will see what I can give you a few months later on, when I have been round to other places."

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22566. Do you entirely approve of that system?—For my own division I like it, but I am never quite sure, if you carry it much further, that somebody else would not be a loser. The Chittagong Divisional Commissioner might be wanting money, and, although I wanted it badly, he might be wanting it more.

22567. Apart from that possible defect you think the system is a good one?—I think so.

22568. Would you like to see some money placed at the disposal of your Collectors which they might use entirely at their discretion?—Yes, if the finances could afford it.

22569. With regard to these minor Public Works, what do you use your allotments for?—Small additions to the courts; occasionally making a small road between public buildings.

22570. What is your total allotments for Public Works?—Rupees 8,000.

22571. Can you use that all upon one particular object?—I am not supposed to do that; that would be beyond the limit of my powers of sanction.

22572. You are limited in this particular allotment by the general rule that applies?—Yes.

22573. Would you be in favour of extending the Rs. 2,500 limit?—I think it might be extended, say, by Rs. 1,000; it is rather low for the high prices here.

22574. Are you of opinion that there is such clashing of jurisdiction between the Board of Revenue and the Commissioner as would make it desirable to get rid of either the one or the other authority?—No.

22575. You think that both are necessary?—Yes.

22576. But would you, at all events so far as the Board of Revenue was concerned, not delegate many of their functions to the Commissioner?—Only in sanctions within financial limits. I should keep a general control of the Board on all matters of principle and on very big cases—district settlements and things of that kind.

22577. Why must you keep the control of the Board of Revenue and not delegate some of the larger powers to the Commissioner?—Especially with regard to our permanently settled districts, there is a danger that if you remove the control of the Board in matters of principle the zamindars of one area would find themselves treated differently from those of another area, and it would considerably upset the value of landed property and the rights which the zamindars are supposed to have.

22578. Do the Board of Revenue show any flexibility in their decisions upon these sort of points?—If you mean as to individual cases, certainly.

22579. As a matter of fact do the Board of Revenue have identical treatment in these cases all over the province, or do they have to take into consideration certain local customs?—You have certain local customs coming in, because the land tenures vary a good deal from district to district as well as from division to division; but the zamindars' title comes under the same law, and it is the same as regards the Government.

22580. That being so, since there is some difference of custom, may not the necessity for uniformity which you have suggested to us as one of the reasons for keeping the control of the Board of Revenue not be so strong a reason as you would have us to believe at first sight?—I do not think you could risk the zamindars feeling that they were treated differently in one district and another; as between themselves and Government I certainly think they would consider that their rights under the permanent settlements were being infringed, if they found one Commissioner treating them differently or applying a different standard.

22581. But I understand the Board of Revenue do now apply a different standard?—That is in dealing with the tenants, not when they are dealing with the zamindar direct.

22582. With regard to the Court of Wards you would like to see Government delegate many of its powers to the Board and the Board to hand on many of its powers to the Commissioners?—Yes.

22583. You were Secretary to the Board in the Court of Wards for some time, and therefore you have a very considerable knowledge of their proceedings. Are the powers of the Commissioner to go outside a scheme practically nil, and may they be very conveniently and advantageously extended?—Yes.

22584. You want to draw the relations of the Head of the province with the Board of Revenue closer?—Yes. There is a chance of friction sometimes; letters are written by the Board on an important proposal, and they are addressed to the Secretary to Government; they come back in consequence of the Board not having the full amount of information which is in the possession of the Secretariat. I should like the Board to have full knowledge of all these matters, just as the Secretariat has.

22585. Where is the headquarters of the Board of Revenue?—At present in Dacca. The members go up with a small establishment for a few months to Shillong.

22586. That is to say, they move with the Government?—Not altogether; a part of the office goes up—the Secretary, and I think about six or eight of the clerks.

22587. What is to prevent the Secretary of the Board of Revenue going to the Secretary to Government before he writes, and saying, "Here is a question which I am going to refer to you; let us talk it over"?—It is not only the Secretary but the members themselves; the Secretary of the Board is a junior and not always an experienced officer. I should like the members of the Board to have full power of seeing the records, and seeing all the criticisms that the Secretariat clerks could make.

22588. In Bengal the Secretary to the Board of Revenue has become a sort of Deputy Secretary to Government?—Yes.

22589. You say "he has to deal with the papers both in the Board's Office and in the Secretariat, and finally puts up the case to the Revenue Secretary to Government"?—Yes.

22590. Practically the members of the Board of Revenue are to work through their Secretary, under your proposal?—Through their Secretary and the Revenue Secretary to Government.

22591. What is to prevent their Secretary at the present moment going to the Revenue Secretary and saying, "Here I have a difficult case which I am going to refer to you, let us talk it over"?—He does that pretty often now.

22592. Then how, if he was Deputy Secretary to Government, would his position be better?—He would have control over the Secretariat clerks.

22593. Is he to walk into the office and say, "I want file so and so"?—Yes. Ultimately I should like to see the two office establishments amalgamated; they are doing that in Bengal.

22594. The Revenue Secretary being Secretary to the Board of Revenue?—Not the Secretaries; but you might amalgamate the clerks altogether. Whenever a letter issues downwards it would be from the Secretary to the Board, and he would almost take the place with regard to the Secretary to Government that the Under-Secretary holds now.

22595. Would the Board of Revenue like the arrangement?—It was started in the Bengal Board of Revenue.

22596. Would it detract from the independence to which one member of the Board of Revenue said he attached great importance?—I do not think it did in Bengal; we worked under that system some months before I left. Of course the appeal work would be entirely distinct; the Board would there be more like a Court for revenue questions.

22597. Then when the member and the Revenue Secretary differ in opinion the Revenue Secretary

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is to submit the case to the Lieutenant-Governor?—Yes.

22598. What is the advantage of that system?—You sometimes might get a Secretary and member very near in service, and when the two men are divided on points like that, it might be very often that the difference is upon an administrative point, such as the policy of a particular measure.

22599. At the present moment who decides this doubtful question?—The Lieutenant-Governor, in all such cases.

22600. Therefore there is no difference under your proposal in the final jurisdiction?—No, except of course that if the Secretary and member agreed, they need not go on; it would relieve the Lieutenant-Governor in some cases.

22601. Would your proposal enable the Revenue Department, not the Board of Revenue but the Revenue Secretary in his Department, to have a fuller chance of considering things than they have at present?—I think it would be a great thing to be able to consult with the members in that way fully, to get the benefit of their experience.

22602. You tell us as an important point that "the members feel that as the papers will be seen by them no notes or criticism of a disrespectful nature regarding themselves will find a place on the file"; have you reason to believe that criticisms of this sort are now made?—Certainly not during the time that I have known, but there is a certain amount of suspicion that I have seen, not only from the Board of Revenue but from other departments.

22603. The suggestion is that some of these young gentlemen who are Under-Secretaries air their views at the expense of their seniors?—That is the suggestion made.

22604. You have been in the Secretariat yourself?—Yes.

22605. Have you ever known criticisms of this sort, judging from the papers passing through your hands?—Not when I was responsible for it, if I may say so, but I have occasionally seen them.

22606. May I take it that you think that things of that sort would be a very grave departure from duty, which ought to be brought to superior notice?—Yes.

22607. You do not suggest that this is a general practice?—Not at all; I suggest that it would get rid of a suspicion which does seem to be entertained, I think with no very good reason.

22608. You have nothing to complain of as District Officer in regard to the rigidity of the provincial Secretariat as a whole, but the trouble of over-centralisation and over-work comes, in your judgment, from the inadequacy of the provincial staff?—Very largely.

22609. What is your remedy for that?—Some of the districts might be reduced by division; the number of sub-divisions might also be increased. There should be a Joint or Additional District Magistrate at every important district headquarters (they are provided for already in most cases but they have not yet got them); and a good many powers which the Collector now has to exercise himself he might be allowed to delegate to the Deputy Collector in charge or to the Sub-Divisional Officer.

22610. From your knowledge of Deputy Collectors would you say that they are now officers of such a status that their powers might be considerably increased?—Yes, I think so, and they are steadily improving.

22611. Is that a really noticeable improvement?—Very; I should say they have been getting steadily better ever since I began to hold charge of sub-divisions and districts.

22612. At that point in the period of an officer's career would you make the point of selection begin; would it be promotion to Collector?—Yes, after first grade Joint-Magistrate.

22613. At the present time an officer is not entitled to higher promotion that first grade Joint-Magistrate?—No.

22614. Is that under the general rules of the Civil Service, or is it a rule of this province?—That was a rule passed after the Public Service Commission of 1886 or 1887.

22615. It applies to the whole of India?—I think so.

22616. What would you do with an officer who was passed over, say, after the rank of a first grade Joint-Magistrate; would you retire him or would you keep him on in the Service?—There are men who are quite good Assistants, but whom you could never put in charge of a District.

22617. What happens to them now?—They very often remain at headquarters; they even try cases, and do a great deal of Assistant's work, but you feel that they are men who cannot take the responsibility at the last moment; there must always be some one over them.

22618. In this province is selection a good deal resorted to?—The number of cases are very few, but it has been done.

22619. Is it recognised that a man is really on his trial beyond that point?—I think it is beginning to be realised that a man is on his trial; this rule only automatically came into effect a few years ago.

22620. Would you tell us the number of officers who have been superseded?—At the present moment there are one or two, and there was another who recently retired.

22621. Each of the two officers who have been thus superseded has been allowed to continue in his former appointment?—Yes.

22622. With regard to the question of transfers, you have been transferred 22 times in 21 years' service. Most of those transfers took place when you were a junior officer?—Yes.

22623. Within limits, you think that the transfer of a young officer is not a bad thing for themselves, but what about the Service?—Of course, there is a certain amount of experience that an officer gains which is useful. On two or three of those occasions I went on special duty.

22624. But what about the district?—As a rule, I think you should avoid transfers as far as you can; a transfer is an evil in itself.

22625. If you could lessen transfers, would you go so far as to confine the service of officers either, we will say, in this particular province, to Assam or to Bengal, making two clearly marked divisions in the province?—On the whole I think not; they would get too narrow.

22626. How long could you keep an officer in his district before removing him?—Certainly three years; if you can, five.

22627. Beyond five?—Beyond five, I think ordinarily not—not in a district.

22628. In a division?—In a division, yes.

22629. Would you bring an officer on return from furlough back to the same district or division, within the limit of years that you have suggested?—Yes.

22630. Would it be very difficult to adopt that system?—No; it is being done in the province.

22631. With regard to the Public Works Department you lay some stress upon the Executive or Superintending Engineer being also an Inspector of Local Works?—I think the importance of general supervision over local works has not been fully recognised; it has been put as an extra duty on to the first Public Works Officer who was handy. The Public Works establishment has always been very low in Bengal; generally only one in each Commissioner's division, and that officer has been saddled with the local work; the result has been that the District Engineers have not been sufficiently looked after, and the work has not been passed on; it has been too much for the one man, and we ought to have a man specially on this work, as an Inspector of Local Works purely.

22632. Has the system which you have described been expensive?—No; it stops a great deal of

work. Besides the District Board works we have a large number of works which the Collector does; he is allowed a certain proportion of the income of his Government estates and a certain proportion of the income of the Court of Wards estates; this he is supposed to spend; for all this he has no special agency at present; therefore the tendency is to throw it on to the District Engineer; the District Engineer is very apt to take up as much of that work as he can, and to let his own proper duties slide.

22633. What is your remedy?—To have the district more closely looked after by a special Inspector, and to let that Inspector also supervise these other works and see that they are fairly attended to.

22634. Would you give the Collector any authority over the Public Works Department Sub-Divisional Officer?—I think, within limits, he should have it.

22635. With regard to municipalities, have you anything to tell us about them?—There are so very few real towns in this province. They have a very small income, and most of the work that is done in them is done by Government grants. You also have a great deal of difficulty in getting a body of really energetic Municipal Commissioners; it ends in your selecting, either by election or nomination, the same respectable inhabitants; they are taken time after time, and they get very much into a groove.

22636. Is the connection of the Collector with the District Board a satisfactory arrangement?—I think it is.

22637. Would it be impossible in most of your District Boards to find any one to take his place?—I could not think of any one in this province at present.

22638. Therefore practically you would have to come back to the Collector for the superintendence of the district in all respects?—I think so.

22639. In municipalities of a small size do you find it difficult to get men of ability to serve upon them?—It is not so much that; it is that there is nobody living in these places; we have a very small resident population in the towns here.

22640. Do you get members of your municipality who are non-resident?—No, because they are not eligible for election.

22641. Then you do not get capable men as a rule upon municipal committees?—No, decidedly not, in the case of the smaller municipalities.

22642. And for that reason you think it is undesirable to grant them any extended powers?—Any very largely extended powers.

22643. But you would like to see these municipalities divided into two or three grades with a continuance of power to the first and second grade, and some diminution to the third grade?—Dacca is the only one that I would put in the first grade. As soon as the town is thoroughly equipped, we might give more powers to the municipality; we might put it more on the footing of Howrah in Bengal. Second grade municipalities might get a little more in proportion; for example, greater freedom in small appointments, and so on. The third should remain where they are.

22644. You would like to see an Advisory Council created for the Collector, with certain power in respect of road improvements, water-supply, and sanitation?—Merely of being consulted and giving opinions.

22645. With powers to consider these questions in consultation with the Collector?—Yes.

22646. Suppose the Collector refused to accept their views; if they were all unanimous in favour of a particular policy, do you not think that that would soon become known, and would render the Advisory Council a thing not to be sought after, but to be avoided by the local notables?—You would have to risk that.

22647. But even with that risk you would like to try it?—I would. It is so difficult to get opinions on any subject now.

22648. Would you make that a sort of statutory committee or would you give the Local Government a general direction to tell its District Officer to consult local opinion?—I would make it compulsory on him.

22649. And he would have to show that he was obeying orders in that particular?—Yes.

22650. Then with regard to village Government?—We have not yet tried union committees in this division, and I think they have been very little tried in the province. Their powers are very small. The Government of Bengal proposed in an Act to increase them, and perhaps they might be tried, if one is quite sure that they will not be divided by factions, which are a great feature in village life.

22651. In Eastern Bengal?—In Eastern Bengal and elsewhere.

22652. Is the existence of a faction, or the power of faction, so powerful in village life that it would seriously interfere with the ability of a panchayat to deal with small civil and criminal disputes and little revenue matters, and so forth?—In villages where the factions are large it would; it is a common question amongst the pleaders when cases come up, "Are there factions in the village"; you generally find that the villages in which factions are acute are known.

22653. You would deprecate any wholesale creation of such village councils?—Yes.

22654. (*Mr. Hichens.*) The Advisory Council is to give advice, you say, on matters of road improvement, medical relief, improvement of water-supply, village sanitation, and kindred matters, as well as legislation dealing with local subjects?—Yes.

22655. Those subjects as a matter of fact are dealt with now by the District Boards?—Yes.

22656. Is it advisable to have them dealt with twice over?—The District Board, of course, cannot deal with the municipal part of it.

22657. But apart from that, the schemes that would come before the Advisory Council would already have come before the District Board; therefore you would have the thing discussed twice over by the same class of persons, more or less?—Yes, but you would have them discussed informally, and in the way of arguing and taking up suggestions, instead of having them at monthly meeting, where there is a big *agenda* paper to be got through.

22658. That objection could be met by having a meeting of the District Board, if you wanted it formal?—Yes, it might be.

22659. One does not want to multiply bodies; what I wanted to know was whether you intended to let them advise about matters which were outside the scope of the District Board; you have not mentioned them here; the matters you have mentioned are mainly those which do concern the District Board?—I do not know that I would give them any powers at all.

22660. Powers of discussion I mean?—The difficulty I have often found is this; you get a letter from Government asking for opinions on a certain subject; you send copies to various people, who you think can give an opinion; very often the opinions do not come back, and others are written in a hurry; you do not get a chance of getting hold of the people who write them and talking things over and finding out what they mean by each other's suggestions.

22661. A Collector now has power to appoint an *ad hoc* committee?—He could always invite help and call people in.

22662. They would probably give him their advice?—I am not very sure of that always being very punctual.

22663. In the same way with regard to plague or any kindred matters the Collector does avail himself to the full of the local experience of the people in the place?—Yes.

22664. My difficulty is, what is there left for the Advisory Council to do?—There is difficulty in the

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case of a new Collector going into a district; he does not quite know who are the responsible people to consult.

22665. That would be met to some extent by the outgoing Collector leaving behind him a list of the people who should be consulted?—Yes, that is done to a great extent.

22666. You refer to the rigidity of the rules governing financial matters; is it not inevitable that, dealing with a large empire such as that of India, and dealing with such a number of subjects, rules must be more or less rigid, and for that reason departure from those rules will be necessary in a substantial number of cases?—Yes.

22667. Broadly speaking, when it is a question of departing from the rule is the Local Government more likely to know where the shoe pinches, or the Government of India?—If it is a personal case, probably the Local Government knows the facts best.

22668. If it was merely a question of interpreting the rule, whether it was personal or administrative, would not the Local Government be more able to say what amendment was necessary to suit their particular circumstances or what exceptions ought to be made in a particular case?—Where the expenditure is to come out of provincial funds it might be left to the Local Government.

22669. If matters of that sort went up to the Government of India would you get undue rigidity?—I have not enough experience of the working of the thing to say.

22670. You would say that exceptions ought to be made in particular cases fairly freely?—I think so, if it does not involve you in "outrunning the constable."

22671. But it is important that there should be a large amount of elasticity?—Yes.

22672. With regard to the Board of Revenue your ultimate proposal is that the revenue work which is now under the Chief Secretary should be taken away from him and combined with the work of the Secretary to the Board of Revenue; that there should be one staff for the whole work—one department instead of two as there are practically at the present time?—Yes.

22673. So that you would have really two members of the Board of Revenue at the head of one department below them?—Yes.

22674. They would have a sub-department under each of them?—They have that at present; they correspond with two of the Secretaries to Government, and they would continue to have those two Secretaries with them.

22675. Practically speaking you would have two departments each under one member of the Board?—That does not cover the whole of the Chief Secretary's work or the Financial Secretary's work; those are the two Secretaries affected.

22676. You would take away the work with regard to revenue?—No, the Secretary would continue to do that; he would submit it through the Member instead of to the Lieutenant-Governor direct.

22677. I thought ultimately your plan was to take away the work?—No, simply to abolish the two sets of clerks, and to have one set only.

22678. Do you think there is an advantage in having a Board of Revenue as opposed to separate individuals to deal with the work that the Board does?—I think so. In the first place a Commissioner is sure that he cannot be over-ruled unless both members of the Board disagree with him; also in this province at all events, people have more confidence in the Board as an appellate tribunal.

22679. They think that two heads are wiser than one?—Yes.

22680. A proposal has been put forward that the members of the Board should become practically advisers to His Honour on all matters connected with the Government?—May I ask what you mean exactly by "advisers"?

22681. As I understand, the suggestion is that, as far as their present powers as appellate officers are concerned, they would not be touched, but in other matters they would be advisers; as to how closely they would be connected with the Lieutenant-Governor, that was left vague?—There is a custom here for Commissioners specially to deal, as to many things, with the Lieutenant-Governor personally, and I do not know that we should not feel it a change which we did not understand if a new body was set up with co-ordinate powers.

22682. If they were made Members of an Executive Council, and so colleagues of His Honour, you would not view it with favour?—I would not view it with favour; I do not say I would object.

22683. You think that the influence of the Commissioners would be somewhat impaired?—It is not so much that, but I think they would not feel themselves quite so much in direct touch with His Honour.

22684. Have you any other objection to urge to such a scheme?—It might tend to delay in getting orders passed through.

22685. On the other hand, you recognise the advantage of the deliberation of two or three heads as against one?—Yes; I believe the Lieutenant-Governor thinks that he secures that end now; I know for a fact that the members are constantly consulted on important matters, even outside revenue work.

22686. Have most of the municipalities in your division or province unofficial chairmen?—I should think most of them have, certainly in my division; it varies, they sometimes elect an official.

22687. Do they show a substantial amount of independence in their judgment and in their deliberations?—Undoubtedly.

22688. With regard to municipalities, would it be true to say that the lack of interest in their work, if it exists, is due to the fact that they are controlled too much by Government?—I do not think so.

22689. Would you say that there is a lack of interest in their work?—In some cases, yes, in others no; it depends so much on the men you happen to have in office.

22690. What would you put it down to?—Very often to want of funds; secondly to not knowing exactly what they are to do with their funds. Many members of the municipalities here have no idea of what you can make a municipality into; their idea is a village, and consists only of adding a half mile of road or a few oil lamps to the place.

22691. Speaking generally, do you think the income of municipalities is inadequate, that is to say, their taxing power?—It is very difficult to assess taxes on an area with so few permanent houses in it.

22692. Cannot they collect enough revenue to effect any important improvements?—Not at the present time.

22693. At the same time, you say that one of the most important ways of getting interest in the work is to give them the means of carrying out improvements?—Yes.

22694. Therefore would you advocate that, if possible, the Government should come to their assistance and give them grants?—Yes; we do already.

22695. Government gives them what one may call *ad hoc* grants; for specified works?—Yes.

22696. They do not give them a definite grant of so much per annum which they can use in, their own discretion?—No.

22697. Would you advocate that?—I should like to try it.

22698. There is a special grant given to District Boards by the Government of India?—Yes.

22699. Is that supplemented at all by the provincial Government?—The provincial Government makes over certain revenue, pounds and ferries.

22700. The Government of India grant is limited to a quarter of the Road Cess?—Yes.

22701. Would you give the same sort of grant to municipalities or more?—I should have to work it out in figures; it might mean so very little in some cases.

22702. Would it have to be a fairly substantial grant?—Yes.

22703. That is one reason, as I understand, for this lack of interest; apart from that, would you say is there anything in what we have been told from time to time, that the subjects with which they have to deal do not interest them; for instance, we have been told they do not really care about sanitation?—In many of the sub-divisional municipalities half the Municipal Commissioners go away every year to their homes; I do not do them injustice when I say that they have not a very high standard of comfort for the rest of the year, and the main object is to keep down the rates. In that way what one might call the flitting members are not keen, but where you get hold of say a zamindar who has a house in the town, you very often find that he is very keen.

22704. Is there any other way that you can suggest in which one could kindle interest more?—I think if the District Board was able to keep up a special staff there would be more interest taken.

22705. There is no other way you can think of?—No; I think the best thing is a few object lessons; if you could turn a place into a really clean, healthy, well turned out town, it would attract the attention of other places.

22706. Therefore it boils itself down very largely to a question of pounds, shillings and pence?—Very much.

22707. (*Mr. Dutt.*) You have said that there should be a large amount of elasticity in the working of rules, owing to the varying conditions of different parts of the country; when the rules are laid down by the Government of India in their codes, and it is found necessary to vary or alter them, would you give that power to the Local Government or would you obtain the sanction of the Government of India to do it?—That is rather a wide question. As a principle I should like elasticity, but if you ask me how it should work, I am not qualified to deal with financial questions.

22708. Suppose an exception had to be made in any rules, would you give that power to the Local Government, or would you keep it in the hands of the Supreme Government which framed those rules?—Within limits, you might allow it to Local Governments.

22709. To make exceptions in the rules?—I was thinking of a case which came up while I was Chief Secretary. An Assistant Surgeon was put in visiting charge of the college and an allowance was passed; it was found that by a mistake the wrong man had been put in, that is to say, a man whose pay was such that when he drew the allowance his whole salary was more than Rs. 250; he had to be taken off, but we had to make a reference in order to get the allowance already drawn passed. I think it would be a good thing if we had power to condone in a case like that.

22710. The rule having been laid down, should the Local Government have power to make an exception to the rule without reference to the Government of India?—In a case like that.

22711. In any case?—I would not allow them to break the rule after they had discovered the infraction of it.

22712. You make a distinction; if it had been broken by mistake, then you would leave the Local Government to condone that mistake?—I think so.

22713. Would you allow that in the case of any of your subordinates or any of the local bodies? Suppose the Commissioner laid down a body of rules for their observance, and the District Board by mistake violated one of those rules, would you not expect the District Board to come up to you for sanction?—The Commissioner is not in a position to bind the District Boards quite in the same way; he cannot lay down a code of rules for general application; he can only say, "In certain cases my orders are" so and so.

22714. But in any other cases in which you have the power to lay down rules would you allow your subordinate, if he violated the rule by mistake, to condone it himself, or would he have to come up for sanction?—I think in ordinary circumstances I would, when good cause was shown for breaking it.

22715. On the analogy of that case, would you not expect the Local Government to keep the Government of India informed?—That is already done in some cases.

22716. You have recommended that some of the executive sanctions which are given by the Board of Revenue might be delegated to Commissioners, and in other matters also certain powers might be delegated to them. That would relieve the members of the Board of Revenue of a large amount of work?—I am not sure that it appreciably relieves them of much work; most of the cases have been threshed out, and it is merely a question of agreeing.

22717. So that, after all this, the work of the Board of Revenue would remain practically as it is now?—The important work done by the members themselves would remain much the same.

22718. You said that you did not quite approve of the idea of the members of the Board being colleagues of His Honour the Lieutenant-Governor in matters of administration. If the Lieutenant-Governor had the power to act on his own responsibility where he differed from his colleagues, would you still have the same objection?—I must begin by saying that I have not seen the thing in working order. My feeling is that in provinces that are under a Lieutenant-Governor we have, especially of late years, got into complete touch with the Lieutenant-Governor, and both the Divisional and District Officers have been receiving much more personal attention, and we are not quite sure whether we want to put anyone in between; our tendency has been rather the other way.

22719. Do you find generally that work has been too much centralised in the Public Works Department or the Educational Department?—I should be inclined to say that it is rather that the establishments are inadequate. Instead of having one Executive Engineer in a division, you frequently want two; instead of one inspector of schools you require almost an inspector to every district, in the case of some of the large districts.

22720. What kind of authority would you recommend for the District Officer in reference to Public Works executed within his district?—We might make him a sanctioning authority up to Rs. 500.

22721. With any kind of supervision over the works executed within the district; I am speaking of provincial works, not District Board works?—Only of minor works.

22722. Certain changes have been made in the Police Department according to the recommendations of the Police Commission. Has the general result of those changes been to weaken the control of the District Magistrate?—That is just what I am not able to say. As a Commissioner in former days appeals came up to me through the District Magistrate; they do not now, and I have not been able to judge how the administration is carried on.

22723. Has the control of the Commissioner in some respects been weakened over the police administration?—I understand the Commissioner has ceased to be an authority in police matters; that is one of the recommendations of the Commission.

22724. Do you yourself think that that is a move in the right direction?—Yes; in so far as it puts the men more under their own officers and gives a better incentive to the Deputy Inspectors-General, whose number has been increased, it is a good thing; it has improved the Service, as a Service. Whether those officers will be able to do the work it is perhaps too early to say, the system has only been at work two years.

22725. You have suggested larger powers being given to the Sub-Divisional Officers and the delegation of more revenue work to them. Might

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some of this work be done by local officers posted in smaller circles inside the sub-divisions?—I would rather see the number of sub-divisions increased.

22726. The idea is that junior Deputy Magistrates or senior Sub-Deputy Magistrates should be placed in small circles of one or two thanas taking petty criminal work and some miscellaneous work within their own areas. Would a plan like that commend itself to you?—I prefer more sub-divisions.

22727. Are the Deputy Collectors now recruited by nomination entirely?—By limited nomination—nomination subject to conditions.

22728. Would any kind of educational test, or competition combined with nomination be of advantage?—We already have a test; they are required to be graduates.

22729. You do not want anything more than that?—No, we practically get as many men as we want.

22730. With regard to Advisory Councils, should the Collector consult them upon large important administrative measures which the Government propose to introduce and upon which public opinion is invited?—Yes, I thought I had made that clear.

22731. Should they also be consulted on all proposed matters of legislation upon which Government wants the opinion of the public?—Yes.

22732. Suppose some change was wanted in the educational system, or the foundation of a school or college; in those matters would the Council be of use to the Collector?—Those are the objects of the Councils.

22733. Sometimes it is necessary to explain properly the objects and the policy of the Government to the people, on such occasions would you find the members of the Advisory Council useful to the Collector?—That is what I hope to obtain.

22734. So that in a large number of matters besides those which are taken up by the District Board, the Collector would find the Advisory Council useful?—Of course it is all in the future; I hope so; it depends on the spirit in which the thing is taken up.

22735. Should there be periodical meetings of such Councils?—Yes, that would be convenient.

22736. Should orders be passed by Government that the Collectors should consult them in these matters?—I think Government should do it in the form of a Resolution.

22737. You said that possibly the inspection or supervision over smaller municipalities might be left to the District Board. Could a small Committee at the headquarters of each district, consisting of the Collector and a number of non-official gentlemen, suitably undertake the task of supervising the work of small municipalities within the district?—You must bear in mind the want of an establishment; the District Board has got an establishment, and can keep on adding to it, and can do the work of supervision cheaper in that way.

22738. (*Sir Frederic Lely.*) Would you say that it is easier to get an Indian opinion in a formal gathering with set speech-making than in informal conversations and interviews?—Of course, you would have to go on with your interviews and conversations. I get about 20 visitors a day. When I say that I would like to get a regular discussion started, I would not have it in substitution of interviews and conversations.

22739. You would not dispense with private intercourse?—On no account.

22740. Or consider that the Advisory Council took the place of that?—No.

22741. You mention that the Advisory Council is to concern itself with questions of local improvement, medical relief and so on, and also questions of large policy as proposed or intended by Government. In the case of smaller matters the Collector is guided by general orders of Government, but occasionally he has to consider whether or not to take action of his own motion. In cases like that would you wish him to take the previous opinion of the Advisory Council if he could get it?—I would leave him free to do so; I would not tie his hands.

22742. But would you encourage him to do so?—If he thought he ought to have public opinion to guide him, certainly.

22743. Would you induce him to consider that Government expected him to do so when there was no special objection?—I think so.

22744. In a case like that, suppose the Advisory Council recommended him to follow some course which was distinctly against his own judgment, would you have him follow the advice of the Council?—No, he must be perfectly free.

22745. Then it is difficult quite to see the object of consulting the Council in matters of that kind?—Only for the sake of getting more opinions.

22746. But if he over-rode the opinion of the Council it would only make them sick?—He must chance that.

22747. There are matters in which the Collector's own personality is alone concerned; should he be hampered in those matters by the necessity of having to consult the Advisory Council?

22748. Not of necessity; I would leave him able to do it if he liked, but not oblige him to do it.

22749. You would not put him in such a position that if a mistake was made he would be able to shelter himself under the opinion of his Council?—He would not be fit for his place if he did that. We are told that sometimes people want to come in and give their advice, and I should like to give them the chance to do so.

22750. Even now there is no difficulty in doing that?—It is very hard to get discussions on definite proposals.

22751. Would you approve of an order allowing the Collector to pay the expenses of any gentleman he called in to consult?—Yes.

22752. I understand you say that the municipal towns in Eastern Bengal scarcely represent the average municipalities of India?—No.

22753. They are smaller and less public spirited than you would usually find perhaps?—So many of them are not towns at all.

22754. They want funds, and they also want an ideal?—Yes.

22755. Many of these good citizens never have had an opportunity of seeing what a modern town is?—That is so.

22756. (*Sir Steyning Edgerley.*) As regards this system of the Board Members coming behind the Revenue Secretary, would you retain the direct access of the Secretary to the Local Government?—Yes.

22757. You laid stress on the fact of the Board preventing differential treatment of zamindars and so affecting the rights of property. Would you lose that at all under the scheme; the members of the Board would be still there to maintain that?—Yes, they would continue to deal direct and of their own authority, just as done now.

22758. If the Board wished to differ with the Commissioner do you say the papers would have to go to the Lieutenant-Governor?—Not if it was a matter within their own competence.

22759. But if it was not a matter within their own competence, it must go any way?—Yes, but I am speaking of appeals provided by law.

22760. Can one member over-rule the Commissioner?—Yes, in an ordinary case.

22761. Then, of course, you would have them still holding their Court for the hearing of appeals?—Yes.

22762. If the Lieutenant-Governor disagrees with a member of the Board would he be able to over-rule him absolutely?—Quite.

22763. It would not go to the other member of the Board to decide the difference?—No.

22764. Certain witnesses in Calcutta and here have suggested to us that one risk of the Lieutenant-Governor system is a certain want of continuity; is there anything in that?—I do not think so.

22765. So far as the argument has any validity at all, it would be to some extent met by a three-men Government?—Yes, I suppose they would hardly all be going out at once.

22766. You said you would not have officers appealing as regards a refusal to promote. Suppose it is decided to pass over an officer for, say, the Board of Revenue; must he be silent, or would you let him go to the Government of India?—I think I should allow a single appeal, ordinarily.

22767. In that case you would allow a representation?—I think he might make a representation.

22768. Would the Local Government be bound to forward it?—They always would forward a thing of that sort.

22769. They would not forward it surely if an order was laid down that there was no appeal in matters of promotion?—You can often get round a rule of that sort; it is sent up as a memorial, or as a petition to the Crown.

22770. Evidently you do not wish to have a rule of that kind?—You cannot carry it quite so far as that.

22771. You say that, though you have not had much experience of Directors and Inspectors-General, occasionally, you think you have noticed that officers of the provincial Services, do rather look to the Imperial Heads for assistance as against their Local Governments?—I have come across a few cases.

22772. Is that not a danger which has to be guarded against in the case of these officers?—I do not think they get much out of it.

22773. I do not suggest that they do, but does it not weaken their sense of discipline?—Yes.

22774. One has heard a sort of proverb that "two or three transfers are as bad as a fire." Are the allowances paid by Government at all adequate to cover the expenses of transfers?—I should say not, especially if you have to travel by steamer or road.

22775. Is that true also of the subordinate officers like Superintendents of Police and so on?—Yes.

22776. Would it be possible to have a scheme of defraying the cost of actual moves?—I should like to try and see if it could be done.

22777. Subject to the countersignatures of the Controlling Officer?—Yes.

22778. We have been told that owing to the expense of travelling in Eastern Bengal and Assam the rates of daily travelling allowance are also inadequate to cover the cost of touring?—In the case of officers who get less than Rs. 5 it is difficult.

22779. Take the case of the District Superintendents of Police; do they not get Rs. 5 daily?—Yes; I should not have thought it was very inadequate; of course the witness you are quoting must have spoken from his own knowledge.

22780. So far as your experience goes, you have not heard the complaint?—No, except where they are hiring boats; that has to be done in this division very frequently; some of the District Superintendents of Police in this division have launches.

22781. If you hire a boat do you hire it by the month or by the day?—In practice you very often have to take a boat by the month; the people will not take you for shorter periods.

22782. So that, where an officer has to use a boat much, possibly a permanent travelling allowance would be more convenient?—He runs into Rs. 100 a month for the hire of a boat; you cannot do it on less than that.

22783. If his duty requires him to spend that money, ought he not to be reimbursed?—In this division we give 50 per cent. extra allowance.

22784. However, on the whole that is not a matter of complaint?—It is not a very strong one; it is a matter of detail.

22785. Then about the Advisory Councils and village unions; you might want legislation to have a full experiment of that kind?—I would rather try it without legislation for Advisory Councils. As to the unions, the first thing would be to bring them under the control of the District Board; then there might be certain extensions of their powers.

22786. How would you proceed—by a specific Act, or by a general Act with power to make rules?—In this case it would involve the amending of the Local Self-Government Act, the existing Act, which is coming under review; we could do it easily in the course of the periodical revision.

22787. You spoke about power to make exceptions to rules. One suggestion that has been made to us is that you might have a very free delegation of power to make exceptions, subject to quarterly returns of the use made of the power, so as to admit of the Government of India maintaining control and stopping tendencies that they considered undesirable; would that work?—It has worked in some cases.

22788. As between the Local Government and the Government of India would it work?—I do not see why it should not; it has worked between the Government of India and the Heads of Departments, and the Government of India has permitited it in the case of Local Governments.

22789. It has been said that the system of administration by the Board of Revenue leads to delay and duplication of work; would you endorse that?—I do not think so. After all you always know what is going to go through and what is doubtful.

22790. Suppose you have more selection, ought you to have as a corollary anything in the shape of a proportionate pension scheme?—It would very likely follow; if we are going to weed out men more rigidly it must come to that.

22791. I suppose some men would go on in a suitable position quite well, but in other cases it would be most inadvisable that they should go on; in those cases you think the power of saying "You must go" is practically necessary?—I think so; we have had to keep on some men under the old rules for some time after they had ceased to be any good.

22792. How far does the inspection of the Board of Revenue by touring cover the province as a valuable means of inspection?—I think the Board has inspected every Collectorate in this division certainly within the past year.

22793. Inspected, or visited simply for their own information?—They have inspected the whole revenue side. Not the Magistrates' offices.

22794. There is other work that does not fall within their subjects, Local Self-Government, for instance?—That is so; they do not touch that.

22795. So that their inspection is not very complete?—It is very complete on the revenue side, and the senior member who is President of the Sanitary Board goes into sanitary matters pretty frequently.

22796. Sufficiently frequently?—I would not like to say that.

22797. If these village unions were created, or if you had some system of sub-circles, would they be valuable as a counterpoise to the influence of the police?—It is difficult to tell without seeing them working.

22798. Is the influence of the police at present somewhat injurious to our relations with the people, and in need of a corrective?—One would like certainly to have some other agency, in Bengal particularly; there are a good many things in which we have to depend on the police.

22799. Another suggestion that has been made is, that the Collectors should be relieved of all work which does not bring them into contact with the people; for instance, the responsibility for the

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treasury; would it be a good thing if that could be arranged?—Yes, I should like to have that done.

22800. How could it be arranged?—I would put the treasury directly under the Accountant-General, and I should have the Treasury Officer responsible for that part of his work to the Accountant-General, and be inspected by the Examiners of Local Accounts and the Local Auditors. The Collector would be responsible for seeing that the treasury was properly housed, and that there was proper access, and a proper guard, and he probably would have to appoint the officer to verify the balances from time to time.

22801. Would it be a good thing to extend to the Executive Service a rule which they have in the Judicial Service, that nobody should hold a superior appointment, such as that of Secretary or Commissioner or member of the Board of Revenue, unless he has put in three years' service as a District Officer?—You might cut out a good man now and then. That is more or less the idea, but I should not like to tie the hands of Government in that way.

22802. Should you say generally that Local Self-Government is progressing, or that it is stagnant, or that it is retrograde?—I think we are making some way.

22803. Do you see any expectation of more complete non-officialism in the local bodies?—I think so; the people are better educated, and there are more local residents.

22804. Do you think a half-way house towards non-officialism would be the possibility of electing a Chairman to a District Board, who should be a paid official?—That might be tried.

22805. Suppose that were tried, and that it succeeded, do you think that a further step could be taken to associate two or three representatives of the various local bodies in a district with the Collector as a sort of Local Self-Government Council, and there centre the whole of the outside control?—We would have to go a bit further before we could dispense with the Government officer.

22806. The Government officer would be there on that Council; is that a little further than you care to go?—Yes, I would rather see the non-official Chairman tried first.

22807. If you had a free hand, what is the first thing you would now do to develop Local Self-Government in a district?—The first thing I would do would be to set them down to work out their programmes of what they are going to do for the next 20 years.

22808. Is that not rather asking them to run before they can walk?—I think a great part of the trouble is that they live from hand to mouth; the yearly budgets come up, and there is fighting as to who is to get a grant.

22809. A witness yesterday suggested to us that there was work for the next, 10, 15, or even 20 years in thoroughly establishing village communities as the basis of all Local Self-Government; he spoke of restoring village communal authority; that was his idea of the best thing to be done; would you begin at that end?—I should very much like to do it, but it is a very big thing to do in Bengal.

22810. His theory was that that was the problem demanding all our energies for the present?—I think there are so many pressing physical wants.

22811. You would rather go for pressing physical wants that the municipalities and District Boards can supply?—Yes.

22812. Another suggestion he made was, that Government should recognise a certain amount of failure in local self-government efforts so far, and definitely provincialise primary education and medical relief, withdrawing the grants and allowing the Local Board to concentrate on other matters; the theory was that those two subjects do not in themselves interest the local bodies, and they are too tied down by rule or technicalities to arouse any interest. Is there anything in that?—I do not quite see the agency, if you take it away from the District Boards and Local Boards.

22813. It is suggested that primary education is practically already run by the Educational Department, and that the Boards really only supply the funds and look on?—I do not think that is always the case; I have had very good Education Sub-Committees.

22814. You do not agree with the suggestion?—No.

22815. (*Mr. Meyer.*) With regard to the rigidity of the rules in the Civil Service Regulations and elsewhere—to a large extent they are rules laid down by the Secretary of State?—I believe they are.

22816. And they bind the Government of India as much, or almost as much, as they bind the Local Governments?—No doubt.

22817. The Secretary of State has recently made a very considerable relaxation in those rules as regards the creation of appointments, &c. Assuming that that delegation could be handed on to the Local Government, that would in itself do away with a lot of the references that now have to be made?—Certainly.

22818. With regard to the amending of a rule by a Local Government; assuming that, rightly or wrongly, the Government of India have laid down a general rule which is to bind the Local Government, and the Local Government find a number of cases in which that rule causes practical inconvenience, is it not open to them to go up to the Government of India and say so?—Yes.

22819. Have you known of cases in which that has been done?—Yes.

22820. On the other hand, if the Local Government are to make exceptions at their own will, what is the use of having a rule at all?—I have answered that question with a good deal of hestitation.

22821. Is there any use in having a rule, if the authority intended to be bound can dispense with the rule at its own pleasure?—Not if you put it in that form.

22822. Another suggestion was made that the Local Governments might have discretion, to be checked by the Government of India by the perusal of their proceedings later on; you said the Government of India had allowed an analogous course to be taken by local authorities here; to what were you referring?—The Director of Public Instruction is allowed to fill up appointments up to a small amount per month, and report that he has done so; there is the same power given to the Inspector-General of Prisons, and there are one or two other cases.

22823. But how does the Government of India interfere in filling up petty appointments?—I did not say that; I said it had given the Local Government power checking them by quarterly returns.

22824. You are not speaking of the creation of appointments from a financial point of view; you are merely speaking of filling up appointments already sanctioned?—Temporary appointments.

22825. There is the creation of an appointment, either permanently or temporarily, which of course involves cost to the State, and there is the filling up of an appointment already sanctioned; to which do you refer?—Simply to the creation of temporary appointments.

22826. You say the Government of India permitted the Local Government to delegate that power, subject to report?—Yes.

22827. Was not that report rather meant to keep the Government of India informed of the actual progress of expenditure?—Yes.

22828. Suppose the Local Government is allowed to depart from a rule, and the Government of India only sees what is done on formal proceedings and then intervenes; is that not rather worse, both for the Local Government and for the officer concerned, than if the Local Government had come up at the outset and been refused?—The number of cases going through without any trouble would compensate for that.

22829. At present the Local Government has to go up for sanction to the Government of India on particular points; if the Government of India refuse sanction, it is all done in the office; nobody outside knows anything about it?—That is so.

22830. Under the other plan the Lieutenant-Governor would issue the sanction, it would be publicly known and certain officers would benefit by it; then the Government of India would disapprove, and direct the revocation of the order; would that tend to add to the prestige of the Lieutenant-Governor?—No, certainly not; he would be "let in."

22831. But your argument is that in nine cases out of ten the Government of India would let the action of the Local Government pass, and in order to get your way in nine cases it is worth risking getting a rebuff in the tenth?—Yes.

22832. You say "as regards the right of appeal to the Government of India I am inclined to consider that the present rules have greatly diminished the amount of work under this head." Do you think that every officer should have the charges against him recorded, and an opportunity of putting in his defence?—In this province and in Bengal the proceedings have to be reduced to a regular form of record, which is a very complete form.

22833. The general rule is that a public servant who is accused of any offence for which he may suffer as such is entitled to have the charges against him made out and to answer them; has not that rule been in existence many years?—It has; I was referring to the precise form.

22834. It is merely a matter of office convenience to have the charges on the one side and the answer on the other?—Yes, that is what I referred to.

22835. You did not refer to a rule introduced some years ago as to cases in which the Local Government might stop an appeal?—I am putting the whole thing together.

22836. The Government of India, some years ago, said that the Local Government might withhold memorials against the action of the Local Government itself, on appeal by an officer drawing not more than Rs. 100 a month; has that caused a very considerable diminution of work?—Yes, I think it has.

22837. Then, the Local Government in turn has done something similar as regards its own Heads of Departments, making a limit of Rs. 50?—Yes.

22838. Therefore, if it could be done equitably, if you made the limit in regard to the Government of India Rs. 250, you would reduce a great deal more work?—Yes, in that sense, but then you would be coming to another class of officers.

22839. You do not think it is expedient?—No, I am not in favour of it.

22840. Although you would allow an appeal to an officer who has been passed over for some appointment, you would not allow an appeal to an officer who wanted to get something that the rules did not allow him?—No, but that is so now, surely.

22841. Suppose an officer put in a memorial to that effect, if the Local Government has not already power to stop it, would you give it summary power to do so?—I think so.

22842. It has been suggested to us that you might break up a large part of the provincial civil works budget into divisional budgets, and that the Commissioner might have power to give sanction for all Public Works that are not of first class importance; would you be in favour of such a course?—I should be glad to have it in my division, the Government having power if necessary to withdraw the sanction.

22843. You have yourself suggested one possible objection, and that is that lapses would occur in one particular year; if you know that lapses are going to occur, you can always surrender them and get a re-grant for the next year, if you apply in time?—Yes, but it is a temptation to an officer very often to take up things which might really wait.

22844. No doubt if you had these five smaller budgets, say, instead of one big budget at headquarters, there would be more lapses; but might not the disadvantage of that be counterbalanced by more careful local scrutiny of the relative advantages of different works?—Yes.

22845. It has also been represented that at present not a single permanent appointment in the Government can be created except by the Local Government; do you think that some delegation might be made as to that?—I am rather afraid of giving people the power of making those small appointments.

22846. You think there is not sufficient financial responsibility, and prefer to have the Local Government as a safeguard?—Yes.

22847. You are in favour of the adoption of the system of disposing of work between the Board and Government which is now in force in Bengal. Suppose the Board's Secretary and the Revenue Secretary agree on a matter, is it not possible that orders might go out without the member of the Board, who is concerned, seeing them?—Of course, even in the Board of Revenue now, a great many orders go out which the Board of Revenue Member never sees.

22848. Still, the Board's Secretary would send any case of importance to his member?—Yes.

22849. Supposing that the Board's Secretary is fortified by the opinion of an officer senior to himself, that is the Revenue Secretary to Government, might he not tend to issue orders straight off, without bringing the member of the Board in at all?—To a certain extent, that tendency arises now; the two Secretaries agree, and send off things that the Lieutenant-Governor never sees; you have to watch against that, and you have the weekly tables partly for that purpose.

22850. Take a further step. A case has gone to the member of the Board and he agrees with the Revenue Secretary, would it ordinarily go to the Lieutenant-Governor in that case at all?—I think practically all cases have to go to the Lieutenant-Governor, except absolute routine cases.

22851. But otherwise it would not go to the Lieutenant-Governor, assuming that the member of the Board and the Revenue Secretary concurred?—No. It is difficult to say at present what the rule is. In the undivided province it worked out very much to sending as much as the Lieutenant-Governor could manage, and you had to decide which were the important cases; you would have to make out a list of cases, and consider them.

22852. There is the possibility of the Lieutenant-Governor being ignored more than he is at present?—He might be; there would be that possibility; I do not know that it came about in Bengal.

22853. Then you say that the logical corollary of this system is the amalgamation of the Board of Revenue with the Secretariat; is it not also the abolition of one of the junior Secretaries?—I think the Revenue Under-Secretary will probably disappear; in fact he practically disappeared in Bengal.

22854. He was put on to other work?—Yes.

22855. If it were possible and desirable to largely increase the powers of the Commissioners, would it be necessary to have two members of the Board?—I still prefer two members for the Appellate Court.

22856. You are aware of course that in several provinces there is only a single member, a Financial Commissioner?—I know, but my point is, if you abolish the two members, even though they do most of their work well, you would probably create a good deal of scare amongst the zamindars; they would look upon it as an attack on the permanent settlement. You must always remember that in Bengal, and I think that a final Appellate Bench is better composed of two men rather than one.

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22857. We were given to understand that they hardly ever sat together?—They can sit together; they do not overrule the Commissioner unless they agree.

22858. Do they both sit, or does A sit and take a case and give the papers over to B?—He sends the papers over to B, and gets his judgment too.

22859. B, not having heard counsel—just having seen the record?—Yes. I have known cases of course where the Board consisted of both members sitting together.

22860. You want to adopt the same position as that discussed in the case of the Board as regards noting upon cases dealt with by Heads of Department. I will take Education, and suppose you to be the Chief Secretary; in that case what would happen?—Suppose the Director wants to start a scheme, he would probably come over to me and say, for instance, "I want to take up the question of provincialising sub-inspectors, I have made out a note; I want this examined, and I want the Secretariat to note on it fully." The Secretariat clerks would note on it and get out the Government of India instructions on the subject and make a complete case; it would be called "Secretariat proceedings"; then the Director of Public Instruction would ask his Assistant or the Under-Secretary to note on it for him; then he would go into it and take it up, and then he would send it up and say, "such and such a proposal is to go to His Honour"; that would go through the Chief-Secretary. The Chief-Secretary would either agree or disagree; if he disagreed it would go on to the Lieutenant-Governor.

22861. But in the case of the Board the final word below the Lieutenant-Governor rests not with the Revenue Secretary but with the Head of the Department; in this case the final word rests with the Chief-Secretary?—Yes.

22862. You recognise the material difference?—Yes.

22863. On the Board analogy, the case would first be noted on by the assistants, then by you, then by the Director and then go to the Lieutenant-Governor unless the Director agreed with you and passed his own proposals; that would not do at all?—No.

22864. There, the Secretary, being an officer superior in status, or at least equal in status, to the Head of the Department, and more conversant with the general work of Government should surely have the last word?—Yes.

22865. You know, perhaps that, with a Council Government such as you have in Madras and Bombay, any member who gravely dissents from the ruling of the majority can record his minute of dissent?—I believe that is so.

22866. Therefore, when a question goes up to the Government of India, upon which such a dissent has been recorded, they know that the matter admits, even from the local side, of two points of view. On the other hand, it is quite possible for a Lieutenant-Governor to be at variance with his Board and Chief Secretary or any of his principal advisers for the time, yet there is nothing in the letter to the Government of India to show that; the letter goes as usual giving His Honour's opinion that this, that, or the other should be done?—It is quite possible.

22867. Have you ever known a Lieutenant-Governor's letter in which he says that "I must say, however, that my Chief Secretary, who is an officer of great experience, thinks that I am wrong here, and takes a different view"?—I have never heard of the Lieutenant-Governor mentioning the Secretary; I have known cases where he has mentioned that the views of the Board are different.

22868. But apart from the Board, take the case of education; the Director of Public Instruction and the Chief Secretary on the one side, and the Lieutenant-Governor on the other; the Lieutenant-Governor over-rules his two most experienced advisers in that Department; would the letter generally say so or not, assuming that the matter has to go up to India?—I think it would say so if there was a difference of that kind.

22869. One or two witnesses have suggested that the Court of Wards should have powers to take up the management not merely of estates which pay revenue direct to Government, but of holdings which pay rent to zamindars; would you approve of that?—Would that not take us rather too far. I think the motive for taking up estates is the security of our land revenue, and when we do not deal with the land revenue paid to Government we are going beyond the province of Government.

22870. You do not want to make the Court of Wards a general Court of Chancery?—No.

22871. It has been suggested that if Commissioners are to survive and to exercise their full utility in the State machinery, they should be more Sub-Governors than they are now, and less post offices?—I do not think the Commissioner is a post office.

22872. Can you as Commissioner appoint a Sub-Deputy Collector?—No.

22873. Can you post him?—Yes.

22874. Can you post a Deputy Collector within your division?—No, but he generally goes where I asked that he should be sent.

22875. Can you invest with even third class magisterial powers?—No.

22876. Can you do anything in the way of sanctioning the acquisition of land under the Land Acquisition Act?—No.

22877. When you have confirmed the decision of a Collector on appeal, cannot the appellant go up to the Board again?—The Commissioner is final on many appeals; he is final in dealing with certificate cases, and, where he concurs with the Collector in land revenue cases, there is no appeal.

22878. If you and the Collector are in agreement, the matter ends?—That depends again on the particular Act; it varies. Some Acts give the Commissioner final powers, others do not.

22879. In the generality of cases have you final powers of confirming the Collector's decision?—In a good many cases.

22880. In the Court of Wards you have told us you have not nearly as much power as you think you ought to have?—No.

22881. Speaking generally, might you not get a good many larger powers in the directions I have mentioned?—I agree, of course, that in a great deal of legislation which we have had, especially revenue legislation, the tendency has been to overlook the Commissioner, and to go straight up to the Local Government or even to the Government of India. That has been done, so to speak, in Committee in the Legislative Council. When a proposal was objected to on such and such grounds, they have said, "Very well, to get over that, power shall only be exercised by the Local Government." Perhaps there has been some bargaining about it; one member has urged that it should be exercised only by the Government of India; the member in charge of the Bill has objected, and they have said, "Very well, we will take it to the Local Government." So often far the effect is that the Commissioner is not fully recognized in the Acts, and he has to depend a good deal upon his general power of supervision and control under the old Bengal Act of 1829.

22882. Is that satisfactory?—No, I think it is not.

22883. Then speaking generally, the Commissioner should have considerably larger administrative powers than he now has and be recognised as a distinct link in the chain between the Collector and the Board?—Yes.

22884. You are in favour of the extension of the sub-divisional system. Does that mean the supersession of your present system of crowding all the revenue work at district headquarters?—As far as you can go, remembering that you would have to continue paying land revenue in at headquarters.

In the first place, I think, the zamindars would object to any change, it would involve their keeping up more establishment.

22885. If the zamindars live near sub-divisional headquarters they would not object to a change?—Very few zamindars do live near headquarters; they are very largely non-resident, and the large zamindaries extend over several districts.

22886. What you think is that the collection of land revenue should be taken in the district headquarters. However, with the permanent settlement, is not that rather a mechanical process?—It is just for that reason that you most keep the payment of land revenue at headquarters; the zamindar likes to have his one authorised agent, who makes his payments for him, looks through everything, and assures him that he is not getting into arrears. From that also follows the keeping up the records at headquarters, the commutation cases, the record room, and the partitions; you have a complete set of records, and if a zamindar wants any one of these cases his agent is able to look up all these cases for him.

22887. Could not partition work and so on be done by the Sub-Divisional Officer, who would send in all past records to district headquarters, current records being kept in the sub-divisional office?—In districts where partitions are common we generally find that it is a whole-time officer's work, and that he does his best if he is given a special establishment and does nothing else.

22888. Are not Sub-Divisional Officers now concerned almost entirely in trying cases?—They may also have Court of Wards work; the supervision and inspection of Government Estates very often is made over to them, sometimes income-tax, in districts where there is no special Income-Tax Deputy Collector. The bulk of the work is certainly done at headquarters.

22889. Is that good training for a young officer; by the time he comes to be Collector, what experience has he had?—Of course he is sometimes wanting. He generally gets a good deal of knowledge when promotions run in the normal periods. A man may have had a couple of years at headquarters as Assistant to the Collector and in charge of the office.

22890. But as Joint-Magistrate he is doing criminal work too?—He distributes the case work, but he also does most of the revenue correspondence; he works at it when the Collector goes on tour.

22891. That is at intervals; a Collector is not on tour for more than two or three months a year?—That is so.

22892. Is a man likely to take much interest in work to which he is switched on for two or three months in the year?—Still, he does get a great deal of knowledge.

22893. In Madras the man in a sub-division does all the general work of the Collector; consequently when he comes in to act as Collector he is familiar with the work; he is only taking up on a big scale, and with one or two special matters added, what he has already done for years; is that not much better training?—As a training I suppose it is a better one.

22894. For the sake of what you call efficiency in Bengal, you would continue your subject Deputy Collectors, and if possible add to them?—I think that with a big establishment and more sub-divisions you will be able to give the Sub-Divisional officer a good deal more power than he has now.

22895. But you do not propose to reduce any of the subject Deputy Collectors?—Road Cess, I think, would have to remain; your Treasury Officer might keep the *tauji* and accounts; it would reduce their numbers.

22896. You have said that you think the treasury work should be placed under the Accountant-General. Whom would you have in charge of the treasury?—A Deputy Collector.

22897. But if the Accountant-General is to assume the direct responsibility for the treasury work, will he not reasonably claim a voice in the appointment of the Treasury Officer?—Certainly.

22898. Might he not say, "I do not want an effete or a raw Deputy Collector; if you intend to entrust me with the work and to give me the direct responsibility for the treasury, I desire that you should appoint men I know and whom I can send out of my own office"?—Yes, he might. Treasury Officers are already required to have three years' service before they are appointed. The Treasury Officer also has the *tauji* work.

22899. You would have to relieve him of that; it is always unsatisfactory for a man to be serving two masters?—The *tauji* fits in so much with the treasury work.

22900. What is the *tauji* work?—It is receiving payments of land revenue and writing up the accounts.

22901. Then again, if your Treasury Officer belongs to an outside department, will it be at all so easy for the Collector to get his bills and establishments sanctioned?—After all, they now go up to the outside authority, the Accountant-General, who examines them. Instead of that, objections will be taken at the treasury.

22902. As regards travelling allowances on transfer. You say you are in favour of the Government paying up to a man the total amount that he has incurred in moving his domestic establishment when he is transferred from one place to another?—I did not mean to go quite as far as that; I think the rules on transfers might give latitude to allow more than is allowed under the ordinary allowance rules.

22903. The rules would still lay down some fixed rate of mileage or something of that sort?—The case I was thinking of particularly was that of the officers, horses, ponies, and carriages. I would like more liberty to be given in that respect. I think when a man travels in a steamer some allowance ought to be made for the baggage he has to carry; all he gets at present is the bare single fare.

22904. Suppose a man says, "It has been a loss to me, and I can assure you on my word of honour that I have spent more than Rs.150 more than I got"; would you give it him?—Of course, you cannot go so far as that.

22905. You are acquainted with the old system under which the District Board Engineer did most of the provincial Public Works in the district?—Yes.

22906. That was done away with here on the formation of the present province?—Yes.

22907. Does it still continue in Bengal proper?—I am not sure that it was not abolished there also.

22908. Was it a good thing to abolish it?—I think it tended to make the District Engineer give too much time to his provincial work; the District Board work was apt to lose.

22909. Could not the Collector have held the scales even?—When it is a question of getting the cutcherries in which you work every day into fair order, you are not a good judge.

22910. Are not the provincial Public Works relatively small here in importance—outside buildings?—Yes.

22911. You have no irrigation?—No.

22912. And the bulk of your roads are Local Fund roads?—Yes.

22913. Would it not be economical to amalgamate the agencies—to strengthen them if you like; but is it necessary to have a Board Engineer, and a Government Engineer, in the same district?—I am not quite sure that you would have men of the same professional standard. Your building work means perhaps a higher standard of man than the ordinary man who will do for roads and village bridges.

22914. Are the District Board Engineers of too low a standard?—The present men, I think, would not be up to the big things we have.

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22915. But suppose the District Board Engineer were really competent and of the same professional capacity as an Executive Engineer in the Public Works Department, do you think the Inspectors of Local Funds Work would be necessary?—Even in Bihar we found it was necessary, and we had very good District Engineers there.

22916. Would it not be possible for the Government and the district to share the expenses, and for the Government to have a voice in the selection of the District Board Engineer and possibly to lend him to the Board?—To do that you would have to make him a Government servant. Then you would have trouble with the District Boards; they do not want to lose their own servants.

22917. You mean as a Government servant he might not be quite so obedient to the District Board as if he were the servant of the District Board?—The Board would think so.

22918. Do you want to increase the powers of Local Boards in Eastern Bengal?—I think not.

22919. You pass the budgets of District Boards and municipalities? Suppose the Director of Public Instruction, or it may be the inspector of schools, is dissatisfied with the allotment proposed by the District Board or municipality, does he represent the matter to you?—Yes.

22920. And you call on the Chairman for his version?—Yes.

22921. Then who passes the order?—If it is a matter in which there is a Government order, of course, Government would have to do so. Government fixes the limits in certain cases and the proportion to be borne.

22922. Then naturally you have to comply with the orders of the Government, but outside that, suppose there is no percentage, or that the minimum percentage has been worked up to, and the Director of Public Instruction says, "I think you ought to spend Rs. 3,000 more than you do now," and the local people say, "We think we can spend that Rs. 3,000 better in other ways," what would you do?—I am supposed to decide and pass the budget.

22923. A witness gave us to understand that in such a case you could over-rule the District Board President on your own authority, but if you took the other side and wanted to over-rule the Director of Public Instruction, you would have to go up to Government; is that so?—In practice I should give my own opinion, but he would probably appeal to Government.

22924. So that practically the Director of Public Instruction has two shies against the one shy of the District Board President?—Yes.

22925. Do the Director of Public Instruction and the Sanitary Commissioner and the Director-General of Civil Hospitals actually intervene much in regard to these matters?—Only the Director of Public Instruction. He makes his remarks on the education budget; generally speaking, he has nothing to say.

22926. We have had it that the Boards are very closely tied in the matter of education; is that your opinion?—The education grant is given under restrictions; it is Government money, and they have got to follow the lines laid down.

22927. The Government looks on the Board not as a responsible body to which it has given additional means, but merely as an agent to spend money in certain directions?—As regards education, I think that is so.

22928. Is the same attitude taken as regards sanitation or medical work?—No, there they are more independent.

22929. Mr. Kershaw explained to us a plan of local self-government consisting of a Central Board which would deal with all District Boards and municipalities, setting the Collectors and Commissioners more or less on one side; would you be in favour of such a plan?—No, I have not heard the proposal before, but I do not like it.

22930. You have spoken of what you call third class municipalities as being really villages and not towns at all?—Yes.

22931. Might they not be reduced to the position of Local Fund unions?—If the unions were a little developed perhaps they might be, but they would not like it, and I am not quite sure that the advantage would be worth the difficulties which would arise from the objections.

22932. Have you a Local Fund union in this division?—Not in this division.

22933. Have you any in the province?—In Tippera, and, I think, in the Rajshahi Division.

22934. You are in favour of having them?—I would like to try them; I had them in Howrah.

22935. Were they satisfactory there?—I had not time enough to judge; I was only there two years. I thought something might be made of them.

22936. Have they any power of taxation?—They are supposed to be able to levy a rate up to Rs. 100 altogether. It is really a poll tax—something like the chaukidari tax.

22937. Would it not be possible to let the chaukidari unions be a Local Fund union also?—That is what I was trying to do there.

22938. It is proposed, I understand, to put them, not under the Local Board, but under the District Board; is that what you desire?—Yes.

22939. Is that not again centralization?—I am afraid it is, but the reason is Local Board's establishment is not really good enough to help them.

22940. If the Local Board is such a feeble body that you do not want to increase its powers in any way, would it not be preferable to abolish it?—It is really only a local committee of the District Board.

22941. Then why not recognise that frankly instead of having elections for the Local Board?—That means doubling the system of election for the District Board; that is really the main point of it.

22942. The Advisory Council you propose is to be purely advisory, but at the same time it is going to be elected. Is it expedient to have election; if you are going to have a Council purely advisory, that might be over-ruled at any time, is not an elected Council likely to be too impatient of that situation?—I do not attach very much importance to the way in which the members are chosen; but I thought if the Advisory Council was to enjoy the confidence of the people it should be elected.

22943. It might be better, if you are going to keep it advisory, to have it nominated?—Yes.

22944. Do you propose such a Council for the Commissioner?—No. The Commissioner deals with four or five districts, and he would have to call in people from a long way off. Then the Commissioner's work is much more checking what others have done than acting on his own initiative; he is better left with his hands free. He is able, of course, to see a great many people as it is.

22945. The Commissioner having several districts, would it not be advisable that he should be in touch with some outside opinion from each of them?—He gets that when touring; he could go down and see the Collectors' Council if he wanted to, and talk with them.

22946. You do not think it is advisable that he should have a small Council, which he should summon himself, who would sit with him at intervals and on which each of his districts should be represented?—I think it would be making the thing too elaborate.

22947. Commissioner's conferences, such as have been started in Bengal, have not been applied here yet?—Not yet.

22948. In Bengal the senior member of the Board generally presides at the conference?—Yes.

22949. Would it not be better, and bring the Head of the province more into touch with his provincial officers, if the Lieutenant-Governor himself presided?—It is a very big undertaking; these conferences take a full fortnight; the Lieutenant-Governor of Bengal has presided at some of the more important sessions, lasting for some hours.

22950. Might the Lieutenant-Governor not preside at some of the more important sessions; would he not get a more direct access in that way than if he had merely reports from the senior member?—Of course if the Lieutenant-Governor could come it would be all to the good.

22951. And it would be desirable that the conference should consist not merely of Commissioners, but of the Heads of other Departments and of the Secretaries to Government?—Yes.

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22952. And possibly some non-officials whom the Lieutenant-Governor might desire to see there?—That is also provided for.

22953. Would you have similar conferences for divisions?—That has been suggested.

(*The witness withdrew.*)

Adjourned.

THIRTY-SECOND DAY.

GAUHATI, *Wednesday*, 15*th January*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Major D. HERBERT was called and examined.

22954. (*Sir Frederic Lely.*) You are the Deputy Commissioner of the Kamrup district?—Yes.

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The right of appeal to the Local Government in administrative matters may be curtailed to the extent of allowing no appeal unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. The right of appeal to Heads of Departments and to Commissioners now granted in respect of administrative action should not be curtailed, neither should the right of appeal of officers. It is most highly valued, and gives to Government servants a sense of security that it would be unwise to touch.

In all revenue matters the Court of the Commissioner should be the ultimate Court of Appeal. Under the existing system an order regarding settlement passed by a Sub-Deputy Collector as an Assistant Settlement Officer in a sub-division is subject to appeal in turn to the Sub-Divisional Officer, the Deputy Commissioner, the Commissioner, and the Board of Revenue. Numerous appeals are unduly favourable to the man with the longest purse; and in revenue matters the Commissioner should be sufficiently experienced to pass a final appellate order. Either the Commissioner should be the ultimate Court of Appeal in revenue matters, or else Commissioners might be abolished and the Board of Revenue be enlarged, as in Madras.

I do not think it possible to vest Commissioners and Collectors with increased control regarding expenditure in their divisions or districts.

The Public Works Secretariat regards matters too much from a purely departmental standpoint, but this is not so in the case of the other branches of the provincial Secretariat. The Secretary to Government in the Public Works Department being, unlike other Secretaries to Government, an officer of the Public Works Department, is as a rule inclined to deal with cases too much from the view of his own department and profession, and not sufficiently from the view of the necessity or convenience of the public.

The position of the Commissioner and the Deputy Commissioner is sufficiently strong in matters outside the Land Revenue Department, except in matters relating to the Public Works Department, with regard to which it should be strengthened. The Executive Engineer, for instance, is supposed to be the professional adviser of the District Officer in matters relating to Public Works, but he should be under the authority of the District Officer in Public Works Department matters which do not require expert knowledge.

In most Assam districts Executive Officers have sufficient opportunities for personal contact with the people; but in some districts their work is too heavy, even during the touring season, to allow of their getting into real touch with the people.

Executive Officers as a rule have a sufficient knowledge of the vernaculars.

An increase of the Administrative staff of districts is necessary to secure efficient administration. District Officers are over-worked, and some proof of the fact lies in the number of pending cases in the Courts. Moreover, certain departments are understaffed. The Public Works Department is so understaffed in this province that Executive Engineers can spend little time on the actual supervision of works being executed. The Police Department *cadre* should be so strong that all large districts should have an Assistant as well a Superintendent of Police, whereas at present very junior officers are in charge of some districts. Collectors of districts would be relieved of much routine work, and have more opportunity for personal contact with the people, if a senior Assistant were placed in charge as Sub-Divisional Officer of the headquarters sub-division of every district.

Municipalities and Local Boards cannot be granted independence of the authority of the District Officer. I do not think extended powers can be given to these bodies.

I am not in favour of the creation of District Advisory or Administrative Councils. Such bodies would be of no use, and it is my custom to consult the leading gentry of my district on all matters

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in which I think they may be interested, and on which they can give me useful advice or assistance. Village panchayats might be usefully employed in the disposal, under Local Board control, of matters relating to the repair of village roads, tanks and drains, village sanitation and lower primary education and in the settlement of petty criminal and civil cases sent to them by a Magistrate. They should not be vested with judicial powers.

22955. You express the opinion that the Court of a Commissioner should be the ultimate Court of Appeal, that is, I presume, assuming the Board of Revenue was abolished?—Not necessarily; I realise it would leave very little for the Board to do, but it would still have supervision and inspection.

22956. Would that be enough to justify its existence?—The Board's inspections that I have seen are shorter than I would desire. The inspections of such senior officers are most valuable.

22957. If you enlarged its work of inspection, would there be enough for it to do?—There have been very few revenue appeals in the districts I have had experience of.

22958. The Board of Revenue has been only lately introduced into Assam. Is it appreciated by the people?—To the extent that it takes the place of the Chief Commissioner and is the ultimate Court of Appeal, I think it is.

22959. Does the fact of its being a Board give it additional importance in the eyes of the people?—I think so.

22960. On the whole has the change been popular?—I do not think it makes any material difference to the people.

22961. You say that you do not think it necessary that the Secretary of the Public Works Department should be a man belonging to that department. Does not a great deal of the business that comes up to Government in the Public Works Department consist of projects, plans and estimates?—Yes.

22962. Could that be dealt with by a non-professional man?—No; that should be dealt with by the Chief Engineer, but not necessarily as Secretary to Government.

22963. Would you have such matters go up from the Chief Engineer as Head of the Public Works Department to a Secretary who might be a non-professional man?—Yes. They go up at present from a Secretary, who is a Public Works Department man, to a non-professional man, to wit, the Lieutenant-Governor.

22964. But the final adviser of the Lieutenant-Governor in Public Works matters is a professional expert?—The final adviser from a Public Works point of view in every case would be the Chief Engineer, though he might not be a Secretary to Government.

22965. Would it not be ill-advised to have work of that sort going through a man who was not an expert in the matter?—I think it would be beneficial, and it would not affect the technical view in each case. Moreover, no Chief Engineer or other officer of the Public Works Department is an expert in every branch of engineering.

22966. Should the Executive Engineer be under the authority of the District Officer?—In matters which do not require expert knowledge.

22967. That is to say, he should occupy the same position as a forest officer?—Yes; may I quote an instance. There is an old road built by the Assam Rajas in this district—a portion of the trunk road—which is very wide, and without consulting the District Officer at all, the Public Works Department proceeded to reduce the width of it, although much money was spent in making it its original width. It is metalled in the centre and on the sides it is unmetalled, but the sides are very useful for bullock traffic, and the reduction in the width of the road caused considerable inconvenience.

22968. You propose that a Collector should have a senior Assistant in charge as Sub-Divisional Officer. What exactly should be his work?—He should have responsibilities of his own as the Sub-Divisional Officer has at a sub-division.

22969. Not with reference to work pertaining to the whole district?—No, with reference to the work of the *sadar* sub-division, which is at present in charge of the Collector specially.

22970. You consider that municipalities in Assam should not be granted independence of the authority of the District Officer. Would you differentiate between the municipalities at all?—I think not; the only municipality in Assam Proper of which I have experience is Gauhati which is the largest municipality in Assam.

22971. How many municipalities have you in your district altogether?—Two—Gauhati and Barpeta. I think the Municipal Commissioners are not capable of managing their own work by themselves entirely. The other day we had a proposal with regard to the formation of Advisory Councils, and the enlargement of Legislative Councils; the Vice-Chairman of the municipality begged me to attend a meeting, but I said it was a matter on which the opinion of the Commissioners was wanted, and not that of an official, and I thought it better not to attend. He tried to hold meetings, but the attempts were abortive, and then he asked me to be present merely because he thought if I was present it might induce the people to come and remain there.

22972. Have you had experience in other parts of Assam?—I have been Deputy Commissioner in Cachar and Shillong.

22973. Are the municipal towns in your district small?—Yes, very small.

22974. And the municipal spirit is not so advanced as it is in other parts of India?—Yes; I speak only from my very limited experience.

22975. You are not in favour of District Advisory Councils?—I am not. I invariably consult local opinion, and I have practically an Advisory Council on any subject I want information upon.

22976. Is there any record of the members of this Advisory Council of yours?—No; I consult such of the leading men as I think have knowledge of the particular subject I want information upon.

22977. But have you no record with regard to these men which you would leave for your successor?—I should leave a record for my successor, as I have always done in the past.

22978. Would you see any objection to paying the expenses of gentlemen whom you might have occasion to call together for any special purpose?—I have never called in anybody from a distance. I have always found advisers at my headquarters.

22979. But that might be advisable?—Yes, they should certainly be paid any expenses incurred, and it is also advisable that Vice-Chairmen and members of the Local Boards who travel about for the purpose of doing Local Board work should get travelling allowance.

22980. Have you any village unions in Assam?—No.

22981. To what body do you refer when you speak of village panchayats?—There is a very excellent old indigenous system in Assam, under which disputes are settled by arbitration, by the village community. Each party to the dispute summons the men of the village to assemble for an arbitration; they sit in solemn conclave, and the friends and supporters on either side get up and talk, and on the arguments of these men, who are called *melki* or arbitrators, a decision is arrived at by the whole of the community. Every decision that I have known of, I think, has been a sound one. The system might very well be revived of giving them official sanction, because at present it has no official sanction and the party who loses cannot appeal against the decision.

22982. It is a general assembly of the residents of the village at which every householder has a right to be present?—Yes.

22983. As a matter of fact, is a vote generally taken from all the persons in attendance or only from a selected number?—From all of them, I think.

22984. Is there any inner circle as a rule which is recognised as leaders?—No, there is no circle of leaders, but there are certain men who acquire a reputation, and they lead the village opinion in other matters as well as in arbitration.

22985. Then they would form an inner circle?—Yes, they would.

22986. But generally the basis of the village arrangement is entirely democratic?—Yes, such as could be settled by arbitration.

22987. Would you refer to such a body the settlement of petty criminal and civil cases?—Yes.

22988. But you say that they should not be vested with judicial powers—what do you mean by that?—I mean that they should not be vested with the powers of a Munsif or any magisterial powers.

22989. Then how would you entrust to them the dealing with civil and criminal cases?—They might be referred to them in the way of arbitration for decision and report as to the proof of an allegation or claim, but not for final settlement. The ordinary Court should pass a final order on the report.

22990. You have here a raiyatwari system?—Yes.

22991. Are the villages in Assam much more developed than they are in other parts of India?—I have no experience whatever of Eastern Bengal, but the villages here are certainly developed. The opinion seems to be that the village community has died out in Eastern Bengal, but it certainly has not in Assam.

22992. You have only a Local Board and no District Board?—Each sub-division has its own Local Board.

22993. And even the Local Board is not on a statutory basis?—No.

22994. If a law of Local Self-Government was passed in Assam, would you propose a District Board as well as a Local Board for each *taluk*?—I am afraid I have not considered the question.

22995. A district in Assam is divided into sub-divisions? Is there an Assistant or a Deputy in charge of each sub-division?—Yes.

22996. Has he full powers in his sub-division?—Yes.

22997. Is he in a minor degree to the sub-division what the Collector is to the district?—Yes, all matters being liable to appeal from him to the Deputy Commissioner; otherwise he is practically the Deputy Commissioner.

22998. And his credit stands or falls by the administration of his sub-division?—Yes.

22999. It has been suggested that a young Assistant soon after he arrives should be sent under a Settlement Officer to learn the language; do you consider that that would be advisable?—It would help him to learn the language, but it would interfere with his other studies, such as law for instance, and as the Settlement Officer's work is practically in the open all day, the Assistant would not have sufficient time to devote to his studies.

23000. Would that be a serious objection?—I do not think it would be a serious objection.

23001. It would be a great thing to be able to avoid the interruption which often occurs owing to having to send an Assistant away to settlement training after once taking charge of a sub-division?—Yes, if he were appointed to a sub-division, it would be a great interruption; but if he were working as an Assistant at district headquarters, I do not think there would be very much interruption.

23002. (*Mr. Dutt.*) If the work of the Board of Revenue were lightened by delegation, would you propose that the members should be constituted general advisers to the Lieutenant-Governor in other than revenue matters?—I think their experience fits them for giving general advice, but I have never considered the point as to whether they should form a sort of Council.

23003. As they are the most experienced officers in the province, would they be qualified to give the Lieutenant-Governor advice in other than mere revenue matters?—Yes.

23004. At present the Executive Engineer does not only Government work, but also Local Board work?—He is supposed to supervise to some extent, and does supervise Local Board work, but I have never known him do so unless it was work which has been specially made over to him to do.

23005. Does the Local Board pay him for that kind of work?—No; the Local Board pays a certain proportion towards the establishment which is kept up in the Executive Engineer's office, because the Local Board accounts pass through his office.

23006. So that when the Executive Engineer does any work for the Local Board his services are given gratis?—Government takes a proportion, I think it is 10 per cent., as its charge for doing the work for the Local Board.

23007. Have Local Boards other engineering servants under them such as supervisors and overseers?—Yes, they are ordinarily entrusted with the works done by Local Boards.

23008. And it is only in the case of important works that the Executive Engineer is asked to supervise?—Yes, which it is thought the Local Board subordinates are not capable of carrying out.

23009. With regard to the work which the Executive Engineer does, that is to say Government work, has the District Officer any control or supervision?—No, that is the Executive Engineer's own work, and the rule in Assam is that while the Executive Engineer is the Deputy Commissioner's professional adviser in matters relating to Public Works, he is not under the Deputy Commissioner's orders or authority.

23010. If a requisition for erecting a new building or an alteration to an existing building is sent by a District Officer to an Executive Engineer, does the latter consult the District Officer as to the lines on which he wishes the new building or the alteration to be made?—Yes.

23011. In the case of a big provincial road being made through a district, would the District Officer have any say in the matter?—He would not be consulted in the matter; if he had any say he would have to say it to the Commissioner, who would communicate with the Superintending Engineer, who would issue orders or not to the Executive Engineer—a very roundabout way of doing things.

23012. Do occasions like that arise frequently?—There has been no provincial road made in my experience through a district.

23013. If a District Officer had more immediate control generally over the work of the Executive Engineer, not in technical matters, but in other matters, would it facilitate the work?—Yes, it would conduce to the convenience of the public.

23014. What is the population of Gauhati approximately?—About 10,000, and the other municipality is only about 4,000.

23015. Who is the Chairman of the Gauhati municipality?—I am, *ex-officio*. The Sub-Divisional Officer is Chairman of the other.

23016. Are the Vice-Chairmen in both places non-official gentlemen?—Yes. They are elected.

23017. Is a good deal of the routine work performed by the Vice-Chairman?—I have delegated all the work in Gauhati to the Vice-Chairman, but he brings before me any matter with which he does not feel competent to deal.

23018. With regard to the smaller matters, does he dispose of them and in that way is he a great help to you in the work of the municipality?—Yes.

23019. Would the same remarks apply to the Barpeta municipality?—No; I think the Sub-Divisional Officer, when he is in the station, keeps a very close hand over the work.

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23020. Have you seen any other advanced municipalities in districts of which you have been in charge?—No; Silchar was the most advanced, and there the Vice-Chairman had full power; I delegated my powers entirely to him, and he did everything very well indeed, and the work was most satisfactory—nothing could have been more satisfactory—and the interest taken by the Commissioners was everything that could be desired.

23021. Have Local Boards been created by Government Resolution?—Yes, I think so.

23022. Would you recommend that there should be a law passed giving them a legal status?—I do not see any particular necessity for it. As they are at present, some Local Boards in want of funds get more assistance by grants than they would get if they had legal power to borrow, and so forth.

23023. What is the usual source of income of a Local Board?—The local rates, the revenues from ferries, and so forth.

23024. What are the local rates?—Assessments on the land revenue, over and above the land revenue, at the rate of one anna in the rupee.

23025. Is it levied all over the Assam and the Surma Valleys?—Yes.

23026. Does the whole of it go to the Local Boards, and beyond that have they any revenue from other sources and from Government grants?—Yes.

23027. Are they in charge of roads and bridges and also education?—Yes.

23028. Do they get a specific grant from Government for education?—They get assistance.

23029. Is the grant sufficient?—More than sufficient; I find it difficult to spend the money that is allotted very often.

23030. Is the Local Board practically in charge of all primary education within a sub-division?—Yes.

23031. Is primary education fairly well advanced in Assam?—Yes.

23032. How do you subsidise primary education?—We pay the village teachers a small monthly stipend of Rs. 5 to Rs. 8 and also give them a capitation allowance; we pay a grant towards the building of the school-house, and we try to get the villagers to do something on their own account. Lower primary education is free.

23033. Does the teacher also get assistance from the villagers?—Probably, I think.

23034. Do you sometimes get the villagers to contribute towards a school-house?—Yes, frequently; they take an interest in their schools.

23035. Is the supervision work done through sub-inspectors?—Yes. They belong to the Education Department. The Director of Public Instruction has control over them.

23036. You simply hand over the money, and the whole of the administration work is done by them?—No, the Local Board administer the schools. The deputy inspector proposes the expenditure, and then it goes to the Board.

23037. Supposing you found a school was not being conducted satisfactorily, or that the teacher neglected his work, and you thought his stipend should be withdrawn, how would you proceed?—The sub-inspector reports to the deputy inspector, who reports on his proposal to the Chairman, and the Chairman passes the final order on the advice of the deputy inspector, but not always on the advice of the sub-inspector.

23038. Supposing the Chairman did not agree with the deputy inspector, who would have the final voice in the matter?—The Chairman would refer to the inspector of schools.

23039. So that the withdrawal or granting of a stipend is entirely in the hands of the Chairman?—Yes.

23040. Does the Chairman alone exercise that power, or is it exercised by the Local Board collectively?—It would be exercised by the Local Board collectively.

23041. And the Chairman does it as representing the Local Board?—Yes.

23042. Village headmen are called *gaonburas* in Assam?—Yes.

23043. Supposing they could settle cases amicably, would you allow them to do so?—If the parties would come to a compromise, and the *gaonbura* reported that they had done so, I should certainly accept that.

23044. Could a great deal of good work be done in that way if they could get the parties to come to terms?—Yes, I think so; in fact, it would prevent a number of petty disputes and false disputes coming into our Courts at all, if the *gaonbura's* position was improved, and he was *de facto* Head of the village community.

23045. Would you delegate more powers to the Deputy Commissioners, some of which are now exercised by the Commissioner himself?—I cannot think of any.

23046. Would you delegate some of your own powers to some of your Sub-Divisional Officers?—No; the Sub-Divisional Officers' powers are quite adequate.

23047. What is the ordinary area of a sub-division in Assam?—They vary very much; it depends very much on the density of the population. I should think about 1,000 square miles.

23048. Is the population sparse?—No.

23049. Have the raiyatwari settlements in Assam been quite finished, or are they still going on?—They are still going on.

23050. What is the term of the settlement?—Twenty years; it was 10 years for two settlements, and now it is 20 years since 1904-05.

23051. (*Mr. Hichens.*) On the whole you think the Deputy Commissioners have too much to do, and you suggest that a senior Assistant should be placed in charge as Sub-Divisional Officer of the head-quarters sub-division of a district. Would that give you all the extra assistance you require?—All. It has been suggested that there should be an Additional Deputy Commissioner, but that would not be so effective; it would mean divided control, and in case of any difference of opinion a Deputy Commissioner would be too senior a man.

23052. Would the effect be to relieve you of all detail work?—A great deal.

23053. Your idea would be that the Deputy Commissioner should have his hands comparatively free to deal with important matters, and to delegate the more routine and unimportant work to other officers?—A great deal of the routine work is very important, but it can be done perfectly well by a senior Assistant.

23054. Inspections, for example, might be done by him?—No, by the Deputy Commissioner, who, under present circumstances, has not sufficient time to devote to inspection.

23055. It has been suggested that inspections should be delegated to other officers; for example, it was suggested that treasury inspections should be delegated to an officer under the Accountant-General; would you agree to that?—That might be done, except that the Deputy Commissioner is personally responsible for the treasury, and for his own satisfaction he should inspect. The inspection might very well be done by others, but the verification of the cash and the stamps should certainly be done as at present, twice a year, by the Deputy Commissioner himself, because he is personally responsible.

23056. What is the area under a Local Board?—It corresponds to the sub-division.

23057. How many members are there on your Local Board?—Ten, excluding *ex-officio* members. They are partly nominated and partly elected.

23058. How are they elected?—The members are elected, one by the trading community at the headquarters station, one represents mercantile interests, and the majority are chosen by village headmen. I think the system of election requires a change. The men who are elected by the village headmen are often useless, and secure their elections by means which should not be employed.

23059. Do they attend the meeting pretty regularly?—Yes, except those in very distant parts of the district who have real difficulty in attending, particularly during the rainy season.

23060. Do you delegate to them the care of works in any particular area?—We sometimes ask them to undertake that, but they do not all appear to interest themselves much, though they certainly do try to improve the village water-supply.

23061. Are the funds at their disposal adequate for the work they have to carry out?—The funds at the disposal of the Local Boards generally are not adequate for the work, as compared with the funds placed at the disposal of the Public Works Department for roads and provincial improvements.

23062. What is the Government contribution?—It varies with the requirements of each Board. I do not think there is a fixed scale. Government apportions the money.

23063. That is to say, you get an indiscriminate dole each year?—No, it is a contract for a term of years.

23064. And it bears no definite proportion to the income you derive from the land cess?—No, it is entirely in relation to the length of roads and the requirements of each jurisdiction.

23065. Is that a good system?—Yes.

23066. Would it not be better if you knew exactly how much money you could count upon?—No, because the roads in each Local Board area vary so much; for instance, in a district where there are many tea-gardens there are necessarily more roads than in a district where there are very few of them, and the income of the one Board may not be any greater than the income of the other.

23067. Does not an increase in agriculture involve greater payments to the Local Board?—It depends on the settled area of the district; there is the same local rate per rupee of land revenue.

23068. On what kind of land is cess paid—on cultivated land?—No, it is paid on land under settlement. All estates whether revenue-paying or held free of revenue are assessed to local rates, and the whole of these rates are made over to the Local Board to meet expenditure that may be incurred. Every estate pays—not the cultivation only.

23069. Are the funds produced in that way inadequate?—Yes.

23070. How would you propose to supplement them?—As they are at present; by grants from provincial funds.

23071. Does none of the money collected locally go to education?—We are bound to pay a proportion of our local income for education, but in addition to that we have a very handsome grant.

23072. What is the percentage, roughly speaking?—I think it is about 20 per cent., which is ear-marked for educational purposes.

23073. It was suggested that it would be desirable to remove education from the scope of the Local Board, and hand it over to the provincial Government—what would you say to that proposal?—There would have to be a larger number of inspectors of schools, if that were done. The inspection done by Chairmen of Local Boards would then be done by the inspecting staff under the Director of Public Instruction.

23074. The view of one witness was that the Local Boards wanted more money, and that they could get more money if they were relieved of educational charges?—I like the plan of the local bodies managing education; I think it is sound.

23075. Do they take an interest in it?—Yes.

23076. What can the Board do in the way of controlling it; is there a syllabus laid down by the Education Department?—Yes, we cannot interfere with that at all. The Local Board members can only encourage the establishment of schools where they do not exist.

23077. Once schools are established the Board has practically no control?—They have practically no control; they can inspect and can close unsatisfactory schools.

23078. In disciplinary matters have they any powers?—With regard to the teachers they have: they control the appointment and dismissal and punishment and so forth of the teachers acting on the advice of the deputy inspector of schools.

23079. Can you dismiss or fine or punish a teacher without reference to the Government?—Yes.

23080. Can he appeal?—Yes, but I have never known a case.

23081. Do your Local Board members in practice go round and inspect the schools?—Yes, not very frequently; the work of inspection of lower primary schools is done by the Chairman more than by the members of the Board, but the sub-inspectors and deputy inspectors do the greater amount; they are supposed to inspect every school three times a year.

23082. Would it be desirable for the Local Board to have larger powers of controlling the studies of these primary schools?—No, the Education Department is the best body to control the studies.

23083. Would not the Local Board know enough about it, even under the guidance of the Sub-Divisional Officer?—I think not, and there would arise a variety of difficulties.

23084. Does not the present system tend to too much rigidity and uniformity?—No, I think uniformity is sound.

23085. Is the relation of municipalities to education much the same?—Municipalities have the power of establishing schools; in fact, the schools within the municipalities have to be partly supported by municipal funds.

23086. Do the same provisions apply and do they have to ear-mark a certain proportion of their income?—They are desired to devote 3 per cent. of their local income to primary and middle education.

23087. At any rate they have to make some provision?—Yes, if a school is started in a municipality, the municipality has to provide at any rate a portion of the funds.

23088. Is their control much the same in regard to schools as the control of a Local Board?—Yes.

23089. Are the Municipal Commissioners partly nominated and partly elected?—Yes, and they elect their Vice-Chairman.

23090. Is there any keenness to stand for election?—Yes.

23091. There is no difficulty in getting men to come forward?—None whatever.

23092. Do the more influential people come forward?—Yes.

23093. We have been told that it was considered derogatory on the part of an important person to stand for election; what do you say with regard to that?—We have no people here who would be considered important from that point of view.

23094. Do the municipalities get any Government grant?—Yes.

23095. On the same basis?—Yes, they have a fixed grant, and for special works they have also grants given them; for instance we had a very large grant given us for water-works at Gauhati.

23096. But have they a fixed annual grant, based on the requirements of the place?—Yes.

23097. Including the Government grant, are the municipal funds adequate?—Yes.

23098. They have enough to make a few improvements from year to year?—Yes, to be constantly improving from year to year.

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23099. Has it been your experience that you have made recommendations which you considered to be of great importance, or which you considered would have assisted you very much if carried out, and found they have been overlooked by the Secretariat?—No; no such thing has occurred in my experience.

23100. Has due consideration always been given to your representations?—Yes.

23101. (*Mr. Meyer.*) What are the sort of matters on which you get revenue appeals here?—Matters of boundary disputes, mutation cases, claims to settlement—settling waste land as between several applicants.

23102. Who deals with these matters in the first instance?—The Sub-Deputy Collector.

23103. To whom does the appeal go from him?—To the Sub-Divisional Officer in a sub-division, and to the Deputy Commissioner in the *sadar* subdivision.

23104. And after that?—From the Sub-Divisional Officer to the Deputy Commissioner, from the Deputy Commissioner to the Commissioner, and from the Commissioner to the Board of Revenue.

23105. Do all appeals go through that channel?—Yes.

23106. Might you have appeals on such a petty matter as whether A or B is to have an acre of ground?—Yes.

23107. Is that necessary or desirable?—No, I think the Commissioner should be sufficiently experienced to be the ultimate Court of Appeal.

23108. Even that would make three appeals?—Yes.

23109. Might not the Collector block a number of these appeals?—I think he might.

23110. In cases of this sort, is it necessary that there should be more than one appeal?—I think, at any rate, an appeal should go as far as the District Officer.

23111. Might the District Officer be the final authority in cases of appeal to him, whether it is a first or a second appeal?—Yes, at any rate in matters where a small area is concerned.

23112. And, would you add, when it is a mere question of fact, and not of interpretation of law or policy?—Yes.

23113. Suppose you differed from your Sub-Divisional Officer, and upset him, would you allow a further appeal?—It depends so very much on the experience of the District Officer. I think it would be better to allow an appeal to the Commissioner, because District Officers are very often juniors.

23114. Then your principle would be that where two people agree, that is to say, you and the Sub-Divisional Officer, the thing should go no further; but, where you differed, the appellant might take it on further to the Commissioner?—Yes, I think that would be a very good thing.

23115. When the district is re-assessed for land revenue, do you have a separate settlement?—Yes.

23116. You speak of orders regarding settlement passed by Sub-Deputy Collectors and Assistant Settlement Officers; what sort of work is that?—The Sub-Deputy Collector is empowered as an Assistant Settlement Officer to continue the work left undone by the Settlement Department. The Settlement Officer's operations do not cover the whole of the district. In the district in Assam there is a considerable area of land in which the villages are not sufficiently established to be included in the survey, and they have to be included in the course of time, during the period of settlement. In order to deal with these cases, Sub-Deputy Collectors are made Assistant Settlement Officers, and also given power under the Land and Revenue Regulation to deal with a number of revenue matters, such as settling plots of land between one party and another.

23117. In the first case you mentioned, do they assess the land in accordance with the settlement principles?—Yes, subject to confirmation by the Deputy Commissioner and Director of Land Records.

23118. In the other case, what you call settlement work is really disposing of vacant land?—Yes, and recording changes in the title.

23119. But that is really part of the ordinary district work?—Yes.

23120. Then you have a Land Records establishment. Who is in charge of that?—The Deputy Commissioner; the Sub-Deputy Collectors are Land Records Officers.

23121. Then you have *mandals*; are they under the Sub-Deputy Collector?—Yes, and over them is a supervisor *kanungo*.

23122. It has been suggested that the *mandals* and the Land Records establishment should be more directly under the Land Records staff; do you agree with that?—No, I think the present system is better. Any orders of the Director of Land Records are invariably carried out, and the District Officer's supervision of the work of the *mundal* is closer than would be the case where a Director of Land Records is in immediate and sole control of the work.

23123. You mentioned as a possible alternative the abolition of Commissioners and the enlargement of the Board of Revenue; in that case would you increase the powers of Deputy Commissioners considerably, or would you merely propose that the powers now exercised by the Commissioners should vest in the Board?—I recorded that opinion without any knowledge whatever of the system, but merely from the fact that there are no Commissioners in Madras and there is an enlarged Board of Revenue.

23124. Speaking of your province you have the Board at the top, then the Commissioner, and then the Deputy Commissioner. If the Commissioner disappeared, what would become of his functions; would they go to the top authority or to the bottom authority, or would they be divided between them?—I should think they would be divided between them.

23125. Do you ever see a Public Works budget for provincial roads?—No.

23126. Would you be in favour of the allotment for provincial Public Works being largely split up among divisions, while the Commissioner might sanction projects?—Yes, that would be very beneficial.

23127. Would you take it a step further and give the Deputy Commissioner any grant?—I do not think so. The expenditure on Public Works in a district would be so small that there would be no useful purpose gained by giving Deputy Commissioners a grant.

23128. It has been suggested that the Deputy Commissioner might have a special grant to make a temporary increase in his office in times of pressure, or to meet some contingent expenditure; is that necessary?—It would be better that he should not have that, but that it should be done under the control of the Commissioner.

23129. Assuming that Commissioners are retained, does their position apart from appeals require improvement?—Only in regard to Public Works. The position of the Commissioner and the Deputy Commissioner is sufficiently strong, except in matters relating to Public Works.

23130. Might the Commissioner have larger powers in connection with land matters?—He might have larger appellate powers, but otherwise I cannot think of anything.

23131. Not for instance in the matter of posting officers?—He is invariably consulted as it is at present, and so far as can be, his opinion is given due weight to.

23132. Does the Sub-divisional Officer, as a Magistrate, take appeals?—No, the magisterial powers of a Sub-Divisional Officer are those of a Magistrate of the First Class, and sundry powers with regard

to the disposal of property and certain disputes, but not appellate powers.

23133. Who takes the second and third class cases now in a sub-division?—The Sub-Divisional Officer, unless he has an Assistant to whom he gives them.

23134. What sort of Assistant?—An Extra Assistant Commissioner—a Deputy Magistrate.

23135. The Sub-Divisional Officer may himself be an Extra Assistant Commissioner?—Yes.

23136. Therefore you may have two men, one a senior Extra Assistant, and the other a junior. In that case is the junior under the orders of the senior?—Yes.

23137. Would the junior take the second and third class magisterial cases?—Yes; as a rule he takes the civil work and a proportion of the magisterial work.

23138. In that case would appeals from him go to the Sub-Divisional Magistrate or to the District Magistrate?—If he is a Second or Third Class Magistrate the appeals go to the Deputy Commissioner, as District Magistrate.

23139. Do you deal with civil work here?—Yes, the Deputy Commissioner is a Subordinate Judge.

23140. But you have no regular Civil Courts?—No.

23141. How many Extra Assistant Commissioners have you at headquarters?—Generally three here. One for charge of the treasury and the civil work and two Magistrates.

23142. In Eastern Bengal revenue work is usually done at headquarters by Deputy Collectors, one taking one thing for a whole district, and another taking another thing—do you do that here?—Yes, that system has been recently introduced; we have placed one or other of the Assistants in charge of certain departments in the *sadar* sub-division.

23143. Have you officers called Circle Sub-Deputy Collectors?—Yes. They are the Assistant Settlement Officers to whom I have referred, dealing with land records work. There are seven circles in this district.

23144. Therefore each sub-division consists of two or more of these circles?—I have two in the Barpeta sub-division, and five in the headquarters sub-division.

23145. Do the Circle Sub-Deputy Collectors do any civil work?—No.

23146. Would it be possible to give them magisterial powers, with general territorial jurisdiction?—Yes, if their number be increased.

23147. Would that be a good plan?—No; I should not be in favour of it, because I do not think, as a class, they could be trusted to exercise magisterial powers satisfactorily away from the vicinity of the Sub-Divisional Officer or Deputy Commissioner.

23148. Are all your Sub-Deputy Collectors employed in that way as Circle Officers?—Yes.

23149. Have you what you called *tahsils* here?—We had *tahsils*. They have been broken up. Now we have gone back to *mauzadar*. They are contractors appointed by Government who collect the money and take a percentage of the collections.

23150. What percentage do you give them?—It is 10 per cent. for the first 6,000 rupees, and 5 per cent. afterwards.

23151. Have they any summary powers in the matter of enforcing their demands?—No; they have to do that through the Deputy Commissioner or the Sub-Divisional Officer.

23152. What sort of villages have you here?—They are very scattered and the houses of one village often join up with the houses of another.

23153. Is a village a real unit, or is it merely an artificial administrative entity?—It is a real unit.

23154. Do the people discriminate and know which village they belong to?—Certainly.

23155. Do you have such a thing as a headman?—Yes. They are elected by the people, subject to the approval of the Deputy Commissioner or the Sub-Divisional Officer. They have no powers in the matter of collection. They report vital statistics, they are supposed to assist the police, and as payment they are given a remission of land revenue to the extent of Rs. 8 in the year.

23156. Have they any hereditary land?—No.

23157. Have they any criminal or civil jurisdiction?—No.

23158. Would you be prepared to give them some definite powers if necessary?—No; I should like to be able to send cases to the chief men of a village for settlement by arbitration.

23159. Suppose a party is dissatisfied with the result of the headman's arbitration, what would you do?—Unless fraud or collusion is alleged, we ought to accept the arbitration, and make it binding on the parties.

23160. Would it be still optional to an individual to go to the headmen for arbitration, or to go to the nearest Court and have his case decided regularly?—Yes; I think so, and the Court, if it saw that the case was one that would not be difficult of decision, might send it back.

23161. Would you say that cases below a certain value should always go to the headmen in the first instance?—No; I think that would come automatically.

23162. How do you realise arrears of revenue?—Demand notices are issued, and if the arrears are not paid within a certain time movables are attached, and, finally, an estate is liable to be sold.

23163. You use the term "annulling settlement"—what does that mean—simply that a man loses his land?—Yes.

23164. In that case are the arrears cancelled as well?—Yes, as a matter of course. The annulling of a settlement generally takes place when all prescribed means fail to recover the arrear. The annulment of the settlement requires the sanction of the Commissioner in the case of a periodic settlement, but not of a yearly settlement.

23165. I suppose you first proceed against a defaulter's moveables?—Yes, and next against his estate, and after that against any other estate he may hold.

23166. Have these annulments of settlement which are practically small, to go to the Commissioner for confirmation?—Yes, except in the case of annually settled estates; I think the Deputy Commissioner should have the power to annul settlements. I doubt whether the Commissioner himself looks into any of those cases. It is a pure formality.

23167. Who passes the order in the first instance?—A Sub-Divisional Officer in a sub-division. It would go through the Deputy Commissioner to the Commissioner.

23168. Would you have it confirmed by the Deputy Commissioner or leave it to the Sub-Divisional Officer, subject to appeal?—I think annulments of settlement might be done by the Sub-Divisional Officer.

23169. Is it necessary for the Sub-Divisional Officer to be *ex-officio* Chairman of the municipality?—In the present state of things yes; the work would not go on otherwise; it all depends so very much on the non-official Vice-Chairman. If he is a competent and energetic man, he can manage the municipality splendidly.

23170. Is a recurring grant from Government to municipalities always given?—I think so.

23171. Is it made for general purposes or for the upkeep of some particular thing, such as a drainage scheme?—My impression is that there is a regular grant.

23172. If you had the Sub-Divisional Officer you want at the headquarters sub-divisions he would necessarily take charge of the headquarters Sub-Divisional Board?—I do not think so, because that

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would entail touring on him to a greater extent than would be necessary.

23173. You do not want him to be a Sub-Divisional Officer like other Sub-Divisional Officers then?—Not to the same extent; I want him to be in a position to relieve the Deputy Commissioner of routine work at headquarters.

23174. But could you not relieve the Deputy Commissioner as effectually by taking over the Local Board duties from him?—I do not think the senior Assistant at headquarters should be a touring officer. At present the Deputy Commissioner goes on tour, and a large amount of his routine work has to be disposed of by the senior Assistant remaining at headquarters, and if the Deputy Commissioner and the Sub-Divisional Officer were both touring officers it would mean that all the routine work would have to be done by another officer.

23175. Could an officer dispose of the work of his sub-division properly if he never toured?—He could dispose of revenue work and the bulk of the correspondence.

23176. Could he dispose of it as efficiently by merely staying at one place, as if he went round and made himself acquainted with the circumstances of the country and examined the police-stations and so on?—That is not quite my idea of the use an Assistant should be as Sub-Divisional Officer at headquarters.

23177. But is a second Sub-Divisional Officer the most efficient method of running a sub-district?—Not of running a sub-district, but yes, if his duties are to relieve the Deputy Commissioner.

23178. Is he to relieve the Deputy Commissioner first and then look after the sub-division?—The Deputy Commissioner would be looking after the district as a whole, and in the course of his touring he would be able to do that part of the Sub-Divisional Officer's work.

23179. You say that the election of Local Board members by village headmen is unsatisfactory—what would you substitute?—Election by an electorate of the leading landholders of the district on a basis of the revenue paid. I have made a proposal to that effect officially with regard to Advisory Councils.

23180. You have told us that Local Boards mainly deal with primary education by aiding private schools?—By maintaining Local Board schools, not by aiding private schools; they do aid private schools, and then take them over.

23181. Do they first aid a private school, and then take it over altogether?—Both systems are in force. If a village wishes to start a school and it is doubtful whether it really requires it, they are told to first start it as a private school, and if they find within a few months or a year that it is doing well, it would be taken over by the Local Board.

23182. Why should not the school go on as a private school and be assisted?—Because the control is better if it is a Local Board school.

23183. Once it is taken over as a Local Board school, it is subject to all the restrictions of the Educational Code?—Yes.

23184. And you have so many masters for so many pupils, and the pay of the masters is regulated?—Yes.

23185. Would there not be more liberty if you had a system of assisting private education?—Close control is beneficial to primary education.

23186. What is the position of the Collector in regard to the outlying Local Boards; has he any special control over them?—Yes, he inspects the Local Boards of his sub-division, and all proposals made by the Local Boards through him to the Commissioner.

23187. But, as a Deputy Commissioner, he has no powers of his own?—Under the Commissioner he controls the proceedings of the Sub-Divisional Local Boards.

23188. But he has to report to the Commissioner; he cannot do anything himself; if he thinks a Sub-Divisional Board is doing something wrong or is not spending its money on the best objects, can he, as Deputy Commissioner, intervene and advise?—Yes, he can; he is in immediate control over the Local Board both at the *sadar* and also in sub-divisions.

23189. Do you mean that the Chairman of the Local Board, being your subordinate, would be written to by you privately not to do such and such a thing?—No, one would pass orders on the Board: the Deputy Commissioner has the power of controlling Local Boards.

23190. What does he pass on to the Commissioner?—The Local Board send copies of their proceedings and their budget to the Commissioner through the Deputy Commissioner.

23191. Does the Commissioner interfere much?—No.

23192. He passes the budget and reviews the administration report?—Yes.

23193. Who gazettes the members?—The Government.

23194. Is that necessary?—I think it is valued.

23195. Would it not be popular if the Commissioner gazetted them?—I think it would not be popular.

23196. Is there any co-ordination between the work of the Sub-Divisional Boards; do you have any conferences between them so that they may work on the same lines?—No, I have never known of any conference, but with regard to the matter of establishing veterinary dispensaries, we had some correspondence between certain Boards and endeavoured to get all their members to contribute towards one veterinary system.

23197. Would it be any use to have conferences presided over by the Deputy Commissioner to consider matters common to the work of the Local Fund for the whole district?—I remember no case in which a conference would have been of any use.

23198. You give out a good deal of your road work to tea-planters?—Yes. We have very few of them in this district, but in other districts there are a good many.

23199. Have you found that system work well?—Very well indeed.

23200. If you dismiss or punish a Local Board clerk, has he an appeal to the Commissioner?—He appeals to the Deputy Commissioner first, and then to the Commissioner. If his pay is more than Rs. 15, and less than Rs. 50, his dismissal is subject to the Commissioner's confirmation.

23201. The person who deals with him is the Chairman?—Yes.

23202. Is there an appeal from the Chairman to the collective Board as there is in Madras for instance?—No, the Chairman has no executive power under the rules at all: only the Board can dismiss a servant.

23203. In the case of a smaller punishment, such as a servant being fined or having his pay reduced, would the Board do that, or would the Chairman do it as Executive Officer?—The Board has to do that.

23204. Do you find that the Director of Public Instruction interferes at all with your Board's educational grants?—No.

23205. Do you send much sanitation work to the Sanitary Board?—The Sanitary Board help us very much with regard to water-supply, but there is very little done in the way of sanitation.

23206. How do they help you in regard to water-supply—by advice?—No, by funds; in order to encourage the digging of tanks they are making a grant of a third of the cost if the Local Board will give a third and the villagers will contribute the other third in labour or amount.

23207. Is that a special contribution from Government revenues?—Yes.

23208. Is there any rule which obliges you to send up sanitary projects for the criticism of the Sanitary Board in the matter of estimates?—No, I think not.

23209. (*Sir Steyning Edgerley.*) You said that a charge of 10 per cent. was levied by Executive Engineers; is that for works done?—For supervision.

23210. Is that the highest charge made?—Yes.

23211. Is not the supervision very small?—The ordinary supervision is very small.

23212. Is your Executive Engineer establishment adequate?—No, it is very inadequate; the men cannot possibly do their work; there are only two in this valley at present, and the one for Gauhati is supposed to live at Shillong.

23213. Is there no superior officer of the department in each district?—No. I think there should be.

23214. Is anything being done to supply that deficiency?—I do not know. We were better off until the partition, but there were so few officers in Eastern Bengal that four Public Works divisions in the Assam Valley were made into two.

23215. What effect has the recent police reorganisation had on the Deputy Commissioner and the Commissioner?—The police re-organisation has had no effect, I think.

23216. Have the Commissioner and the Deputy Commissioner the same powers as they had before over the force?—Yes, so far as I remember.

23217. Where do appeals go to?—Appeals that used to go to the Commissioner go to the Inspector-General now.

23218. You have not felt any weakening of your hand over the police owing to the re-organisation?—No, not at all.

23219. Do you think the slight change in the matter of appeals has affected the feeling of the police towards you?—I have not noticed anything of the kind.

23220. There was a proposal made with regard to the treasury that the Deputy Commissioner should be entirely relieved of responsibility, and that things should be administered from the Accountant-General's department, the theory being that the control of the treasury does not bring the Deputy Commissioner into touch with the people, and it was argued that one might easily relieve him in that direction in order that he might have some leisure to go out into the district and have more time for intercourse with the people; do you think anything of that sort is feasible, or is it obligatory that the Deputy Commissioner should remain responsible for the treasury?—There is not very much of the Deputy Commissioner's time taken up by treasury work, except in the case of having to interrupt one's touring to come in for the monthly verification of the cash; that is the great trouble, and it is a constant worry during the touring season.

23221. Do you travel on a daily travelling allowance?—Yes.

23222. Has there been any great rise in the cost of travelling lately?—I cannot say that there has. My first district in civil employ was Cachar, where we had to pay our coolies six annas a day; then it was raised to eight annas, but then there were no cart-roads, and the same thing applies to the Khasi hills, where coolies had to be employed. Here, in Kamrup, we travel with carts, so that travelling is cheaper.

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23223. Complaint was made at Dacca that the cost was much higher, and that the ordinary rates were inadequate to cover expenses?—The ordinary travelling rates do not cover expenses. An officer who tours from day to day and is travelling all the time is certainly out of pocket to a considerable extent, and it is only when one halts for inspection, &c., a few days here and there that one is enabled to make the allowance meet the expenses.

23224. Have the police here much authority over your village authorities?—We have a village headman called the *gaonbura*, who is supposed to report to the police, but he does not consider himself under the police.

23225. He is more under the Deputy and Sub-Divisional Magistrate?—Yes.

23226. Are the Deputy Magistrates permanent officials?—They are; they are members of the Provincial Civil Service.

23227. Could they not be converted into territorial officers?—No.

23228. Have you ever endeavoured to see whether you could get sanction to empower your Sub-Divisional Magistrates to hear criminal appeals?—No.

23229. Supposing that your *sadar* sub-division was under a Sub-Divisional Officer in the same way as the rest of the district, and he took over your Local Board and municipality, could not the Deputy Commissioner, with the help of one or two people elected from the different Local Boards, carry out the whole of the outside control of Local Self-Government in his district, irrespective of the Commissioner?—Yes, I think so.

23230. That is to say the Deputy Commissioner would not be on any Board himself, but would take elected members from each of the Boards as a small council, which would absolutely dispose of the Local Government work of the district; would that be practicable?—Yes, but it would depend entirely on the personality of the District Officer. I am afraid that men elected from the Local Boards would not be of any very great assistance to him.

23231. Has Local Self-Government during your term of service advanced or is it stationary—I think it has advanced; there is greater interest taken in it than there was.

23232. If you had an absolutely free hand to do what you liked, what would be the next thing you would do to develop it?—I would abolish the official Chairmanship, but I do not think the country is ripe for that yet.

23233. Would you do that before developing the village autonomy?—Yes, I do not think that the development of village autonomy would help very much in increasing the efficiency of Local Boards.

23234. Would you try to make the existing bodies as non-official as possible, and simply have outside control?—Yes.

23235. (*Sir Frederic Lely.*) Has the Commissioner any control at all over the police now?—No, none except his personal influence and the influence of his position.

23236. You said that the villages were very scattered in Assam?—I said the houses of each village were scattered.

23237. In those villages, therefore, is sanitation regarded as a matter of minor importance?—Yes.

(*The witness withdrew.*)

Mr. N. D. Beatson Bell, C.I.E., was called and examined.

23238. (*Sir Frederic Lely.*) You are Director of Land Records?—Yes.

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The Board of Revenue should be retained for historical reasons in East Bengal, and because of Lord Curzon's pledge in Assam. I consider, however, that the administrative functions of the Board are altogether superfluous and are derogatory to the dignity of the members. *All* the present administrative functions of the Board can be delegated to Commissioners, Heads of Departments, and District Officers. The functions of the Board should be those of a Board of Advice to Government in all revenue matters, and a Supreme Court of Appeal in revenue cases. The members of the Board

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should also tour throughout the province and should inspect local offices.

Commissioners should be retained, but they should exercise their control by local inspections rather than by correspondence and returns. The appointment of Deputy Collectors as "Personal Assistants" to Commissioners is an official and social solecism. If a Personal Assistant is really necessary, he should be a young Civilian.

Many of the districts in this province are far too large. No district should have a population of more than a million inhabitants. In each district there should be *three* responsible officers of the Indian Civil Service—a Judicial Officer in charge of Civil Courts, a Judicial Officer in charge of Criminal Courts, and an Executive Officer. In districts where judicial work is light, one Judicial Officer might suffice. The Judicial Officers should take the important cases on their own files and should distribute the other cases to the subordinate Courts. The Executive Officer should work, as far as possible, through "village councils." He should be constantly on tour, and his official correspondence should be cut down to a minimum. He should have a free hand to spend money within the budget allotment of his district, and he should have a special grant of Rs. 10,000 (£666) to spend at his discretion each year. He should be in close touch with all branches of executive work in the district. Two of the most important branches of work have, so far as East Bengal is concerned, gone almost entirely from the control of the Collector, namely, settlement and education. These are the two branches of work in which an officer is brought into closest touch with the people. It is a very grave mistake to take up settlement operations in any district upon such a scale that is necessary to appoint a special Settlement Officer with a special staff working independently of the Collector. The evil is greatly aggravated in East Bengal, where there is no existing village agency, and where is it necessary to recruit, as a temporary measure, a subordinate and menial staff of strangers to carry out the operations. The temporary settlement establishment in Faridpur district at present consists of 3,000 or 4,000 men. It is useless to expect the Collector to supervise these men in addition to his own duties, and to put them in the district outside the Collector's supervision, is a serious political error. I should like to see 100 square miles, or even less, as the annual unit, with the Collector in real personal charge of the work. If this were done, it would be possible to begin settlement operations in every district in the province.

From what I have seen of the work of panchayats in Backarganj, and from my knowledge of the peasantry throughout the province, I am a firm believer in Government by, and through, village councils. Generally speaking, I would constitute the "village" so as to contain about 300 households. The president of the council should be the "village headman." The village recorder, whose duty it would be (like the *mandal* in Assam) to make surveys and records-of-rights, would be *ex-officio* a member of the council. His post would be hereditary, and he would be remunerated for his work. The other posts upon the council would be honorary, but so long as a chaukidari tax is assessed and levied (as in Eastern Bengal) by the village council, the member who works in this connection should receive a fair remuneration. I should much prefer, however, to see the chaukidari tax abolished, and to see the watchman remunerated by a grant of land. The members of the village council, other than the hereditary village recorder, should be appointed by an informal election like that which now takes place for the post of village elder (*gaonbura*) in Assam. I would entrust them with all the petty criminal and civil work of the village; with the management of the village school; the construction and maintenance of village roads, wells, and tanks; the control of a village bank, the supervision of the local excise shop; the collection of vital statistics; the maintenance of a marriage register; and so on. There should be a notice board (as in Assam) at the homestead of the village headman for the publication of public notices, as well as a pillar letter-box at which the postman will periodically call. As a safeguard in the matter of criminal and civil work, the Executive Officer should have power to withdraw any case from the village council and to refer it for disposal to the Judicial Officer concerned. The villages should be grouped into circles, and there should be a resident officer like the "Circle Sub-Deputy Collector" in Assam in charge of each circle. He would supervise and assist the village councils in every branch of work. In short, I would build up a system of village government based on the existing systems of East Bengal and of Assam.

23239. You were nine years in one district, Backarganj. Will you explain why that was?—It is unusual, but I was fond of the place and no one else wanted to go there. I was first Collector, and when settlement came on I asked that I might be appointed Settlement Officer, to which Government agreed; otherwise I should not have remained so long.

23240. You consider the administrative functions of the Board of Revenue to be altogether superfluous, but you say that the members of the Board should tour throughout the province and should inspect local offices; is that not administrative?—I did not mean to exclude inspections; I was referring to the sanctioning of appointments and all similar administrative matters which go to the Board at present.

23241. Should the main portion of their duties be inspection?—Yes, and hearing appeals and giving advice to Government.

23242. Would you have them tour about together or individually?—Individually.

23243. Is it not the main duty of a Commissioner also to inspect?—If the Commissioner inspects and each member of the Board also inspects, have you not two authorities covering the same ground?—Yes, but not more so than in the case of the Collector and the Commissioner at present.

23244. I am assuming that the Deputy Commissioner is all the better for a little inspection; but would you also assume that the Commissioner is an officer who needs to be kept up to his duty by inspection?—When the members of the Board make tours of inspection, they give useful advice to Commissioners.

23245. Do you not think that suggests distrust and setting one man to watch another?—I do not think that is how anyone would regard it—at least they should not, considering how senior most of the members of the Board are, compared with the Commissioner.

23246. You say that the Deputy Collector as Personal Assistant to the Commissioner is an official solecism?—Yes, taking it officially he disposes of a great many things from the Collector. The Collector has to send up things which are examined and picked to pieces, and either sanctioned or not sanctioned, by a man who is a Deputy Collector, and who a few months before was perhaps his own subordinate.

23247. Is it any part of his duty to decide important matters?—It should not be, but many matters of considerable importance come in the first instance before the Personal Assistant who makes his marginal remarks; the Commissioner may be busy and pass those remarks as a matter of course, so that the actual resolution coming to the Collector is the resolution of the Personal Assistant, and not of the Commissioner.

23248. But where there is no Personal Assistant, is not that very often done by a head clerk?—It should not be.

23249. Supposing a Commissioner had not got a Personal Assistant, notes of that sort would be made by the head clerk in the office?—It might be so.

23250. Should the Personal Assistant be a member of the Civil Service?—Yes, if there is one at all, but it would be only in a heavy division that one would be required.

23251. Do you propose that the Collector should take the place of the special Settlement Officers?—I would not have a special Settlement Officer, but I would have a few Assistant Settlement Officers of experience working under the Collector who himself would be the Settlement Officer.

23252. Would there be no difficulty in that owing to the want of special expert knowledge on the part of the Collector?—Probably the work at first would not be so well done, but I would rather see it badly done by a Collector than well done by a Special Officer.

23253. You propose that village watchmen should be remunerated by a grant of land? At whose expense should the land be given to him?—Where it is a Government estate, by the Government, or the Government should acquire land for the purpose and pay for it out of provincial revenues.

23254. You propose to entrust a great many matters to the village councils, and amongst others the management of the village schools; do you mean full management even to the appointment of teachers?—I certainly would allow them to nominate the teachers.

23255. Would you entrust all other details to them?—I would have inspection to see that the schools were kept in good order.

23256. Would you leave it to them not only to build, but to pay the cost of a school-house, if they wanted a school?—It might not be a bad arrangement; I remember in Backarganj, when establishing dispensaries in the villages, we made it a condition that the villagers should provide the building, and then we took it over and paid for the doctor; there might be something analogous to that in regard to schools.

23257. Is that not a very economical and also congenial method of carrying out public matters like schools and dispensaries?—Yes; we find it worked well as to dispensaries, and it probably would as regards schools, because the villagers can do it much cheaper than Government can.

23258. Are the villagers entrusted with the management of local affairs?—In certain districts of Bengal, we have made great use of the panchayats.

23259. You also have village unions in Bengal?—Yes, in some districts.

23260. We have heard that these village unions are unpopular, because the people associate them with extra taxation; what do you say as to that?—Certainly with regard to panchayats and village unions the taxation is the unpopular part.

23261. In Bengal if a tank is dug, may not the cost up to Rs. 100 be added to the chaukidari cess, and be collected as if it were a chaukidari cess?—That may be so; I have had very little experience of districts where there are village unions under the Local Self-Government Act; we did not have them in Backarganj.

23262. Would it be feasible, when entrusting villages with the execution and management of works, to allow them to make rules so that, in the case of digging a tank, instead of imposing on themselves a tax for the purpose, they could impose on each householder the obligation of doing a day's work at the tank?—I think that would be unpopular, and it would be inadvisable except perhaps in the case of very backward hill tribes.

23263. Would there be any objection to giving a village power to impose on itself a rule like that if it chose?—No, if it really chose to.

23264. Or if instead of a conservancy rate, they were empowered to make a rule obliging each householder to keep a certain amount of area round his house clean?—I am not in favour of imposing any such rule as that, because the less you interfere in those matters the better.

23265. I am not proposing any interference; I am only asking your opinion as to giving the power into their hands?—I do not think they would take any action, and I think they would be right not to. I would leave every man to his own discretion to do as he liked; they are naturally a cleanly people.

23266. Provided Government enforced sanitation at all, what would you think?—I do not think Government should attempt to enforce sanitation outside municipalities.

23267. Then should sanitation in villages not interest Government at all?—Not in Eastern Bengal. In my experience each house is self-contained, and each man looks after it in his own way, and I would not interfere with him.

23268. Having had experience of Bengal, and to some extent of Assam, can you mention any notable differences between the two?—Of course the most noticeable thing is that the bulk of Bengal is permanently settled, and Assam is temporarily settled. As regards the administration, the police are much less in evidence in Assam than in Bengal.

23269. Is that an advantage?—It is a great advantage. Then in Bengal we have the chaukidari system and in Assam we have not; we have the headman of the village system in Assam.

23270. Is that hereditary?—It is partially hereditary and partially elective. Generally, when a headman dies, his son succeeds him, but it is not necessarily so.

23271. As to the powers of the officer under the sub-divisional system, have you any preference between the systems of Bengal and Assam?—I approve of the Sub-Divisional Officer having as much power as possible, but it varies greatly in different parts of Bengal.

23272. Does the Sub-Divisional Officer in Assam live in his own sub-division?—Yes, and also in Bengal; in Bengal he gets a house rent-free, and I believe it is the same in Assam.

23273. (*Sir Steyning Edgerley.*) What do you refer to when you speak of Lord Curzon's pledge?—I understood when he came down to Eastern Bengal and made public speeches, he assured the people that in the new province there would be a Board of Revenue.

23274. Would you make the Board of Revenue a Board of Advice to Government in all revenue matters?—Yes, and in any other matters in which the Government chose to consult them.

23275. Would you allow them to cover the whole administration?—Certainly in all important revenue matters, but all other important matters should be left to the discretion of the Lieutenant-Governor whether he took the opinion of the members or not.

23276. You propose to devolve the whole of their administrative functions on Commissioners?—Yes, on Commissioners and Heads of Departments.

23277. And you do not think that they should take up a wider sphere in the matter of advice?—In other matters the Government might consult them very usefully, but it should not be compulsory on the Government to consult them. I have not considered the question very closely, but it is probable the system would grow.

23278. In the scheme you suggest I understand that you would put your district in charge of a Civil Judge and a Criminal Judge, and an officer to whom you refer as an Executive Officer?—Yes.

23279. Would you remove all Sub-Divisional Officers?—If a district were made small enough we should not need sub-divisions. Under my scheme there would seldom be any sub-division.

23280. Is the Executive Officer to whom you refer a Collector without his magisterial powers?—Yes, he should retain his police powers, but in any district in Bengal that I know of the civil and criminal work of the Judicial Department is each quite enough for one man.

23281. Would he have time to do the amount of settlement work you propose?—Yes, if the districts were reduced as I suggest.

23282. Is not great part of the settlement work current revenue work?—In Eastern Bengal at present we do not maintain the record at all, but in

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future it is proposed that we shall. I was particularly referring to the initial settlements in Eastern Bengal, and the revisional settlements in Assam. In Assam the District Officer already maintains the record, and grants new leases during the currency of a settlement.

23283. In developing a scheme of village councils, you say that Executive Officers should have power to withdraw any case from a village council and refer it for disposal to the Judicial Officer concerned; who would the Judicial Officer be?—In a civil case the Civil Judge, and in a criminal case the Criminal Judge.

23284. Would those officers try cases down to second and third class magisterial cases?—The Criminal Judge would personally try some first class cases, and under him there would be other officers—Deputy Magistrates—who would be appointed according to the necessities of the case; but as far as possible I would have all petty work done by the village council.

23285. What is exactly the object of the pillar letter-box you suggest?—As a matter of convenience for the people, because post offices are very much scattered.

23286. Then you suggest that villages should be grouped in circles, and that there should be a resident officer; would he become a regular district official?—Yes, he is at present in Assam a regular district official under the Deputy Commissioner.

23287. Would he, within his own circle, cover the whole sphere of administration, or would he be limited?—I would give him a good deal of work outside revenue matters.

23288. Would you make him a Magistrate?—According to my scheme the magisterial staff would be separate from the executive staff; but if that is not carried out, I would make him a Magistrate.

23289. Your last settlement here was in 1904-5?—There was one which was finished about two years ago.

23290. But in Assam generally was not the date 1904-5?—Yes, I think so.

23291. Was there, in that settlement, a great deal of minute classification of soil?—Yes, in some districts it was more minute than in others.

23292. Was there a great enhancement of revenue under it?—No; on the contrary in many places there was a large decrease. I got a report the other day with regard to an important group showing that the decrease had been 16 per cent.

23293. What share of the produce do you take as a standard of revenue?—We do not try to take a definite share of the produce, but my recollection is that the revenue is from 10 to 20 per cent. of the gross.

23294. That is not excluding cost of cultivation and so on?—I think so, but we do not as a matter of fact try to work on any mathematical percentage.

23295. About what percentage do you think you actually take?—I think it is about one-fifth or less of the gross.

23296. Have prices and wages risen?—Yes.

23297. Is the margin of profit to the landholder under the new settlement larger or smaller than it was before?—The landholder has not much to pay in wages, speaking of Assam where he is the cultivator, and generally consumes his own produce; so that a rise in prices on the whole benefits him.

23298. Is it true to say that your rates are so high as to deter people from taking up land?—I do not think so, but I would be in favour in many parts of Assam of having a system of granting land free for the first few years.

23299. In addition to being Director of Land Records, you are Commissioner of Land Settlements?—Not officially, but I perform the duties which in other provinces are performed by the Commissioner of Settlements.

23300. The settlement reports are submitted through you and you make your remark?—Yes.

23301. There are definite instructions as to the principles on which the Assam settlement is based?—Yes.

23302. Do you mean to say that you work your settlements in proportion to the gross produce?—No; we do not work them according to any proportion of produce; that is not the standard by which we try to work. I have always understood that by the instructions of Lord Curzon, we should not work up to or down to any percentage of produce, either gross or nett.

23303. Are you speaking of the resolution of 1902?—Yes, in which he deprecated the taking of any percentage.

23304. Did not that resolution expressly condemn the principle of fixing the assessments with reference to the gross produce as being unfair to poor land, and is not the present principle of the Government of India not to take more than 50 per cent. of the nett produce?—As I understand the instructions, the 50 per cent. rules relates to cases in which there is a middleman between Government and the cultivators.

23305. Do you do your settlement from hand to mouth?—No.

23306. Do you not take the expenses of cultivation into account?—Certainly, we take that into consideration.

23307. You first of all consider what the soil will yield?—Yes.

23308. Then you have to consider what the cost of raising and bringing the crop to market is?—Yes.

23309. Then you have to consider what the crop will fetch?—Yes.

23310. And upon that you consider what the Government will take?—It is not worked in that way, but the result may be the same.

23311. Then you are dealing with the nett produce?—Certainly, it is the nett we look to, not to the gross, when we assign the relative factors to classes of soil.

23312. Then what is the use of telling us that something represents a fifth of the gross; cannot you give it on nett produce?—No, I cannot give you any figure; we do not do it in that way. If necessary I can furnish you with the figures, but that is not the basis on which it is done.

23313. With regard to the functions of the Board of Revenue, is it necessary to have two members of the Board—would not one Financial Commissioner do in this province?—I should think so, very probably, and in Bengal probably two, but it is a matter which could only be decided as we try the system. One might be appointed in the first instance.

23314. You would have a larger number of districts?—Yes.

23315. And yet the Commissioners are only to be inspecting officers and the Board of Revenue is to be advisory; could the control of this larger number of districts be properly taken over by the Secretariat?—It is not my intention to increase the powers of the Secretariat.

23316. Even if you do not increase their powers they would have to deal with at least 50 per cent. more districts than they do now?—They would.

23317. Would not that largely increase their work?—It would, but of course not proportionately; sending out a circular to ten men is not much more labour than sending it out to five.

23318. But considering the reports and returns of 10 men means much more labour than considering the reports and returns of five men?—It might be so in that way.

23319. You desire to have in your district three separate officers, and one of the Judicial Officers is to be Sessions Judge and also Magistrate?—Yes, that is the idea.

23320. Who is to try the appeals from the First Class Magistrates?—He would.

23321. Would he try appeals from his own decisions?—No.

23322. How are you going to provide for that?—Appeals from him would go to the High Court.

23323. On matters he dealt with as a First Class Magistrate?—Yes.

23324. Do you think the High Court would like that?—He would not take many of the First Class Magistrate cases—only the important ones.

23325. Nevertheless, he would take a good many?—But there would be Deputy Magistrates under him who would have first class powers.

23326. Then you would necessarily have to increase the number of Deputy Magistrates as well as the Civilian Officers?—No, the present staff of Deputy Magistrates might be divided; you might divide the Deputy Magistrates and the Deputy Collectors, the Deputy Magistrates going to the Judicial Officer. I do not think it would mean much increase of staff.

23327. As you propose largely to increase the number of districts, must you not also largely increase the number of Deputy Collectors and Magistrates, or are there enough to go round?—Not quite enough to go round perhaps, but I do not think an increase in districts would make much difference to them; of course it would mean an increase in the number of Civilian Officers.

23328. You propose that a Civilian Officer should be employed exclusively on civil work, but what training is he going to get for it?—I have already recommended that I should like him to be a Barrister if possible. A scheme was circulated for our opinion, and I then suggested that the officer in charge of civil work should go home and pass as a Barrister,

23329. Practically, you desire very largely to increase the strength of the Civil Service?—I do.

23330. And to break it up into three Sub-Civil Services?—Where the work is heavy; in some districts both branches of judicial work might be done by one man.

23331. Would that be an economical or desirable scheme?—It would be desirable, but not economical.

23332. Would it not be possible, assuming you want an increased staff, to obtain what you want by increasing the Provincial Service?—I do not mean that these men should always be Civilians; under the present scheme a certain number of District Officers and Judges belong to the Provincial Service, and I should like to see that continued and extended.

23333. Is the Settlement Officer who takes up a re-settlement in Assam, or a large revision of record of rents in Bengal, now assistant to the Collector in any way?—No, not in big operations.

23334. In Madras, for example, when there is a special Settlement Officer, he is gazetted as special assistant to the Collector, so that the Collector may exercise as much control over his operations as he desires; do you consider that a good plan?—Not in the present state of affairs. For instance, when I was Settlement Officer at Backarganj, the Collector was an officer who used to be my own assistant, and he had no experience of the district, while I had four years' experience.

23335. In that case might it not have been possible to leave you as Collector and make him Settlement Officer?—I tried to do both duties for a few months, but it was almost impracticable.

23336. Your remedy is to abolish special Settlement Officers, and let the Collector do the work?—Yes, on a much smaller scale.

23337. Would not that cause very unnecessary delay in the carrying out of a settlement?—In Eastern Bengal where we were dealing with permanent settlements there is no great hurry.

23338. But in Assam would it not cause delay?—It would be much slower, but I do not know that any great harm would be done.

23339. Are not these settlement operations in any case rather harassing to the people?—They are.

23340. And you would prolong the torture?—No—one would move more slowly through the district, that would be all. In each village the duration of the work would be as at present.

23341. Would the Collector have time to do the work?—Yes, if the districts were smaller.

23342. Would there not be a lack of uniformity in the settlements?—Not if the Director was maintained.

23343. How long do you imagine settlement operations would last in the Assam districts if this was done?—In Assam you would probably get through it in six years, instead of in three.

23344. How many Collectors have you had in that time in a district under the present method?—I do not know exactly, it might be two or three, but there should not be two or three; I would keep every man five years in a district.

23345. At any rate you would have a settlement carried out very probably by more than one Collector, and you think that that would be as efficient as a settlement done by a single Settlement Officer specially detailed *ad hoc*?—No, I do not think it would be so efficient, but it would be more desirable.

23346. Where does the Director of Land Records come in; is it necessary to keep him?—On the whole it would be desirable, in order that we might compare the work of one district with another and maintain some uniformity.

23347. But is he to intervene, or, like the Commissioner, is he to be made an inspecting officer?—He should be chiefly an inspecting officer.

23348. Therefore the whole control is to rest with the Collector or Deputy Commissioner, subject to the final control of the Local Government, with a number of inspecting officers in between?—Yes, it comes to that very much.

23349. Is that a much better plan than the present?—I think more things would be disposed of locally.

23350. Do you think that is a better plan than giving the Commissioner considerable administrative powers?—A Collector is Head of the district and the Divisional Officers are his subordinates. Would it not be possible to make the sub-division a real entity, and make a Commissioner a sort of Sub-Governor in the Division with the Collectors under him, though of course in larger matters, as Sub-Divisional Officers are under the Collector?—I propose that certain duties of the Board should be delegated to Commissioners and Collectors. For instance, their functions with regard to appointments and numerous things.

23351. In Eastern Bengal, is the revenue work done by Deputy Collectors for special subjects?—Yes. The reason of it is that the criminal work is so heavy at present in Bengal that the Sub-Divisional Officer has little time to devote, say, to land acquisition work, so that a system has grown up by which a special officer working under the Collector disposes of it.

23352. Is that a good system?—No; it is desirable that it should be done by a Sub-Divisional Officer as far as possible; but I should like to see districts so small that sub-divisions were unnecessary.

23353. Does it give any adequate training to a young Civilian in the branches of a Collector's work before he becomes a Collector?—As a Sub-Divisional Officer there are many things he does not deal with before becoming a Collector.

23354. Before starting to split up districts in this way, might it not be better to re-arrange your work within the district so that you should have more Sub-Divisional Officers, and that each Sub-Divisional Officer should be performing the duties of a Collector on a small scale?—I would rather go for small districts at once than increase the sub-divisions.

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23355. You have told us that the police are much less in evidence here than in Eastern Bengal; might that not be largely due to the fact that you have these circles with Sub-Deputy Collectors scattered about?—Circle Sub-Deputy Collectors are only a very recent institution.

23356. Do you ascribe it to the sub-divisional system, or is there any special reason which alters the atmosphere?—Crime is much less in Assam, and it is a raiyatwari settlement; the people have got to look to the revenue officials rather than to the police as the administrative agency.

23357. Have you not a great deal of registration work in Bengal? The Collector is the District Registrar with Sub-Registrars under him?—Yes.

23358. Might you not have a full-time District Registrar—in the heavier districts at any rate?—That is a question which I have not considered.

23359. (*Mr. Hichens.*) Are you in favour of Advisory Councils for a Collector?—In Bengal the Advisory Councils and District Boards would overlap very much, and I should not at present recommend them.

23360. Would the District Board serve as an Advisory Council on matters outside Local Fund matters, or would you simply leave things alone?—I would not embark on Advisory Councils in Eastern Bengal at present.

23361. Nor in Assam?—I have never been a District Officer in Assam, so that my opinion would not be of very much value.

23362. Your Local Boards in Eastern Bengal and Bengal generally have very little power?—It varies; in some districts they have more power than in others.

23363. Might they not get larger powers, and might not the people take more interest in them, if the Local Boards did more and the District Boards less?—I certainly think, if the Local Board is to be retained, it should be made of more practical use than it is at present.

23364. But you are quite prepared to abolish them?—I would.

23365. That, of course, is because of your suggestion as to small districts?—Yes.

23366. We have been told on more than one occasion that there is no village organisation left in Bengal; is that your experience?—No, it is not altogether my experience. The villagers at present decide a great many matters among themselves. The man who is called the *matabar* in Eastern Bengal is a well-known man and he decides a great number of petty social cases.

23367. Are the villages scattered?—Yes. The houses are not in a clump.

23368. But are they sufficiently compact to be recognised by the villagers themselves as a unit?—Yes; they are rather sketchy, but we could, and have, cut out areas, which are the legal areas under the Chaukidari Act.

23369. A man would know which village he belonged to, for example?—Yes, especially where we have had a survey.

23370. Is it possible to develop organisation there?—Yes.

23371. You think they should be of a size to contain about 300 households. Would a number such as that be practicable to deal with?—I think so, if the districts were somewhat smaller.

23372. What sort of machinery would you suggest to start it; could it be done by the existing staff?—It could be done slowly, of course; it could not be done by a stroke of the pen, but a Collector could tour in one part of the district one year, and in another part the next year.

23373. You would not advocate a system of appointing special officers in these districts for the purpose of developing the system or giving it a fair start?—No, I would rather have the Collector do it slowly; I think everything should be done by the Collector himself.

23374. But how could he deal with that large number?—At present in Eastern Bengal we have to deal with a great many panchayats. My recollection is that in Backarganj we had 700 odd panchayats which we dealt with.

23375. I understand in Backarganj alone, there are some 1,500 villages; would not that be an unmanageable number for the Collector to deal with?—Taking a district at this present size, yes, but if it was divided into two or three it would not be an unmanageable quantity. The Collector would have people like Circle Sub-Deputies who would be immediately dealing with them.

23376. Would they be the people who would be primarily responsible?—Yes. I would institute the system in each part of the district, and the Sub-Deputy Collectors should be left behind to work it.

23377. Would they be capable of giving it the necessary encouragement and assistance?—If they were carefully selected, yes.

23378. We were told it frequently happens that villagers are under the thumb of one or more zamindars; what would you say as to that?—That is frequently the case.

23379. Would they not rather over-shadow the village councils?—There would be a tendency that way, which of course the Collector and Sub-Deputy would be there to guard against.

23380. A point was made by some one that if you had village councils they ought to be somewhat large, consisting of several villages, so that you would have them of such a size that two or three zamindars would be concerned, and the influence of one might counteract the influence of another; what do you say as to that?—The zamindars in Eastern Bengal often own very large tracts.

23381. At any rate, the point does not appeal to you?—It does not.

23382. In most of the parts with which you are acquainted, might some system of that sort be worked out?—Yes. Where the people are addicted to party feeling, it would mean failure, but on the whole it might work well.

23383. A very great deal would depend on the personal supervision which was given to the matter?—A very great deal.

23384. Do I understand you to say that the place of the chaukidar of Bengal is taken by the headman here?—Yes; he performs very much the same functions.

23385. Supposing you had village councils, would you suggest that the chaukidar should disappear?—I should prefer to have a man like the *gaonbura*, who is a more useful man on the whole.

23386. Would your new village council in Bengal have a headman?—Yes.

23387. Might he very reasonably replace the chaukidar?—I am not perfectly certain upon that point; at present we have both panchayat and chaukidar in Eastern Bengal, and the chaukidar is subordinate to the panchayat; if the people desired to retain the chaukidar I would retain him, and remunerate him by granting him land.

23388. Would it be necessary to give village councils power to impose taxation?—I should try to avoid it, because it would render them unpopular.

23389. They might possibly get some small assistance from the District Board?—Certainly.

23390. Would they have anything to do with education?—I would have the village schools looked after by the village councils.

23391. But the expense would be met by the District Board?—Yes, that is to say, by the villagers themselves who pay the local rates.

23392. Would you propose that village councils have substantial representation on the District Boards, or would you have the two completely independent?—A very convenient system would be that the election to the Boards should be from the village councils; at present we have a general election, which is not satisfactory.

23393. That is to say, without going into detail, the village council and the headman of the different villages should form the electorate of the Board?—Yes.

23394. Assuming the Local Boards to be abolished as you suggest, could their functions really be taken over by village councils?—Very largely.

23395. Would it be possible to represent anything like each village on the District Board?—No, there could not be a representative from each, but they could be grouped together, and one could be sent from each circle, that is, from each Sub-Deputy Collector's circle.

23396. But would you not want to give expression to their opinion in some way by resolving them into some form of intermediate Board?—No, except for the purposes of electing the member.

23397. Do you not think they would each look after the affairs of their own locality better?—I would not be opposed to joint meeting, occasionally, if it was found useful.

23398. At any rate your opinion is that there is not too big a gap between the village council, which is something small, and the District Board, which is big?—Not when there is the Sub-Deputy Collector grouping them.

23399. Is it your experience that members of village councils are interested in their work?—Some of them; I found the District Board at Backarganj a most useful body.

23400. Were they interested in their own particular areas, or were they interested in the work of the district as a whole?—Naturally they were chiefly interested in their own areas, and I found they were wanting in general knowledge of the district, because very few of them had been about the district; they knew their own locality, but when it came to the question of the district as a whole, I and one or two others were the only people who knew it.

23401. Do you find that lack of local knowledge destroyed their keenness?—No, I do not think so.

23402. Do you find that the Local Board displayed *pro tanto* more keenness?—The Local Boards were not satisfactory bodies; they had very little to do and took little interest.

23403. Perhaps if they had had more to do, they might have been keener?—Perhaps so.

23404. It has been suggested that Advisory Councils should be appointed particularly for Collectors and Commissioners. Eliminating the work that goes to the District Board, Local Boards, and village councils, are there any specific matters left with which an Advisory Council could profitably deal?—They might be consulted on settlement matters, and on political matters they would be a good deal of help. Those are the sorts of matters on which one would consult them. If there was going to be any bad feeling between Hindus and Muhammadans, you might consult them, and indeed at present we do consult prominent citizens if there is anything of the sort going on.

23405. For instance, in a purely agricultural matter you might not think it desirable to consult local pleaders?—That is so, unless they were also zamindars.

23406. Therefore, if you had not an Advisory Council, you would have a free hand to consult people whose advice was worth having?—Yes.

23407. Would that not be better than having a Board which represented various points of view?—I think so, on the whole, at present; I am not immediately in favour of Advisory Councils.

23408. What period of residence is desirable for a Collector in one district?—As long as possible.

23409. You would not limit it, for example, to five years?—Certainly not. I was only beginning to know the district at the end of ten years.

23410. You did not find you were getting stale in that district?—No, I did not want a change; I would go back to-morrow willingly.

23411. You would attach great importance to permanence?—Very great importance.

23412. Did you find the Secretariat rather apt to treat your proposals with a lack of sympathy and on a uniform plan?—No, not very much; there were one or two cases which have happened recently—one in Assam and one in Bengal—where we sent up a scheme for a provident fund for the recorders in Assam, and similarly in Bengal for the employés of the Settlement Department. The two schemes were sent in quite independently, but they were both very summarily rejected by the Government of India. Broadly speaking, however, I have not much to complain of.

23413. (*Mr. Dutt.*) Are there many landed estates in Assam owned by zamindars?—No, there are in Sylhet, but very few in the Assam valley.

23414. The last witness told us that local cess was levied on all estates; what does "estates" mean?—In Assam the word "estate" includes both permanently-settled estates and what we call holdings in Bengal.

23415. What is the general extent of a holding?—It is very difficult to say. The villages in Assam are rather artificial, and cut through a man's holding very often.

23416. But what would be the area which a man actually cultivates?—About five acres.

23417. Are you settling all that land under the *raiyatwari* system?—Yes.

23418. Are there no middlemen in Assam Valley?—No; broadly speaking there are none; there are people who hold on half rates and they sub-let, but they are the exception.

23419. Is the cultivator directly under the Government?—Yes.

23420. On what principle do you proceed to fix your assessment?—It is done by the unit rate system in Assam.

23421. Is that the same system as is adopted in Madras and Bombay?—It is the same as was adopted in the Central Provinces.

23422. It involves rather elaborate calculations?—It is fairly elaborate.

23423. What proportion does the revenue bear to the nett produce?—I should not like to give figures.

23424. When did the present settlement begin—was it in 1904-5?—It was about then; the previous one expired in 1904-05, but that was before I came to this province.

23425. Have you finished any of the Assam districts?—Yes, two.

23426. Can you tell me what the general result has been?—In Kamrup the demand is practically unchanged, and in Sibsagar there has been a slight increase.

23427. The period of the last settlement was 15 years, and the period of the present settlement is 20 years?—Yes.

23428. During those 15 years was the revenue increased year by year, according to the extension of cultivation, as has been done in other provinces?—There were increases in some districts and decreases in others.

23429. Does the Settlement Officer's report go through the Deputy Commissioner to the Government?—It comes to me and I forward it to the Board, and then the Board take the opinion of the Commissioner and the Deputy Commissioner before passing orders.

23430. So that it comes from the Board of Revenue to the Commissioner and Deputy Commissioner invariably?—Yes, sometimes the Settlement Officer sends copies of the reports simultaneously, but that is immaterial; they are consulted and I am consulted.

23431. Have the cultivators a chance of knowing what rates are recommended before they are sent to the Board for sanction?—Yes. They are posted up on a notice-board in the village; objections are

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called for and they are forwarded to the Board for disposal.

23432. Might not your proposal of cutting down districts lead to a great increase in the number of districts?—Not in Assam so much; in Bengal most of the districts would be made into two.

23433. Do you not think the object would be fulfilled if instead of cutting up the districts the number of officials was increased in order to meet the extra work?—No, it would not be so satisfactory as having each Executive Officer with a smaller compact district.

23434. There are certain Deputy Collectors who now do both revenue and criminal work. Would they be subordinate to the Collector or to the Criminal Judge?—Those doing criminal work would be on the staff of the Executive Officer; I would divide the work.

23435. Were very few unions created under the Local Self-Government Act in Bengal?—Very few.

23436. The other unions, which have been created under the Chaukidari Act, have been created mainly with the object of realising the tax and paying the chaukidars?—Yes; that was the primary object.

23437. So that practically no endeavour has been made within the last 50 years or more to organise village communities in the way you recommend?—It might not have been done on any legal basis, but in Backarganj we made very great use of the panchayats.

23438. But there has been no legislation on the subject?—No, although by individual action the Collectors have in many districts made great use of the panchayats.

23439. But there has been no consistent policy followed to create village unions?—No, not to give them a legal basis.

23440. Is it desirable that this should be done now?—Very desirable.

23441. Would you recommend that there should be a Sub-Deputy Collector in each thana or in a circle consisting of two more thanas?—I should think the circle should be smaller than the present thanas; the thanas, however, have been altered lately; they have made all the outposts into thanas.

23442. Supposing there are 23 thanas in Backarganj, would you also have 23 Circle Deputy Collectors?—I am not perfectly certain; I should like to work it out.

23443. Would the limit you would assign to a Circle Sub-Deputy Collector be that of a thana or would it be larger or smaller?—I should think it would be about the size of the new thanas which used to be called outposts, but it would be different in different districts; in Backarganj, for instance, a man would need a smaller area than in some other districts.

23444. But the thana limits are very well known amongst the people, so that there would be an obvious advantage in making your new limits coincide with the thana limits?—Certainly, where the thana is not too large.

23445. Is it your idea that Circle Deputy Collectors should be created, who would be the general Executive Officers within their own limits?—Yes; I would not necessarily call him a Circle Sub-Deputy Collector; I would give him some better title. If my whole scheme be accepted, the Circle Officer would be purely executive, and would not have judicial powers as a Magistrate.

23446. Is the only link between the Government and the people now through the police officer?—No, it is through the panchayat.

23447. But above the panchayat?—I did not correspond with the panchayat through the police; I always correspond with them direct.

23448. Is that the usual rule in all parts of Eastern Bengal, or was it a practice you adopted yourself?—It was especially so in Backarganj.

23449. At any rate if you had Circle Officers, you would have a link between the panchayats and the District Officer?—Yes.

23450. Would you entrust those Circle Officers with the duty of organising and supervising the work of panchayats?—Yes.

23451. Have zamindars very much influence in villages away from their own headquarters in Eastern Bengal?—It depends on the zamindar; some of them have very much influence, but of course it is greater just around their residence than it is further away.

23452. Is the influence so great that it is likely to endanger the work or the independence of the village panchayats?—In many places it would be. Generally speaking, if we had Circle Sub-Deputies, and the Collector were free to tour about and use his personal influence, we could counteract any bad influence of that kind.

23453. With regard to Public Works executed in districts, should the District Officer have more control?—We tried it in Eastern Bengal where the Public Works were made over to the District Engineer, and I found the system worked well, but perhaps that was because I had a very competent officer.

23454. Supposing the work is done through the Executive Engineer of the Public Works Department, should the District Officer have more control or supervision over it?—It would be difficult to work it.

23455. Would you leave the Executive Engineer under his own superiors?—After a thing was sanctioned, I would leave the execution of the work to him.

23456. Is there only one Executive Engineer, generally speaking, in a whole division?—I think that is so.

23457. (*Sir Frederic Lely.*) You would not enforce modern rules or laws or any other vexatious arrangements on the villagers?—I would not, but of course I would like them to have good drinking water.

23458. I am speaking with regard to cleanliness. Do you see any objection to a law sufficiently elastic to enable them to secure cleanliness in their own way?—I would not make any law on the subject.

23459. Not even a permissive law?—I do not think it is called for in the districts that I know. I would not interfere with them.

(*The witness withdrew.*)

Srijut MANIK CHANDRA BARUA was called and examined.

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23460. (*Sir Frederic Lely.*) You are a pleader of this place?—No, I am the Vice-Chairman of the Gauhati Local Board and the General Secretary of the Assam Association. Also a Municipal Commissioner and an Honorary Magistrate.

Assam is more highly taxed than almost any other province. On the other hand, Assam contributes to the imperial exchequer one-third of her revenue. Notwithstanding this extraordinary high rate of land revenue being a little more than double of that in Bengal, she has been left entirely in the shade; she has not received even one-tenth of the facilities for education as Bengal has received. A first grade college has not yet been started, while the second grade one was started anew only five years ago, after the abolition of the old one in 1872. In the face of these drawbacks, we are asked to compete with Bengal in the matter of appointments.

The great problem of working out the potential assets of the province by reclaiming vast areas of culturable waste land has not had a fair trial. Sir Henry Cotton's colonization scheme, which after some modifications would have proved a most excellent measure, was simply shelved. The supply of cheap local labour to the tea-gardens has not yet been tried. Instead of affording facilities to the Assamese for entering in the different branches of

the Public Service, rules have been framed depriving the people of the advantages and privileges which they had enjoyed before. The Assamese either enter service or take up agriculture. Traders or mercantile classes amongst them were before wholly, and even now are almost wholly, unknown.

The present rules made for the appointment of persons to the Provincial and the Subordinate Executive Services have, in the first place, reduced the age limit to 25 years in all cases and have thereby practically debarred the Assamese B.L.'s from entering into Government Service. There is no separate Judicial Service in Assam, and the members of the Provincial Service have to do the whole civil work. None of the existing members of the Provincial Service, who had been recruited from the Bar, could have been appointed if the present age limit had been in force at the time of their appointment. Formerly the Provincial Service was almost a monopoly of the members of the Subordinate Civil Service. Now that only two appointments have been allotted to them and the age limit for promotion has been fixed at forty, and they have been thrown at the disadvantage of a keener competition by the amalgamation of the Assam and the Bengal Services, the legitimate aspirations of the Assam Sub-Deputy Collectors have been unjustly cut short and the Service has now become less attractive to our young men. And hence the promising Assamese graduates refuse to enter into Government Service as Sub-Deputy Collectors as was the case in the last conference for the selection of candidates for the Executive Services. As an instance of harm due to the amalgamation, out of 26 direct appointments to the Provincial Service only one has up to date been given since the partition to the Assamese.

At the last settlement during the year 1904-05 there have been too minute classifications of lands and a further considerable enhancement of revenue. Increments have from time to time been made not by any fixed principle, nor on a small and reasonable scale, but by leaps and bounds without any reference to the productive power of the land which has rather decreased.

As regards the sympathy of the rulers towards the ruled, that is possible only if the District Officers mix more freely with the people entrusted to their charge. The Military District Officers of the old type were noted for their sympathy for their people. They used to pay visits to their Indian subordinates and to other leading gentlemen who, on the other hand, had ample opportunities to open their minds to them. But at present, young Civilians have been placed in charge of districts who are frequently transferred, so that they do not obtain sufficient opportunities to mix with the people even if they had a mind to do so. One evil effect of the partition in this province is that old Assam officials who knew the people have all been transferred to Bengal. In the Provincial Service also Bengal officers who have no knowledge of, or sympathy towards, this province or its people have been given important charges here.

The requirements of this province have oftentimes been neglected for want of funds, there being no reserve funds to meet extraordinary charges. Although famines are not known in Assam yet the people suffered terribly from the *kala-azar* for many years which caused appalling mortality and the great earthquake of 1897 which did most serious damage, especially to the lower districts of the province. The extent of the damages caused by the earthquake will appear from the fact that although at the new settlement increase of revenue has been as a general rule from 5 to 10 per cent., and in a good number of cases from 20 to 30 per cent., and in some instances from 50 to 60 per cent., yet the result of the assessment has been a decrease of 2 per cent. If the revenue of this province had been entirely under the control of the Local Government subject to the payment of a certain percentage to the Supreme Government, as in Germany or America, it would have been in a better position to meet all local requirements and face the difficulties in exceptional cases which it understands better than the Supreme Government.

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If the Local Government could have been more independent of the Supreme Government in controlling their own revenue they might have introduced reforms in the internal management of their administration which they cannot now do without the sanction of the Supreme Government, which often causes delay. As an instance, I can cite the constitution of the Provincial Service which formerly carried no posts of Rs. 700 or Rs. 800 a month.

The Local Government should be independent of the Supreme Government in the management of its finances, and they should also possess the power of making new appointments, and additions and alterations to minor establishments and undertaking minor administrative measures without the sanction of the Supreme Government but subject, of course, to their general supervision. As a safeguard, the Supreme Government may, by appointment of a Commission or otherwise, enquire into the way in which the various Local Governments are carrying on the work of their Governments, and this may be done in every five years or so.

The Commissioner of the Assam Valley districts should be given larger powers as in the past. He should have control over the Police, Excise and Education Departments, and should have also an Advisory Council consisting of about 20 members, two-thirds of which should be elected by the municipalities and Local Boards and the remaining one-third nominated by him. A similar Advisory Council in each district, though on a smaller scale consisting of six members, two to be elected by the municipality, two by the Local Board and two nominated by the Deputy Commissioner, might be formed to assist the Deputy Commissioner.

The number of appeals of all kinds now allowed by law or practice to the Supreme Government being small, so far as this province is concerned no modification of the existing rules seems to be called for. Any restriction on the existing rights of Government servants to appeal, will create unnecessary dissatisfaction amongst them.

The working of the Local Boards and municipalities has on the whole been satisfactory. The Local Boards which were constituted by a resolution of the Chief Commissioner, have not yet been placed on a legal basis, which has therefore put them to a disadvantage. Unlike the municipalities, they have neither borrowing powers nor independent funds. They should have full powers to appoint and dismiss all officers under them, and fix and regulate their pay. The Boards should be quite independent of the Public Works Department. The rules regarding the election of members also require considerable modification.

During the earliest days of the British administration not only petty civil and criminal cases but more important matters also were decided by panchayats selected from amongst the headmen of the villages. These panchayats were greatly respected by the people and were instrumental in maintaining order and peace in their villages. If this system can be revived now and really respectable and impartial men be appointed to the panchayats, it will be a great advantage to make over petty criminal and civil cases to them for trial. This will also save the people from the expense and worry of useless litigation. A better plan would be to prepare a list of all the leading men of the village or of groups of villages who can be called upon to serve on the panchayat, and also to appoint a permanent president for each village. When a case is referred to the panchayat each party may be asked to nominate two of the approved members, and they with the permanent president as their umpire may finally decide the dispute.

23461. You say that one evil effect which has followed upon the recent partition of Bengal is that Assam officials who knew the people have nearly all been transferred to Bengal?—Almost all of them.

23462. Do you mean that most of the older Assam officials are no longer in Assam?—As regards Civilians, yes. Most of the officials are new.

23463. Are the municipalities in Assam established by law?—Yes, according to the Bengal Municipal Act.

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23464. Would you make any great changes with regard to them?—Not with regard to the municipalities, but I would with regard to Local Boards.

23465. Are Chairmen of municipalities elected?—Yes, in first class municipalities.

23466. Do you consider that a municipality thoroughly represents the popular opinion, and that the members are thoroughly efficient in the discharge of local duties?—Yes.

23467. You say that municipalities and Local Boards should have full power to appoint and dismiss the officers under them. Would you give their officers any right of appeal against orders of dismissal?—Of course they would have the right of appeal to the Divisional Commissioner.

23468. You say that Local Boards should be quite independent of the Public Works Department?—Yes, and that the Public Works Department should have no control over their actions.

23469. What control has the Public Works Department at present?—All estimates above Rs. 1,000 have to be sent to the Public Works Department for approval.

23470. Is not an estimate a thing which requires professional scrutiny?—But there is a duly qualified overseer who can do that.

23471. Does not the overseer frame the estimates?—Yes.

23472. Then is it not desirable that there should be a superior authority to scrutinise the estimates in order to protect the Boards against loss?—It is not always necessary, and it causes delay. I think if we have an overseer who is paid Rs. 150 or Rs. 200 a month we might fairly trust him.

23473. Might he be trusted to draw up estimates to any amount?—No, not to any amount; to whatever extent the Board is able to pay for.

23474. Would you give the local Board power to give pensions on their own authority?—No.

23475. Would you give them final power to frame their own budgets?—They do frame their budgets, but budgets ought to be sent to the Commissioner for approval.

23476. Would you give the Commissioner or the Government power to order audits of accounts?—Yes.

23477. You say that the rules regarding the election of members also require considerable modification?—Yes, because at present the village headmen have entire power to elect members to the exclusion of everyone else.

23478. The people of the villages comprise the bulk of the population; is it the power of the village headman distinct from that of the other villagers which you object to, or as distinct from the town population?—As distinct from the town population; there are other men, people of property, who are better qualified to vote. I would propose that all persons paying a land revenue of Rs. 50 and upwards and all persons paying income-tax should be able to vote.

23479. But are not those rules virtually in force now?—No.

23480. Has there been any recent change?—Yes, certain rules have been framed recently.

23481. Have they had the effect of limiting the privileges which a special class of village had?—Yes.

23482. (*Mr. Hichens.*) You think the interests of Assam are not so well looked after now as they were when there was a Chief Commissioner?—Yes. First of all in the matter of education, that does not receive the encouragement which it deserves.

23483. Do you mean in the way of the formation of schools?—Yes, and colleges. We have no first grade Arts College here, no Medical College, and no Engineering College, nor have we any Agricultural Institution.

23484. Is the province big enough to have such institutions?—I think so.

23485. What have you to say with regard to appointments?—Certain rules have been made which have deprived the people of the privileges they enjoyed before.

23486. You point out that only a small proportion of the people of this particular province has been appointed to the Provincial Civil Service—what is that proportion?—Since the formation of the Lieutenant-Governorship, out of 26 appointments made, only one has gone to an Assamese, whereas we should, properly speaking, have had five, because there are five divisions in the province.

23487. Was not that because there was no one who had the necessary educational qualifications?—I do not think so. I think it is because they had no influence. We have been overlooked.

23488. Have you anything to do with the municipality?—I am a Municipal Commissioner.

23489. Is the Local Board compelled to give a proportion of its money towards primary education?—Yes.

23490. Does it decide the schools to which it will be given?—Yes.

23491. Does it decide whether new schools shall be built?—Yes.

23492. Does it do anything else?—Nothing else, but it makes appointments.

23493. Can it dismiss a man?—Yes.

23494. Apart from that are you concerned at all with education?—No.

23495. Do you think you might have further powers?—No, they are quite sufficient.

23496. Would it be desirable if you were allowed to alter the curriculum?—No, I am not for altering the curriculum. That should remain as it is.

23497. Generally speaking, are the rules laid down by the Education Department good?—Yes.

23498. Can the municipality give what sum it likes towards education?—Yes, it is not compelled to give anything, but they do give something.

23499. It is left free, whereas the Local Board has to give a certain proportion. Is that the difference between the two?—Yes.

23500. But supposing you made no provision in the municipal budget for education, what would happen?—There is always provision.

23501. Does the budget go to the Commissioner?—Yes, and he would point it out if there was no provision.

23502. Practically then you have to make some provision?—Yes.

23503. Do you think it is right that the budget should be controlled by some one?—Yes, by the Commissioner.

23504. Then you would not like the municipality to have freedom in that matter?—No, because the Commissioner must be the controlling authority.

23505. You do not think it would be good for you to have a free hand to manage municipal affairs as you liked?—The municipalities should be allowed to manage their own affairs as far as they are competent to manage them, but it would be going too far to allow them to do as they like.

23506. (*Mr. Dutt.*) You recommend the establishment of a first grade college here. Do many boys have to go to Dacca or even to Calcutta to prosecute their education?—Yes, and to Kuch Bihar also.

23507. Is their number very large?—It is very large considering the population.

23508. The population of the whole of the Assam Valley is somewhat less than the population of the whole Dacca district—the population is only 2,000,000, whereas in the Dacca district it is 2,600,000. Considering that fact, do you think if a first grade college was established there would be many students going up for their B.A. examination?—Certainly, because the results hitherto have fully justified such a course.

23509. A second class college teaches up to the First Arts examination?—Yes.

23510. How many students would there be in the first year class?—I should think 50, and in the second year 25 or 30.

23511. And if you had higher classes for the B.A. examination, you would have a larger number of students?—Yes.

23512. How many, 10 or 15?—Yes.

23513. Is the present system of settlement bringing waste land under cultivation?—I do not think so. Of course, with the increase in population, cultivation is gradually increasing.

23514. Would not any other scheme involve the bringing in of large numbers of people from Bengal and Bihar into Assam?—Yes, that would be part of the scheme. I would not object to that.

23515. You would not be in favour of keeping out outsiders?—Certainly not.

23516. You say that rules have been framed which deprive the people of the advantages and privileges they enjoyed before—to what rules do you refer?—The Service rules.

23517. One of the Service rules you refer to is the age limit of 25 years; is not that the rule for all India?—It was formerly 30 years here as regards pleaders; I do not know what it is for all India. I believe as regards Bengal, it is 30 years for the Judicial Service.

23518. Supposing it was 25 years for other provinces, would you make it 30 years in Assam in consideration of the backward state of the province?—Yes. That would enable the better qualified people of Assam, the B.L.'s, to enter Government Service.

23519. You say that formerly the Provincial Service was almost a monopoly of the members of the Subordinate Civil Service; do you mean it was recruited from Sub-Deputy Collectors?—Yes.

23520. Previously Sub-Deputy Collectors were almost invariably promoted to the rank of Deputy Collectors—is that a good system?—It is not a good system.

23521. Would it not be better to take better educated and better qualified men and to appoint them directly as Deputy Collectors?—Quite so.

23522. So that you would not leave the Provincial Service a monopoly of Sub-Deputy Collectors?—Certainly not; I think there should be a fair proportion reserved for them.

23523. What proportion would you fix?—About half and half.

23524. Is that not done now?—No, only two appointments are left open to the Sub-Deputy Collectors, and the rest are filled up by direct appointments.

23525. You spoke of 26 direct appointments to the Provincial Service. Was the fact that only one has been given to an Assamese due to the absence of a sufficient number of qualified Assamese?—There are sufficiently qualified Assamese.

23526. Do you not think, other things being equal, the Government here would show due consideration to the claims of the local people?—I do not agree with "other things being equal," because whenever an Assamese is found capable he should be given the appointment.

23527. You say that during the year 1904-05 reclassifications of land were made; were all the lands re-classified?—Yes.

23528. And were the classifications more minute than at the time of the previous settlement?—Yes.

23529. Do you speak from your own personal knowledge?—Partly from personal knowledge and partly from impression.

23530. You say that that has led to further considerable enhancement of revenue?—Yes.

23531. Which are the districts which have been settled since 1904-05?—Two districts.

23532. Has there been any large enhancement in the Sibsagar district?—I have been told so; Sir Bamfylde Fuller told me it was 7 per cent.

23533. And in Kamrup?—It is minus 2 per cent., because land has been thrown out of cultivation.

23534. And therefore considering the rate per acre you say there has been enhancement?—Yes

23535. You speak of the great calamities through which Assam has passed. What you really want is a larger amount of help and contribution from the Government of India, rather than independence in the management of your finances?—Yes.

23536. Your Local Boards are based on a Government Resolution; what is the date of that?—It was in 1882 during Sir Charles Elliott's administration.

23537. Has that Resolution been modified since?—It was modified by Sir Bamfylde Fuller.

23538. Has that improved the state of things?—I do not think so. The only material alterations made were with regard to the elections, but I do not think that is good enough.

23539. Ought there to be a legislative basis for these Local Boards in Assam?—Certainly.

23540. If a law was passed, would you follow the system which prevails in Bengal, and have a District Board in each district with Local Boards under it in different sub-divisions?—Yes, and I would give the Deputy Commissioner general control over all the Local Boards in his own district.

23541. At present do you get an income from the local rates?—Yes.

23542. Is that income sufficient for your purposes with regard to roads and bridges?—Yes, for ordinary expenditure, but we want more contributions for extraordinary and original works.

23543. You also get special contributions from the Government for educational purposes?—None for educational purposes, but I think we get a contribution from Government.

23544. You do not spend any part of the rates on education?—Certainly, we do; we spend about 40 per cent. of our income on education including the contributions.

23545. Is all the income which you derive from local rates spent on roads and bridges only?—And on education and medicine.

23546. One source of income is the local rates and another is the contributions which you receive from Government?—Yes, and there is a third source—the revenue from ferries, etc.

23547. Does the amount you spend on roads represent the whole of your income from local rates?—As a rule all the figures are mixed up together.

23548. Can you say generally whether the amount you spend on education is not entirely covered by the contributions you get from Government?—Certainly not; there is a large amount drawn from local rates.

23549. On that ground you would suggest that you ought to get a larger sum for educational purposes from Government?—Yes.

23550. Is the Local Board entirely in charge of primary education?—Yes; not of secondary education.

23551. Are the schools managed by sub-inspectors?—Yes, by sub-inspectors and deputy inspectors. They are officers of the Education Department; they are called the professional advisers of the Board.

23552. Would you suggest any change in regard to the inspection and supervision of these schools?—No.

23553. You are quite satisfied with the present state of things?—Yes.

23554. Are your panchayats based on any kind of legal basis?—No.

23555. Should some sort of legislative measure be passed, recognizing the panchayats?—That would be better.

23556. Are not the villages in Assam scattered?—Yes.

23557. Are there any recognized villages in Assam, or are there homesteads simply scattered

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all over the country?—There are villages with headmen. There are large villages and small villages.

23558. Would you like each village to have its own panchayat?—I should like it for groups of villages where villages are small, because it would be more workable.

23559. Would you recognise the *gaonburas* as members of the panchayat?—It would depend on their qualifications and standing in the village.

23560. Would you give the panchayats any further powers besides disposing of petty civil and criminal cases?—No, I would give them no other powers.

23561. Supposing the Local Board made over a certain amount of money for excavating a tank within the limits of a village, would you give the panchayat some sort of authority with regard to the carrying out of the work?—The Local Board might trust them if they thought fit.

23562. In sanitary matters, would you entrust the panchayat with any duties?—I am afraid the headman would not understand sanitary matters.

23563. You do not propose that the panchayats should be in any way subordinate to the police?—Certainly not.

23564. Do you propose to give them any sort of power to tax the villagers?—Certainly not.

23565. (*Mr. Meyer.*) Have you studied the last financial settlement between the present province and the Government of India?—No.

23566. You mentioned the 25 years' age rule as being prejudicial. Do you think it is a rigid rule?—Yes.

23567. And you have never heard of it being relaxed, and the Head of a Department allowing a man to come in after that age?—Of course the Lieutenant-Governor has power to relax the rule.

23568. The population of this new province is about 32,000,000?—About that.

23569. And the number of people who speak Assamese is about one and-a-half millions?—About two millions.

23570. So that one appointment of an Assamese out of 26 appointments to the Provincial Service is not after all such a bad proportion?—If you take it by population, of course it is not—but then population is no test.

Mr. N. Bonham-Carter was called and examined.

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23571. (*Sir Frederic Lely.*) You are Inspector-General of Police?—Yes.

The question of decentralization depends not on a change in the system of administration, nor in the alteration of petty rules for the delegation of authority, but simply on a change in the spirit of the administration, and particularly on the manner in which District Officers are regarded. The essential points to secure decentralization are:—That the District Officer should be a man fit for his responsibility; that he should be left in his district sufficiently long to obtain a thorough knowledge of his district; that he should have sufficient leisure to obtain such knowledge; that he should be trusted and left alone to run his own district in accordance with existing orders. From these propositions the following consequences flow:—Officers unfit for responsibility should be more freely passed over; transfers should be avoided, local allowances being given to compensate officers for remaining in bad districts; a second officer should be posted in every district to relieve the District Officer of some of his work, particularly that which confines him to headquarters, and to act for him when he goes on leave; transfers on personal grounds should not be allowed; and Commissioners and higher authorities should not interfere with District Officers on grounds of expediency but only on grounds of necessity.

Directors and Inspectors-General under the Government of India should be merely advisers to the Government of India. They should not interfere directly with the departments under Local Governments.

In regard to information about the recent agitation, the demands of the Government of India have been excessive. Government ought certainly to have full information of what is going on, but immediate telegraphic information and immediate detailed reports on individual occurrences ought not to be required of Local Governments, nor by Local Governments from Local authorities. One monthly report to the Government of India dealing with all matters should be sufficient. As a matter of fact, the Government of India does not take action on these reports. They are required, because it is thought to be a reproach that information should be given to the public through the newspapers before it has reached the Government of India from its own officers. But it is paralysing to the man on the spot, whose whole energy should be devoted to dealing with the situation, if he is required to submit reports sometimes in cypher of what is going on. Apart from distracting his attention, there is a chance of the Local Officer committing himself on insufficient information to an opinion, and there is also the fear that the action which he takes is not what he considers best, but what he believes his superior officers will think best. Much of this information was called for at the instance of the Secretary of State.

The Board of Revenue is a fifth wheel in the coach of the Administration, and should be abolished.

While I consider that Commissioners should possess extended powers to be exercised in emergency, it should be understood that their powers should not be exercised except when interference is necessary. They should not be exercised merely on the ground of expediency. The test of the need for interference should not be whether a given course of action taken by a District Officer is, in the opinion of the Commissioner, the best possible, but whether that course of action will lead to disaster or trouble. The further delegation of powers is not a matter which seriously affects the question of decentralization. Here and there some small powers might with advantage be delegated, but the essence of the problem of decentralization depends more on the spirit in which existing rules are applied than in any change of rules.

The powers of appeal if properly exercised are a protection, and a necessary protection, against injustice due generally to unconscious prejudice.

Executive Officers have not sufficient opportunity for personal contact with the people. The obstacle is generally the excess of office and inspection work. I was for 2½ years in charge of the Mymensingh district; the office work was overwhelming, and when I got away from my office, I hardly ever got off the main roads, and wherever I went I had inspection to do in the day time and a heavy dâk at night.

Sub-Divisional Officers have generally a good knowledge of the vernacular, but District Officers owing to their doing all the work in English and coming little in contact with the people usually forget the language, or are transferred to a district where a different language is spoken, and for the reasons mentioned above never learn the new language thoroughly .

In all districts besides the District Officer, there should be an officer of the standing of a Joint Magistrate, who would relieve the District Magistrate of his routine work and of many of his less important duties, especially those which keep him at headquarters. Also when the District Magistrate goes on leave, the Joint should act in his place until his return.

Several of the districts of the province are too large. In Eastern Bengal generally the districts should not exceed 2,000 square miles with less thickly populated districts, or 1,500 square miles in the thickly populated. The population of a district should not exceed 1½ millions. An officer should be able to get a fairly good grasp of the

local conditions of his districts in, say, four months' touring.

Appointments should be made more by selection. My idea is trust the District Officer and leave him alone. It follows that the District Officer must be an officer who can be trusted. I do not think that larger powers should be given to Commissioners.

Transfers of officers are far too frequent, and this more than any other fact is the obstacle to decentralization. I would suggest the appointment of a second officer in each district who would act whilst the District Officer is on leave; the grant of local allowances in districts which are specially unpopular owing to unhealthiness, loneliness, excessive work; the recognition of the principle that a District Officer must stay in the district to which he is posted for at least five years exclusive of leave, and particularly that on return from furlough he will be posted again to that district if his five years are not complete. (This would of course be facilitated if there is a permanent Joint Magistrate in the district, and the local allowances will afford some compensation to officers who are kept in a bad district.) Lastly, that claims of seniority and personal consideration other than fitness for the administration and genuine ill-health should not afford a ground for transfer.

I am very much opposed to the creation of Advisory or Administrative Councils to assist District or Divisional Officers.

District Boards should not be given power of supervision over smaller municipalities.

Every effort should be made to devise some scheme by which greater power in the disposal of petty civil and criminal cases should be made over to village authorities or some other local unpaid authority.

23572. You think that Directors and Inspectors-General under the Government of India should not interfere with the Departments under Local Governments. In your experience have they ever so interfered?—No; they have not; the Director of Criminal Intelligence has only recently been appointed.

23573. Have you had any experience of his influence upon the Local Government?—Very little; only in one branch of work.

23574. Has he been in this province at all?—Yes, he has visited here.

23575. You refer to the tax upon officers in times of agitation having to telegraph information and send detailed reports; what are the matters to which you refer?—The orders are that if any occurrence or any rioting which has a political aspect should occur, it shall be reported at once by telegraph; the orders are simply executive.

23576. The telegraphic reports which you are required to send are not necessarily long?—No.

23577. Is it understood that you must send a subsequent detailed report?—Yes.

23578. At once, or are there any explicit orders about it?—Except with regard to specially reporting on crime, I do not think there are any detailed orders.

23579. Is that not reasonable?—It is quite reasonable if the insistence on the immediate report is not adhered to.

23580. But is that insisted upon?—I am under the impression it is.

23581. You say that it is paralysing to the man on the spot whose whole energies should be devoted to dealing with the situation and so on; do you speak from actual experience?—I have in my mind one case.

23582. Was it a case when the necessity of an immediate report resulted in evil effects?—No, I cannot say that definitely.

23583. Had it a bad effect?—The general effect is bad.

23584. Have all cases of collisions between Europeans and Indians to be reported?—Yes.

23585. Is that unnecessary?—In many cases it is unnecessary; an inelastic rule brings in a lot of cases which need not be reported at all.

23586. Are you satisfied with the position of the Commissioners?—I think sometimes there is a tendency to interfere too much with the District Officer; it depends a good deal, of course, on the man.

25387. Would you agree that it is more important for a police officer than for an administrative officer to be able to speak the language well?—Yes, I should think so.

23588. As a matter of fact, do you know whether there is any record kept of a man's power to converse easily with the people?—He has to pass examinations. There is nothing more that I know of.

23589. Does Government lay much stress upon such knowledge?—No; in making transfers and things of that sort I do not think it is considered to any extent.

23590. Have you ever known a case where Government has conveyed an intimation to a man that they understand he makes no effort to learn the language?—Not apart from the examination.

23591. Are you satisfied with the rules for examination?—Under existingg circumstances they are as much as can be expected.

23592. But as a test of a man's efficiency are they all that can be desired?—Yes, I think so.

23593. Do they lay enough stress on colloquial knowledge?—I cannot say; they have just revived the rules in this province, and they have laid more stress on colloquial knowledge.

23594. Does the Examination Committee as a rule apply the test with sufficient severity?—As far as I know they apply it fairly severely.

23595. You suggest that a District Officer must stay in a district to which he is posted for at least five years, and that particularly on returning from furlough he should be posted again in that district, if his five years are not completed; but would that not mean disturbing another man who might have been put in his place for a year?—If there is a second officer on the spot, that would not apply.

23596. But if a man goes home, say for a year or a year and a half on furlough, and another man is put in his place, when he returns, would you have him turn out the man who has been for a year and a half in the district?—Yes.

23597. But would that be of any advantage?—Yes, I think it would. Furlough does not often last for a year and a half, and a man who might be going on furlough would have a junior to fill his place who would revert to his original position on his return; it would be better for a man after his leave to go back to his district, otherwise you cannot be sure of ever keeping a man in a bad district for more than three years; if he wants to go, he has only to apply for leave, and he goes away.

23598. Then would you make this rule as a check on a man too freely applying for leave in order to get out of a particular district?—Yes. That is part of the reason certainly; otherwise in an unpopular district you would never be able to get a man to stay more than three years, because he has simply to go on leave in order to get away from it.

23599. Would you approve of a rule that a vacancy in the post of Head of a district or a Superintendentship of Police should be filled up ordinarily by a man on the spot, if there is anyone competent to fill it?—Yes.

23600. For how long?—It depends on the class of man you have there, but I should like to see, taking the general administration, a Joint Magistrate who might be put into the position for a year even.

23601. But if he was a very junior man, you could not override the rights of a senior for too long?—No

23602. What limit would you place?—I think I should say for a year.

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23603. (*Mr. Meyer.*) You speak of passing over officers for promotion, but what would you do with a man if you found him unfit for the Collectorship; would you keep him on indefinitely?—Yes.

23604. Do you think he would do much good afterwards as a Sub-Divisional Officer?—Probably not.

23605. Would you be prepared to let him take a proportionate pension and go?—Yes, that would be very sound if you could do it.

23606. When a Collector is passed over for a Commissionership, would you apply the same rule?—No, I should not, because there would not be the same grievance, as it is already understood that those appointments are made more or less by selection.

23607. Do you mean that a Commissionership should be a selection appointment?—Yes, the idea exists at present.

23608. Has it been carried out in practice?—I think so.

23609. Taking Bengal as it was, would you say that the Commissioners as a whole were men of the best stamp?—I should say the Commissioners chosen are usually fit for the post: I would not say they are absolutely the best; that is to say, I think a man who is fit for the post is got; I do not mean to say that there are not junior men who are as good as he is.

23610. How long have you been Inspector-General of Police?—Just over two years.

23611. Have you had a good deal to do during that time with the Director of Criminal Intelligence?—I have not had much to do with him. He corresponds direct with the Deputy Inspector-General as to crime and so on, and I have not had much correspondence with him myself.

23612. Is his correspondence with your Deputy Inspector-General with regard to the movements of inter-provincial criminals?—Yes.

23613. Do you see that correspondence?—I do not see all of it.

23614. But you could if you wanted to?—Yes.

23615. Is there anything in that correspondence that is liable to undermine your authority in the province?—I think there have been perhaps two cases, one in which he asked why a certain course of action had not been taken in a matter which was entirely for the provincial Government to deal with.

23616. We have been told that the instructions of the Director of Criminal Intelligence are not really orders—do you agree with that?—That is so.

23617. He does not issue orders direct as to a subordinate?—No.

23618. When he comes here, do you find his visits of use, or do you find that he is too inquisitive?—Not in the least.

23619. On the whole, is he of assistance to you?—Yes, I think so; he certainly has not interfered.

23620. If you had the power, would you have a Director of Criminal Intelligence, or would you do without one?—I do not think from the point of view of those below he is of much use.

23621. Do you mean that from the point of view of the provincial Government, it does not matter whether he is there or not?—Yes. As adviser to the Government of India, probably he is very useful; but from a provincial point of view, I do not see that he benefits us very much.

23622. Do you consult him on points of discipline or organisation, or would you consult him if in doubt?—I have not done so.

23623. Have you completed your police reorganisation scheme?—We have not finished it.

23624. Have you had any interference in regard to that?—Very little.

23625. With regard to reports of occurrences which are of a *quasi*-political character, there are questions sometimes asked in Parliament?—Yes.

23626. Is it not desirable that the Government of India should know about those things at the outset here?—If they have to answer them, of course it is desirable.

23627. Are there not also frequent rumours in the native press?—Yes.

23628. Is it not an advantage that the Government should have your side of the case as well as what may be a distorted version from some one else?—I am not aware that it is any advantage, and I think the dangers outweigh the advantages very largely.

23629. Have you never been called upon by your own Government to make report upon press extracts?—No, that would be left to the District Officer.

23630. You would abolish the Board of Revenue?—I think both the Board and the Commissioners are not required, and I do not know that it would not be better to abolish the Commissioners and maintain the Board.

23631. You do not care which goes?—No, I do not think we want both.

23632. Assuming you abolished the Board, would you give the same powers as the Board now possess to the Commissioners?—Either to the Commissioner, or Government should absorb the powers.

23633. Taking your first alternative of abolishing the Board, do you contemplate any material strengthening of the Commissioners?—Some of the duties now performed by the Board would have to be done by the Commissioners.

23634. Would you make over the rest to the Government?—I would.

23635. If you abolish the Commissioners, would you propose to strengthen the position of the Collectors?—I do not think it is necessary to strengthen a Collector's position by giving him more power, but he ought to have a freer hand.

23636. A Commissioner discharges certain functions at present; for instance, he deals with local budgets and so on, and he deals finally with a certain amount of revenue work. If he disappears, who is to do the work—the Government or the Collector?—I cannot say to what extent it should be left with the Collector or to what extent it should go to the Government; I have never thought out the details of any scheme.

23637. Do you regard the Commissioner as a person who ought merely to be a peripatetic gentleman giving advice?—Yes, and who inspects.

23638. But with no definite administrative powers of his own?—I do not mind the definite administrative powers, but there is constant interference outside his legal powers with the District Officer.

23639. But if you do not give him definite administrative powers it is bound to happen that he will either do nothing or he will become fussy and meddlesome. Might it not be better to make him a sort of Sub-Governor, and give him definite powers of administration?—You cannot stop the power of interference; if he wishes to interfere he can interfere simply by the authority he has over the Collector. If he says, "You must refer to me before taking certain action," you cannot prevent him.

23640. But if you give him some important work to do, he is less likely to interfere with the Collector in petty matters than if he has not important work?—Probably.

23641. Would you be in favour of giving the Commissioner, say, some larger position—giving him a budget, for instance, to dispose of in Public Works grants, and giving him various powers and work to perform?—I should not be in favour of that.

23642. The Sub-Divisional Officers in Eastern Bengal are confined to magisterial work as a rule?—Yes.

23643. And even there they do not take appeals in second and third class cases?—No.

23644. Everything else, including the work of the headquarters sub-division, is put on the District Magistrate with the help of Deputy Collectors all concentrated at headquarters and dealing with subjects for the whole district; do you regard that as a satisfactory system of administration?—No, I do not think it is.

23645. Does it give the junior Civilian the training which will qualify him to act as a Collector when he becomes one?—Of course in a sub-division he get good training.

23646. He will have done magisterial work, but will he have done any revenue work?—No.

23647. Therefore he would become a Collector without having done any revenue work; do you approve of that?—No; in Bengal there is very little revenue work; there is a certain amount, but of the Collector's work in Bengal so much must be done at headquarters.

23648. But what about stamps and income-tax; would it not help the people if they had their own local man who could deal with those matters?—But neither stamps nor income-tax involve very much travelling to headquarters.

23649. You think the existing state of things is good then, except that it does not give a good training to Civilians?—I think a Sub-Divisional Officer at headquarters would be a good thing.

23650. But he would still be a mere Magistrate, and there would still be the group of Deputy Collectors doing the subject's work?—Yes.

23651. Your Local Boards in Eastern Bengal do very little; do you think they might do more, or would you prefer to abolish them?—I think on the whole I would rather abolish them; I do not think you can get good men both on the Local Board and on the District Board.

23652. Then is your general idea centralisation within the district?—Yes.

23653. You want to elevate the position of the Collector and to protect him from the interference of Commissioners and so forth, but you do not want him to delegate any powers to Sub-Divisional Officers?—Yes, I think so.

23654. You have a good deal of registration work in your Eastern Bengal districts, and you have Special Sub-Registrars while the Collector is the District Registrar?—Yes.

23655. Is there not work enough to have a full-time Registrar?—The Sub-Registrar is practically a full-time Registrar, and he does almost all the Registration work.

23656. Do you see no reason to alter the present position?—No, I do not see any very great reason for doing so.

23657. What has the Collector to do with the treasury exactly; is not the ordinary every-day work done by the Treasury Officer?—Yes. The Collector practically only has to count the balance every month.

23658. If he is at headquarters—or has he to come into headquarters?—He cannot leave it undone for two months.

23659. Are there large balances in some of the treasuries?—Yes.

23660. There are currency chests in some of them, with two keys, of which the Collector has one?—Yes.

23661. The chief burden on the Collector is having to come in from tour to examine the treasury?—Yes.

23662. Apart from that, would you relieve him of treasury work and put it directly under the Accountant-General as some people have suggested?—It would be a good thing.

23663. I suppose the Accountant-General might then reasonably claim to nominate the Treasury Officer?—Yes.

23664. Would you gain anything special by that?—I think you would gain in efficiency: the accounts would be much better done, and I do not see what you would lose by it.

23665. Some people assert that Audit Officers are rigid and make objections to bills; might you not find your bills would be less easily passed?—I do not think it would make any material difference, because after all the Deputy Collector is bound by the rules, and he applies the rules, and very seldom goes outside them.

23666. Having regard to the way in which men have to leave by reason of ill-health and private affairs and otherwise, would it not be sufficient to aim at keeping a man three years in a district as a minimum?—That would be too short a time.

23667. As a matter of fact, does the ordinary District Officer stay anything like three years in a district now?—No, he does not.

23668. So that if you could get him to stay for three years it would be a considerable improvement?—Yes.

23669. You spoke of letting a man go upon leave and sending him back again to his district, but would not the simpler plan be to make him serve out his time in a district before he took leave?—Yes, unless the medical certificate comes in. I do not think three years really would be long enough.

23670. Police appeals used to go by two channels, one to the Deputy Inspector-General and the other to the District Magistrate and the Commissioner?—Yes.

23671. Now does everything go departmentally?—Yes.

23672. Have you had any complaints from District Magistrates as to their influence being sapped by that alteration?—I have not yet; it has only been working for a comparatively short time. I think not more than a year.

23673. Is it still open to a District Magistrate to represent that a particular sub-inspector ought to be transferred, for instance?—Yes, he has that right.

23674. Who posts sub-inspectors?—The Superintendent of Police.

23675. Supposing a District Magistrate wants a sub-inspector removed from a district, who does the posting to another?—The Deputy Inspector-General.

23676. Is there an instruction to your Deputy Inspector-General to take cognizance of anything a Magistrate may have to say about the posting of all Police Officers?—There is no order to that effect. I do not know what happens in practice, but I should imagine that the Superintendent writes to the Deputy Inspector-General.

23677. But the view of the Superintendent might differ from the view of the Magistrate?—They would not be likely to differ.

23678. Supposing they did?—There is nothing to meet that.

23679. And a Magistrate has no redress, but has to put up with an officer who might be a possible source of danger?—No, he could write to me, or he could write direct.

23680. Have you ever had letters of that sort?—I have had a considerable number of letters objecting to men being taken away from a district.

23681. But not the converse?—No.

23682. In Bengal proper a system has been initiated by which the police have been very much dissociated from their connection with the chaukidari panchayats, but that has not been followed in Eastern Bengal except in two or three districts?—Particularly in Dacca.

23683. Have you followed the working of the system so far as it has been tried here?—To some extent.

23684. From a police point of view, have you any reason to regard it with dissatisfaction?—I complain rather that the chaukidars do not give the police the information which they used to, and the police cannot get the information they used to, practically owing to the fact that the chaukidars have no longer to attend parades at the police-station.

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23685. Is that a serious evil?—Yes, I think it is.

23686. On the other hand, it was alleged that the police really ruled the country before, and that there was no chance for the development of these panchayats until they were emancipated from the control of the thana?—That is true. What I mean is that we cannot afford to dissociate the chaukidar from the police, because he is an important source of information.

23687. Is he appointed by the police?—I think the police ought to have a say in the appointment certainly.

23688. (*Mr. Dutt.*) Has not the Board of Revenue certain statutory powers?—Yes.

23689. If you abolish it, to whom would you delegate those powers?—I should say that the majority of them would go to Government.

23690. And some probably to the Divisional Commissioner?—Yes.

23691. It has been stated that in certain matters of appeal the people have more confidence in the decision of the Board, as a Board, than in the decision of a single Commissioner. Would you be of the same opinion?—I should not have thought so.

23692. We were told in Dacca that in many matters in which zamindars carry their appeals to the Board, they would have more confidence in the decision of the Board sitting as a Board, than in the decision of a single Commissioner?—That is possible, but I have not studied the matter.

23693. Do you propose to curtail the present rights of appeal?—No.

23694. Are those rights a necessary protection against injustice which might be due to unconscious prejudice?—Yes; a man in a district may get a wrong impression of his subordinate, and might be apt to be influenced by bias.

23695. Do you say that none of the powers now exercised by the District Officer could with advantage be delegated to the Sub-Divisional Officer?—I certainly think some of the powers might be delegated.

23696. Might the revenue work done at headquarters be delegated to sub-divisions?—In Bengal the revenue work is so little, apart from excise and income-tax, and so on, that I do not quite see what powers could be delegated: there might be some small things here and there.

23697. Would you delegate income-tax and excise to the Sub-Divisional Officer within his own area?—Perhaps income-tax powers might be delegated; as to excise I should say it had better be worked from headquarters.

23698. If you delegate those powers to the Sub-Divisional Officer, ought he to be strengthened by the appointment of officers under him?—Certainly; in some of the sub-divisions in Bengal the work they have already is too heavy for them.

23699. If you gave him assistance by the appointment of some officers, would you appoint them all to the sub-divisional headquarters, or would you place them in charge of smaller circles within the sub-division?—I should be inclined to keep them at sub-divisional headquarters.

23700. Is the Sub-Divisional Officer now in sufficiently close touch with the village panchayats and the villagers generally?—There is no reason why he should not be.

23701. You have been in the district of Mymensingh where the sub-divisions are very large. Is the Sub-Divisional Officer there as closely informed as to what is going on in distant villages as he ought to be?—No. He spends the whole of his time in one place.

23702. By creating smaller circles and placing men in the position of Junior Deputy Magistrates in charge of them, could he be brought into more intimate touch with the people?—The same result would be attained if he had the assistance at headquarters to enable him to tour about, my point being that, generally speaking, the sub-division is not too large a unit for one man to know thoroughly; I got to know my sub-division quite thoroughly.

23703. You propose that in Eastern Bengal the districts should not exceed 2,000 square miles?—If they are larger than that, they become more than a man can get to know within a reasonable time.

23704. If you made that the limit, would it not be necessary to largely increase the number of districts?—I have not worked it out, but I suppose it would be.

23705. Taking Mymensingh, for instance, you would have to divide it into three districts?—Yes.

23706. That would largely add to the expenditure?—Yes.

23707. Would it not be cheaper in the long run to keep the districts as they are except one or two very heavy ones, and add to the number of officers in those districts?—It would certainly be cheaper.

23708. With regard to the recommendation to give greater powers in reference to the disposal of petty criminal and civil cases to village panchayats, is it your idea that their position should be fixed by some Act of the Legislature?—I have not thought out a scheme, but legislation would probably be necessary.

23709. Would you take the existing chaukidari unions as village communities?—Any community in Eastern Bengal would be an artificial community, and the chaukidari unions might form a basis. It would be experimental, but we have them already, and to work on experimental lines with them might be as good as trying to start something entirely in the air.

23710. If you take that as your basis, when you had given them civil and criminal powers and other things to do, would you still entrust to them the duty of realising the chaukidari tax?—Of course that duty is a very unpopular one, and I daresay, as long as they have that duty, you will not get as good men as if you took the duty away from them.

23711. So that, in order to ensure the success of your new scheme, would you take that duty away from them?—Yes, I think so.

23712. And make them entirely independent of the police altogether, and directly subordinate to the Sub-Divisional Officer?—Yes.

23713. (*Sir Steyning Edgerley.*) With regard to the matters which you have to report to the Government of India, do you ever find yourself committed to double reporting?—Yes, only recently a case occurred.

23714. The District Magistrate reports to the Home Department and also reports to the Director of Criminal Intelligence?—The Director of Criminal Intelligence asks for information from the District Superintendent of Police and at the same time the District Magistrate is reporting to the Commissioner.

23715. With regard to the instances you mentioned in which you thought the Director of Criminal Intelligence was a little inclined to interfere, is your criticism that instead of asking why you had not done something, he might have suggested the possibility of your doing it and left you to act or not, and that he ought not to have called for an explanation?—I do not think he did call for an explanation. I do not remember the exact circumstances, but I know we thought it was a matter entirely for the Local Government.

23716. You do not suggest that as regards the Bureau of Information as to crime and criminals outside the province the Director of Criminal Intelligence is of no use?—No; some central office is necessary.

23717. As long as he does not interfere with you?—Quite so.

23718. How far have you got with your police reorganisation; is the *cadre* settled?—Yes, the whole *cadre* is settled, but it is not quite worked up to.

23719. Have you attempted yet to make all your new police-stations?—No, we have not done that.

23720. So that you have practically no idea at present whether your *cadres* will suffice or not?—I am pretty sure it will not suffice, if we increase the police-stations.

23721. Is practically all you have done then to turn your existing force into a force with a new nomenclature?—Practically; we have increased their number and raised their pay; we have not done much beyond that.

23722. Have you increased the number of constables and head-constables?—We have increased the number of head-constables, but we have not added many constables.

23723. What is the increase in the head-constables?—What we have done is to promote what we used to call writer-constables to head-constables.

23724. That simply means that you have translated an establishment you had before into the terms of the Police Commission; you have not yet gone in for any increase of establishment except in the higher grades?—That is so.

23725. So that you have had no correspondence at present as to your police-stations and the men necessary to man them?—No.

23726. We were told at Dacca that you have an order by which the Superintendent of Police has to come into headquarters at the beginning of every month; is that so?—Yes, I think it is an order in the Bengal Code; I do not know what the authority is outside that.

23727. In the new province, who could modify it?—I could modify it with the sanction of Government.

23728. Does it interfere with the district work much?—I should not think it did very much. It does occasionally.

23729. Is it so essential that they should come in, that the order is worth keeping up?—No, I should not say so.

23730. We were told in Dacca that the cost of touring had considerably risen; is that true?—It has risen lately, but I should not have thought very largely; boats are more expensive than they were.

23731. Is there any difference in that respect between the Assam and the Eastern Bengal districts?—In Assam I should not think there had been any change, but in Eastern Bengal there might have been a slight increase.

23732. Has the increase been such that an officer can no longer travel on his allowance?—No, I should not say so.

23733. Have you any system of guards?—Yes, there are some frontier outposts held by the Military Police, and guards for treasuries, etc., from the Civil Police.

23734. How do you relieve them?—At headquarters, the guards are relieved from the reserve, and they are supposed to be relieved weekly. In sub-divisions, they are supposed to be relieved every three months from headquarters.

23735. How does a guard manage to stay on duty for three months at a time; is it double strength?—No, but it does remain on duty.

23736. Are the men able to be away from their duties at all?—No, they are supposed to be on guard during the three months.

23737. I mean during the twenty-four hours?—Yes; of course they are not on guard individually for twenty-four hours; there are five men for each guard, one head-constable and four constables.

23738. How long is their turn of duty?—Six hours with four men.

23739. What is the head-constable's duty?—He is supposed to be present every time the guard is relieved, but I do not know that he is.

23740. Then the system is not really very strict?—No, I take it, it is not very strict.

23741. Are they guards of treasure, or what?—There are magazine guards and treasury guards in Eastern Bengal and Assam, and in Assam there are also jail guards.

23742. Does the jail guard stay on for three months?—I think so, except at headquarters, and then they are supposed to be relieved weekly.

23743. How do you arrange for the convoy of prisoners?—From the reserve.

23744. Do they have to come in from sub-divisional headquarters?—Men are requisitioned from headquarters.

23745. Do you ever use chaukidars for that duty?—No.

23746. (*Mr. Hichens.*) We have been told that the police in Assam do not exercise quite such an evil influence over the villagers as they do in Eastern Bengal—could you say whether that is so or not?—I should not have thought there was any difference.

23747. It has been stated that the villagers in Eastern Bengal are somewhat terrorised by the police, and that it is not quite the same in Assam; would you say there is anything in that?—I should say it is rather the opposite; I think the police could do things in Assam which they would never dare to do in Bengal.

23748. We were told in Dacca that if an appointment fell vacant the senior sub-inspector on the list always got it regardless of local conditions; what do you say as to that?—Probably promotion does go too much by seniority.

23749. Is it within your power to alter that?—At present promotions are made chiefly by the Deputy Inspector-General of Police, who is in charge of a range in which there are a very large number of sub-inspectors, and he has not the knowledge of the man; he is in charge of too many men.

23750. Is it a regulation of the provincial Government?—No, it is not; it is simply the way the thing is worked, and the Police Commission recommended that the promotions should rest with the Superintendent; we are trying to carry that out, but there are difficulties in the way, and I do not know whether it will work or not.

23751. Then will more attention be paid to individual merit?—Yes.

23752. And also to the avoidance of transfers as far as possible?—Yes.

23753. You recommend in regard to civil appointments that the Deputy should, as far as possible, be made to act while his senior officer was away. Would you apply that to the Police?—Yes.

23754. You are opposed to the creation of Advisory or Administrative Councils, what is your objection to them?—I do not object to the advice, but I object to the Council, because if you have a Council and they are only to have the powers of advising they will not be content with that, and you will not get good men to sit on a Council which is only an Advisory Council; as long as the Head of a district is the Head of a district, and his view has to prevail, you would not serve any useful purpose by having a Council to assist him. If you want him to consult people, and most officers do consult freely, you might lay down a rule that he should do so, but it would be a mistake to create a formal Council, because it would give them a claim to vote, which you apparently do not intend ultimately to grant them.

23755. Would the individual members of any Advisory Council be more ready to give their advice if they were constituted formally than they are to-day?—No, I do not think they would; you would very often get less of a real expression of their wishes than you would if you consulted them informally either by letter or by interview.

23756. Is it your experience that they are always ready enough to give their advice if asked?—Yes.

23757. Is it not the fact, especially in Eastern Bengal, that the police are often employed on duties which are not properly police duties?—It is a good deal less so than it used to be.

23758. I understand that they are employed in the collection of vital statistics, for instance? Is that a legitimate police duty?—Of course it is not a police duty, but it is not one I should very much object to.

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23759. Are they employed in collecting the chaukidari tax?—They are not now. I will not say a Magistrate never gives an order to the police to assist, but it ought not to be done.

23760. Are they employed in executing process in cases of default in paying Government revenue?—No; in Assam they are employed in executing warrants for coolies under the Labour Law.

23761. Are they employed on any other matters which might be called extra police matters?—I cannot think of any for the moment.

(*The witness withdrew.*)

Colonel D. WILKIE, I.M.S., was called and examined.

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23762. (*Sir Frederic Lely.*) You are Inspector-General of Civil Hospitals?—Yes.

As the Indian Medical Service, the Military Assistant Surgeon Service, and the Military Hospital Assistants Service are imperial, the supervision of the Director-General, Indian Medical Service, is necessary. But it is also necessary in the case of Civil Assistant Surgeons and Civil Hospital Assistants who are purely provincial, with regard to such matters as preliminary education, medical education, pay, rules for promotion, rules for examination for promotion, certain allowances, &c., and this supervision is at present exercised by the Director-General, Indian Medical Service. In the absence of such supervision, candidates would flock to the province, offering the easiest terms, and this might result in provinces bidding against each other for men. I am quite satisfied with the supervision of the Director-General, Indian Medical Service, as it stands.

It would tend to expedite the business of my department if in certain matters appointments and postings, punishments, buildings, sanction to new dispensaries, &c., I dealt more directly with the Lieutenant-Governor. In the matter of postings of the Indian Medical Service officers, I have nothing to complain of as to the ultimate result of my recommendations. But it is an unnecessary waste of time that when I have made a recommendation, noting should be taken up by various Secretariat clerks, then by the Under-Secretary, and then by the Secretary before the case goes to His Honour. Again, in these matters of postings it is very common for some unforeseen obstacle or information to crop up unexpectedly by telegraph or otherwise. I could make the change at once, but have to wait till the regular Secretariat routine has been gone through, and this sometimes results in officers not getting their orders till the very last minute. In such matters I ought to hold the position of a Secretary to Government, with direct access to the Lieutenant-Governor; or at least of an *ex-officio* Deputy Secretary, having only the departmental Secretary between me and the Head of the Administration.

Grants for necessary improvements in buildings or in equipment can sometimes not be got because the expenditure cannot be met from the current year's budget provision. At present I receive an annual allotment of Rs. 5,000 (this year Rs. 10,000) from the Public Works Department for minor works, but this money is intended for expenditure only on buildings in the charge of the Public Works Department, or which can be undertaken by the Public Works Department. The Rs. 5,000 can, of course, be expended only on construction. But there is a great need for better equipment such as aseptic surgical instruments, not only in Government institutions, but in those of the Local Boards. At present each case has to be taken up separately. It would save a great deal of correspondence and would not result in extravagance if I had placed at my disposal annually a lump provision of, say, Rs. 25,000 for a special grant to objects unforeseen and not budgeted for, and to include the Rs. 5,000 mentioned above. Knowing what is wanted and not being hampered by the delays of correspondence, I could effect great improvement with comparative rapidity.

I have no change to propose as regards appeals.

The demand for returns has not increased—rather diminished.

I find by experience that the reserve of Hospital Assistants at 20 per cent. is not sufficient.

Medical Officers have great opportunities of personal contact with the people. When they have been some time in the midst of a people, they acquire a very fair acquaintance with the vernaculars. But in this province the difficulty is that there are so many vernaculars. There are two good ways of coming more in contact with the people and of improving in the language which I have found Civil Surgeons employing—to make a point of attending at the *Sadar* dispensary and seeing all the out-patients personally on market days, and to go into the villages and hunt up the sick, and prescribe or operate there and then.

23763. You suggest that for the purposes of your department you should act as Secretary to the Lieutenant-Governor, so that you might have direct access to him and so escape the circumlocution of the Secretariat; would not that require a considerable strengthening of your office, and the hunting up of precedents and the preparing of cases for submission to the Lieutenant-Governor?—I do not think so.

23764. Are all the matters you send up so simple that they need no preparation?—They need preparation, but we have them prepared when we send them up now; all the Secretariat work is extra.

23765. You speak of having received this year an allotment for Public Works of Rs. 10,000, and that it would be much better if a lump allotment of Rs. 25,000 was made to you to distribute at your discretion. Is the grant made to you for medical purposes insufficient?—It is spread out too much; we have to take up every separate case and fight it through.

23766. This year did you get anything for equipment besides the Rs. 10,000?—No, I did not ask for anything this year.

23767. Is not a grant for equipment and instruments and such like things usually made?—No. there is a regular grant which the dispensaries get, what is called the civil store grant, for the purchase of medicines and instruments, but it is very small. Formerly all the dispensaries had to supply the equipment in a place, but Government now gives a grant to cover that.

23768. You would like a larger grant, against which you might frame a departmental budget?—Yes, it would not be very big ultimately, but it would be somewhat large to begin with, because at present the equipment is behind the times, and buildings also are required.

23769. If you wish to get any special instrument, have you to get it through the India Office Stores?—No, a large number of the dispensaries buy their own instruments.

23770. But suppose it is to be paid for out of a grant from Government?—The difficulty is that they are too poor to replace the old instruments with modern ones.

23771. Are the civil hospitals kept up by Government?—There are certain hospitals entirely kept up by Government, such as those in the hill districts, but most of the plains dispensaries are only partly kept up by Government; some of them are entirely under the Local Boards, aided by the Local Government, and that is the most usual thing.

23772. In the case of a hospital kept up by Government or in the case of instruments which have to be paid for by Government, can you get them from a private dealer, or from the agent of the patentees?—The Government dispensaries must get their instruments from the Medical Store Depôt.

23773. Does that ever lead to inconvenience or delay?—No, I have never found any.

23774. How many dispensaries are there in the province; is there one in every considerable town?—No.

23775. Is there one in every sub-division?—They are only placed where the people petition for them, and the Local Board and the people together can afford them.

23776. Does that practically mean in every centre?—No, there are lots of centres which have no dispensaries, though large towns have, of course.

23777. But in the gross there are a large number of them?—Yes.

23778. Are they in charge of Hospital Assistants?—Some are in charge of Hospital Assistants, and some are in charge of Assistant Surgeons. Many of the dispensaries are also in charge of local native doctors, who are not Government servants.

23779. With whom does their appointment rest?—The appointment of a Board doctor rests with the Local Board, but the man's diploma must be approved by me.

23780. Even if he is a native Medical Officer, have you to approve of him?—Yes, they send up his diploma to let me see whether he comes from a recognised school, and subject to that, they have a right to appoint him, and also the right of dismissal without reference to me.

23781. Do they pay him?—Yes.

23782. How is his pay regulated; is it at the discretion of the Board?—Yes, many of the Boards have recently made new regulations improving the pay of the local native doctors. Formerly a man might go on for his whole life drawing Rs. 25 a month, but I think it was the Dacca District Board which made the first change and instituted grades, so that men who did well could rise a little, up to Rs. 45, in the course of their career, and some of the other Local Boards have adopted that principle.

23783. When they make promotions, do they consult you?—They consult the Civil Surgeon.

23784. Have you any control at all over these Medical Officers?—Not over the Local Board officers. If there is a disagreement between the Local Board and the Civil Surgeon the matter is referred to me, and I pass it on to the Local Government.

23785. What is the connection of the Civil Surgeon with them?—He is supposed to supervise them; he is responsible for the dispensaries being in good order and for the men doing their work and being professionally efficient.

23786. Then the professional adviser to the District Board is a Civil Surgeon?—Yes, and up to very recent times they always accepted what he said, but there has been a little trouble lately; the District Board of Tippera have just passed a resolution that in future they are going to take all the power away from Civil Surgeons and do the work themselves.

23787. Under the Act as it stands in Eastern Bengal, are they not bound to carry on their dispensaries under rules framed by the Lieutenant-Governor?—The rules say that the Civil Surgeon is to be their adviser, but they are not bound to have him.

23788. Do you consider that Hospital Assistants as a class are reliable?—Hospital Assistants are Government servants, but they vary very much; there are some very good men amongst them, but there are also a number who are not very good.

23789. Is the average man fit to be entrusted with the performance of a *post-mortem* operation?—No, and he is not entrusted.

23790. What is done in the case of a suspected death?—It is always sent either to the *sadar* headquarters or to the sub-divisional headquarters.

23791. What class of men would be found there?—Either an Assistant Surgeon or an Assistant who would be qualified to conduct *post-mortems*.

23792. (*Mr. Dutt.*) Are a certain number of men in the Indian Medical Service sent to this province?—Yes.

23793. Do you make recommendations, upon which Government acts, for posting them to different districts?—Yes.

23794. Has the Government of Eastern Bengal and Assam any power to direct any of these officers to go back to military employ supposing they did not give satisfaction here?—The rules are all laid down; the military rules are very strict as to the procedure to be adopted in sending a man back to the army. He cannot be sent back as a punishment.

23795. Supposing a man has not given satisfaction and the Local Government wants to get rid of him, is it easy or difficult to do so?—It is not at all easy, but I do not think it has ever been done: it would be an extremely rare thing. It is made difficult on purpose, because the Army does not want men who are not considered good enough for civil life.

23796. Once a man is sent to this province, has he to remain here during all his career?—No, he could possibly get exchanged to another province.

23797. How are Assistant Surgeons appointed?—They are appointed by me; all the candidates send in their names to me; I keep a register of their qualifications and ages, and they are not appointed now unless they are natives of the province. We have given up appointing natives of the old Bengal province, and they must be within a certain age laid down by the Government of India.

23798. I suppose they are generally men passed from the Calcutta Medical College?—Yes, all of them. Then I put forward their names to the Local Government and they gazette them.

23799. Do you ever consult the Principal of the Medical College in Calcutta in making your selections?—No, the candidates nearly always produce certificates from the Principal or professors with regard to their qualifications.

23800. Are vacancies notified, or have you always applications before you from which you make selection?—I have at present 50 men on my register, and when a vacancy occurs I look it over and pick out the man I think most suitable; if there are several men, and one is very near the age limit, I perhaps give him the preference.

23801. Do you usually find them fairly well qualified for their duties as doctors?—Yes.

23802. How do you appoint Civil Hospital Assistants?—First, the men who have the preference are the bonded students at medical schools and men who have scholarships, and I generally write to the Superintendent of each school and ask for a list of all the bonded and scholarship students who have just passed.

23803. What do you mean by bonded?—They sign a bond to serve Government for five years if they pass, and on that understanding the Government pays a certain amount of their expenses.

23804. Then you make your selection, and the appointments are made accordingly?—I get the Superintendent to tell me the order in which he recommends the men, partly according to the order of passing the examination, partly as to their physical and moral qualifications, and also whether they are bonded.

23805. What is the pay of these Assistant Surgeons?—The lowest pay is Rs. 100 and they go up to Rs. 300.

23806. What is the pay of Hospital Assistants?—They begin at Rs. 25 and go up to Rs. 70.

23807. Is there a Sanitary Board for this province?—There is.

23808. Are you on the Board?—No.

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23809. Who are the members of the Board; is the senior member of the Board of Revenue one of them?—I think so, but I am not quite sure who the members are.

23810. In each district is the Civil Surgeon supposed to be also the Sanitary Officer?—Yes.

23811. On sanitary questions, does he correspond direct with the Sanitary Commissioner?—Yes.

23812. There are many other departments such as Education and the Police—do you think it would be practicable that the Heads of all those Departments should be Secretaries to the Government?—I do not know; they might be Deputy Secretaries.

23813. Would that not cause inconvenience?—I do not think so. I would suggest a Deputy Secretary just as the Military Accountant-General is *ex-officio* Deputy Secretary, or used to be in the Military Department.

23814. You speak of references from you having to go to the Secretary's office, and of some clerk having to make notes, and those are matters which you desire to do away with?—I have no objection except that it wastes time.

23815. Is not the same procedure followed in your own case?—Suppose a Civil Surgeon was in communication with you, would your clerk not make a note before putting the matter before you?—Yes.

23816. Does not the same argument apply in the other case?—I do not think so.

23817. A Civil Surgeon is a man superior to your clerk; would he not be justified in objecting to any remarks of your clerk?—A clerk does not make remarks as to anything which should be done; he simply puts the facts before me with the precedents and things of that kind, and there is no hurry, but with regard to these appointments they are urgent; for instance yesterday evening I got a telegram from a Medical Officer who had already been relieved but had had no orders, and I had to wire to Shillong to find out what the orders were.

23818. But those cases are not frequent?—Very frequent in the case of men coming out from home.

23819. So that your objection is that it sometimes causes delay where delay is undesirable?—That is all; I have no objection otherwise, because they always practically accept what I propose.

23820. You do not propose to curtail the existing right of appeal. Do you think the present system works well and does not entail any unnecessarily heavy work upon officers?—It does not, so far as I have seen.

23821. Are appeals frequent in your department?—Not very; occasionally when a man is dismissed he appeals to the Lieutenant-Governor.

23822. (*Mr. Hichens.*) What does your control over the dispensaries and hospitals of the Local Boards consist of?—Hardly any at all.

23823. Is that sound?—No; I want to get more control, and I have sent up a proposition to the Government with regard to it. I propose, and some of the District Magistrates back me up, to have a Government Assistant in all the dispensaries.

23824. Men appointed by you?—Yes, men in Government Service, because at present Government has no hold over them. That is the main proposal, and also to get the financial control away from the Board to the committees of the dispensaries, and to get the Hospital Assistants as much as possible under the Medical Department; that I believe is all for efficiency.

23825. Would you continue the plan whereby the Local Board pay for the hospitals?—Yes.

23826. Does Government pay anything to-day?—Government gives a grant to each Local Board, and the Accountant-General said it could be done by Government diminishing the grant to the Local Board if it gave them Hospital Assistants

23827. Is it your opinion that the Local Boards do not manage their hospitals very well?—Yes, and they are beginning to break loose from us.

23828. Have you any inspectors who visit and inspect their hospitals?—The Civil Surgeons inspect all the hospitals.

23829. Is the Civil Surgeon a member of the Local Board?—He is generally.

23830. Then he has an opportunity of making his voice heard?—Yes.

23831. So that he has every opportunity of using moral suasion, but you think that is not enough?—It is not; it depends upon how many members there are upon the Board, and what the following is; he generally has the opinion of the District Magistrate at his back, but there was a case the other day in which they out-voted the Civil Surgeon and the Magistrate with regard to an appointment. The Civil Surgeon considered a man to be lazy, and recommended his transfer, and the Magistrate said he was of the same opinion, but the Board said he was a good man and had better stay.

23832. Does the same thing apply to municipalities?—Yes, but each municipality has only one dispensary, so that they cannot do anything in the way of transfer or anything of the kind, and they are more under the Civil Surgeon, because a municipality is generally the headquarters of the Civil Surgeon.

23833. Therefore, as far as municipalities go, you have no objection to the existing state of affairs?—I do not think so. What the Civil Surgeons object to is that the Boards transfer men without referring to them, and the first thing the Civil Surgeon knows about it is that he gets a request to appoint a successor.

23834. What does it matter to him if a man is transferred?—It stops the work of the dispensary for which he is supposed to be responsible.

23835. It would be stopped more or less otherwise when a man is transferred from one place to another?—But provision would be made for his place being filled up.

23836. (*Mr. Meyer.*) When you suggest that you should be a Deputy Secretary in regard to certain matters relating to administration, do you include matters of medical policy, such as plague, for instance?—Plague comes under the Sanitary Commissioner.

23837. Supposing you had a project for a considerable increase of expenditure on hospitals, what would you propose?—That must go to the Financial Department.

23838. You recognise that a Medical Officer is an expert, and like all experts he is enthusiastic, and that his enthusiasm might require to be checked by somebody else?—Yes.

23839. You speak of the necessity for uniform pay as regards Hospital Assistants and Assistant Surgeons as being desirable in order to prevent undue competition by the provinces; is there not also another reason, namely, the fact that they are liable to war service?—That is only as to military men; they are already under the Government of India and they have nothing to do with the provinces.

23840. Would there be real competition between this province and Bengal if you had different rates of pay?—There might be. In Burma they have a very great idea of the amount of pay they ought to offer, and you cannot get men to go there.

23841. Then is it your idea that Burma might offer more liberal pay and encroach upon the preserves of Bengal and Madras?—Yes.

23842. You do give extra pay in the form of local allowances?—Yes, but they do not carry pensions.

23843. Speaking generally are you satisfied with the pay and the conditions, or do you think you are too much tied up?—Petitions have been sent in for increased pay, which have been more or less backed up by the Local Governments all over India.

and at present the matter is under the consideration of the Government of India.

23844. So that, therefore, if there is any movement with regard to an increase of pay, it is a general movement throughout India?—Yes.

23845. As regards this province, have you found yourself hampered unduly by these scales of pay?—No.

23846. You speak of a reserve of Civil Surgeons of 20 per cent.; does the Government of India prescribe that?—Yes.

23847. And also for Assistant Surgeons?—Yes.

23848. You have various grades of these officers. Does the Government of India prescribe the proportions that are to be in each grade?—No, except in the case of the senior grade, which must not exceed 10 per cent. of the total strength.

23849. Is it necessary for the Government of India to fix a uniform reserve in each province?—No; I think the Local Government could do it.

23850. Is there any general rule of the sort, or is it a code rule?—I think it is a rule, because I believe the Government of India asked the Local Governments some time ago whether they did not think the reserve should be raised to 25 per cent.

23851. Do you get any portion of the Indian Medical Service reserve?—We do not have any men who are not doing anything; we have no men on supernumerary duties.

23852. Are you in favour of any system by which the reserve should be divided amongst the provinces?—No; I am satisfied, because the Director-General gives men to the various provinces and is in communication with the various authorities from whom he has to get the men to give to the provinces.

23853. Has the Director-General of the Indian Medical Service been here in your time?—No.

23854. Do you have much correspondence with him?—Very little.

23855. As a rule, have your letters to pass through the Local Government, or are you allowed to correspond with him direct?—In certain matters; but when acting as the mouthpiece of the Home Department it has to pass through the Government Secretariat, though in certain professional matters he corresponds with me.

23856. There was a case in Madras where the Local Surgeon-General wrote to the Director-General of the Indian Medical Service direct with regard to some officer who was to be posted, and the Madras Government said it was a breach of etiquette, and that he ought to have written through them; the Government of India said so too, but we were told by the Surgeon-General that he saved much time by corresponding direct; have you known of any similar case?—No; the posting is always done through the Local Government, and I do not see any objection to it.

23857. The Government of India selects the Inspector-General of Civil Hospitals in this province?—Yes.

23858. Does it also select the Sanitary Commissioner?—Yes.

23859. Is that necessary?—Now that the Government of India has a Sanitary Commissioner of its own and a large Sanitary Department it is better that they should select.

23860. Would you say the same with regard to your own branch of the profession, the general medical administration?—Yes; those things are better left with the Government of India.

23861. On the other hand, might you not have the risk of the Local Government getting an officer who was personally distasteful to it?—The Local Government could usually manage to avoid that by correspondence.

23862. Then with regard to these administrative appointments, although the Government of India make them, are the wishes of the Local Government to a certain extent considered?—Do you mean to suggest that they should be made from the *cadre* of the province?

23863. That is a possible solution—that the Lieutenant-Governor should select, and if he had not a fit man within the province he should ask the Government of India to send one?—I do not think that would work; in a large Service like ours, you have to take the men who come up to the top.

23864. As regards sending Medical Officers back to military employ, can you do that within five years of their joining civil employ if they are deemed inefficient for civil work?—I do not know of any rule to the contrary; I think you can send them at any time.

23865. But in some other departments in which army officers are employed, the rule is that an officer keeps a lien on his regimental appointment for five years. Within that time the civil power concerned may send him back, but after five years the military authorities say, "You should have sent him back before if you did not want him, and now you must keep him, because he is too rusty for us"?—I think the rule is three years.

23866. Within that time could you send anybody back, if in your judgment he was not fit for civil employ?—You would have to put it very diplomatically, because the military authorities do not like taking back men who are not fit; they say if they are not fit for civil work, they are not fit for military work.

23867. You mean if a man is not fit for civil medical employ he is not fit for the Army either?—Yes. It is the same thing with both Commissioned Officers and Assistant Surgeons; the procedure of sending a man back is very difficult.

23868. Still, technically you could do it within a certain limit of time?—I do not think there is any limit of time.

23869. With regard to District Boards, has not each District Board to deal with a number of matters,—roads where it comes into contact with Public Works, sanitation, and medical relief where it comes into contact with you and the Sanitary Commissioner, and education where it comes into contact with the Director of Public Instruction; does every Head of a Department think his department could deal with his particular branch of the business better than the District Board?—Naturally.

23870. Therefore, if you applied that argument all round, there would be no District Boards at all?—Yes; there would, because the Executive Engineer of the district possibly has nothing to do with the District Board Engineers, whereas the Civil Surgeon has to do with the medical work.

23871. Does any public body like simply to put forward things and not control them?—The great difficulty is that a Board cannot be expected to give up all authority if they pay, but at the same time with regard to medical work, if it is to be efficient, it should be supervised.

23872. You might think one way of acquiring efficiency would be better, but might not someone else prefer another way?—I do not see how men on a Local Board with absolutely no medical knowledge can superintend a dispensary efficiently.

23873. In England are there not governing bodies of hospitals who have no medical knowledge?—But they do not govern the medical work; they govern the finances only.

23874. Do they not deal with the general administration of hospitals?—No, it is the Medical Superintendent who does the general work of a hospital.

23875. Does not the fact that the Boards are asserting themselves show that they take an interest in these matters? Their action is not out of pure cussedness?—I think it is, and that it is connected with the present state of feeling.

23876. Then your remedy would be to give more power to the Dispensary Committees?—Yes.

23877. That is a Local Committee which contains a member or two of the District Board and the Local Medical Officer?—Very often.

23878. With some outsiders whom the District Board can name?—Yes.

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23879. That Committee is subject to the District Board?—Yes.

23880. You cannot stop that, can you?—It is not altogether subject to the Board in the whole province; it is not so much subject to it in Assam as it is in Eastern Bengal.

23881. Would you prefer to have no Dispensary Committee at all, and to run the whole thing?—No. I would not give up the Dispensary Committee.

23882. You would keep it but make it more independent of the District Board?—Yes. financially, and the District Magistrate and the Civil Surgeon should have more power on the committee—I am speaking altogether from the view of medical efficiency; policy is another thing altogether.

23883. Although these institutions may not have been as efficient as you would like, can you say that they are inefficient, or that they have deteriorated of late years?—No; because the Civil Surgeons are constantly supervising them, and they have had no opportunity of deteriorating.

23884. Still if things were as you wish, they would go on progressing?—I am quite satisfied with the present state of things if the Board will allow the Civil Surgeons to exercise their proper powers, but if the Boards are going to take away all power from them, then they cannot have efficiency. How are non-medical members of the Board to know what medicines to order and what quantities to get, and so on.

23885. (*Sir Steyning Edgerley.*) What are Uncovenanted Medical Officers and how are they recruited?—They were put in direct by Lieutenant-Governors; I believe the idea was to have a certain number of Uncovenanted men in every province.

23886. Are they coming to an end?—Yes, they are to be replaced by Military Assistant Surgeons in order to increase the war reserve.

23887. When you have to get new men, have you any voice at all as to who is sent you?—No; the Director-General selects the men.

23888. Do the Military people know pretty well what the men sent to you are like?—Yes.

23889. Is there any safeguard against their keeping the very good men themselves and sending you the others?—The good men will not stay with them; the most competent men always come to the civil side.

23890. Is the Civil Surgeon responsible for the sanitary work of the district?—Yes.

23891. Does that interfere with his medical duties much?—I do not think so.

23892. Is there very little sanitary work in districts?—Yes; he has to look after the water-supply and things of that kind, and sanitation includes vaccination, the distribution of quinine, and vital statistics.

23893. Are you acquainted with the orders as to medical fees for attendance on individuals of high position?—Yes.

23894. Have you had any cases in regard to that in this province?—We have only had one so far.

23895. Was that within the rules?—It has been sent up; I do not know.

23896. Was it *primâ facie* within the rules?—There are no rules as to amount, but the case was sent up because the charges exceeded the amount laid down in the circular.

23897. Was that long ago?—No, a very short time ago; the decision has not come yet.

23898. Is that the kind of thing which it is necessary to send up to be settled?—It is a thing which would be better settled by the Director-General in consultation with the Government of India. It is rather a delicate matter to deal with.

23899. Are Medical Officers in the habit of charging too heavy fees?—No.

23900. Then why need those cases go up?—I understood you to ask how the thing was to be settled, and I said I thought it would be better to be settled by the Director-General himself rather than in a public way.

23901. Why is it necessary that it should go up rather than that it should be settled on the spot here?—I should think it would be better to have it settled by the Director-General; I know he is thinking a great deal on the point.

23902. Up to 1888 there was no sort of rule at all?—I believe not.

(*The witness withdrew.*)

Adjourned.

THIRTY-THIRD DAY.

GAUHATI, *Thursday*, 16*th January*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

BABU KAMINI KUMAR CHANDA was called and examined.

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23903. (*Sir Frederic Lely.*) You are Vice-Chairman of the Silchar municipality?—Yes, since 14 years. I was also a member for 12 years of the Silchar Local Board. I resigned last year, because I could not give so much time to the work.

The Local Government should have power to spend money on works of a provincial character, without having to obtain the previous sanction of the India Government so long as it does not exceed its budget limits, such budget having been passed by the Council.

Under the present system of division between imperial and provincial revenues the Government of India unfairly participates in all the increase.

The Local Government should have power to borrow, but such loans should be repayable within a definite time, and the Local Government should not go on adding to its debts by indefinitely borrowing.

If there is a definite scheme sanctioned by the Council, the Local Government should have power of making new appointments as well as granting enhancements.

The right of appeal should not be curtailed. To require a certificate of the admissibility of an appeal from the authority whose order is appealed against may result now and then in the right of appeal being denied.

I do not think that any more extended powers should be given to the Board of Revenue, Collectors and Deputy Commissioners, or Sub-Divisional Officers.

There is no need to have both the Board of Revenue and the Commissioner. One of them can be safely abolished, preferably the Commissioner, whose functions in the public estimation do not seem very necessary. In the Surma Valley and Hill Districts Division there was no Commissioner before the partition of Bengal, and the public do not seem to have felt the want at all.

Executive Officers have sufficient opportunities for personal contact with the people, if they are pleased to avail themselves of them. But on the one hand there does not seem to be any anxiety on the part of the Magistrate to utilise the opportunities given him by his tours to mix with the people, and, on the other hand, the police atmosphere, so to speak, in which he lives constantly while on tour, is not at all likely to attract people to his presence, unless summoned by pressing business. The persons who usually try to ingratiate themselves with the Magistrates are those who happen to be in the good books of the police; and an impression very largely prevails now that it is only people who are against *swadeshi*, who can be admitted to the presence of the Magistrate. At headquarters too, it is on business of official matters that an Indian, specially if he is a non-official, thinks of visiting the Magistrate. Very often the Magistrate actually repels all self-respecting persons by his stiff, if not discourteous, treatment towards Indians. I have known instances where gentlemen of position in their society, who came only to pay respects to the Magistrate, were kept waiting in the compound for an unconscionably long time. If one can avoid it, generally speaking, one does not come to see the Magistrate, and for the matter of that, any other high official. Thus it is obvious the District Officer can have no personal knowledge of the men under his charge; his opinion about them is formed on reports submitted by the police and other officers which are not always reliable. Military Officers — both as such and those in civil employ—are, as a rule, more popular than Civilians, and the Civilians whom I have known to be popular have all selected the judicial line. Another obstacle to the free intercourse between Magistrates and the people is the existence of non-official European society, which naturally is more attractive than the society of Indians. There are innumerable difficulties in the way of more free intercourse between the people and the English officials. But it almost seems that the difficulties are exaggerated, and it is the acceptance as a matter of course of the creed, that the European is, and must always be considered, superior to the Indian—socially and otherwise. He takes offence if an Indian travels in the same compartment in railway and on board steamers. The first thing to be done would be to impress upon the young European officer coming out to India that he must not think, and act upon the supposition, that the Indian, whoever he may be, is always an inferior being. It is also necessary to separate the police from the magistracy, and in order to relieve the District Magistrate of his multifarious work he ought to be divested of his work on the municipal and Local and District Boards. At the headquarters of the district there may also be a Sub-Divisional Officer. Clubs might also be formed where Indians and Europeans might meet on a footing of social equality. I have known instances where a popular official has been restrained from indulging in social intercourse with Indians by other Europeans. Lastly the European official should have it impressed upon him that it is one of his first duties to cultivate closer personal relations with the people of this country. Wilful neglect ought to be visited with the severe displeasure of Government, and the officer should be transferred if he is shown to be neglecting his opportunities for this.

I would not fix any definite period, but an officer should be transferred if he is found to be unpopular. A minimum, say, three years, may be fixed during which he should not ordinarily be transferred.

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More powers should be given to municipalities and District Boards—specially about the budget.

Advisory or Administrative Councils may be created, but it is absolutely necessary that these bodies should have a fair proportion of elected members.

The development of village communities may be tried in selected areas, but in that case these bodies should be freed of police control as otherwise it would be harmful.

23904. You think there is no need to have both a Board of Revenue and the Commissioner?—That is my opinion.

23905. In the division to which you belong there was neither Board of Revenue nor Commissioner before the partition—only the Chief Commissioner?—Yes.

23906. Were parties allowed to appear before the Chief Commissioner?—Latterly, yes, but not at first.

23907. Do you consider that a Board of Revenue is preferable to a Commissioner?—I think the Commissioner is not very much wanted, because we find that he has no work to do; he directs and confirms.

23908. Formerly cases went from the Deputy Commissioner to the Chief Commissioner; what is the practice now?—They come from the Deputy Commissioner to the Commissioner, and from him to the Board, then to the Lieutenant-Governor.

23909. Is that not a very roundabout way, entailing much circumlocution?—Yes.

23910. Consequently it takes more time to get through the work?—Yes, and not only that, but petty matters can be dealt with much better by a local authority.

23911. Is there an impression that cases get more consideration now than formerly?—I do not think so.

23912. Is there any advantage on the other side to compensate for the greater time occupied?—No, I do not think so.

23913. What is your ground for saying that there is an impression that only people who are anti-*swadeshi* can be admitted to the presence of the Magistrate?—That is what I have been told by people living in the *mufassal*. They have given instances of people who are supposed to be in favour of *swadeshi* being denied to the presence of the Magistrate on tour.

23914. What ground have your informants for believing that that is the reason for their not being admitted?—The police tell them so.

23915. Is it not a fact that Government has repeatedly declared that it is not against *swadeshi*, but is in favour of it?—I know that, but as a matter of fact the orders are communicated by the police, and the police in communicating them give their own impression.

23916. Is it your impression that the police deliberately pervert the words of Government in communicating with the people?—Yes.

23917. You also say that gentlemen of position have been kept waiting in the compound for an unconscionably long period; have you known of such instances?—Yes.

23918. Would you be prepared to mention them?—Yes.

23919. And you say that if they can avoid it, generally speaking, people do not go to see the Magistrate or any other official?—Yes.

23920. Do you mean that no Magistrates or high officials are courteous and kind to the people?—I do not say that, but they are not very courteous when one goes to see them.

23921. Do you include in your statement officials who do treat callers well?—No, but the impression is so strong that the people do not care to come as a rule if they can avoid it—even in cases where Magistrates are courteous.

23922. Why do they not come?—Because the general impression is that the officials will not be

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courteous, and they know individual cases of discourteous treatment.

23923. Do you mean to say that the general feeling is that, whoever the Magistrate is, if he is a European, he is not courteous?—That is the general impression.

23924. Is it so general that even those who are courteous are barred?—Yes, at first they are avoided. I personally have explained to my friends in some cases that they would receive very good treatment if they come to see some particular Deputy Commissioner, but they will not believe me.

23925. What power should be given to municipalities in addition to what they have already?—I think a municipality should have an elected Chairman. When the Deputy Commissioner is the Chairman, the members may be afraid of giving their opinions freely.

23926. Is there any ground for that impression?—It is because he is the Magistrate.

23927. Is that the only reason?—It is the principal reason.

23928. What other power would you wish granted?—The budget is very severely dealt with by the Commissioner through whose hands it passes. In fact the budget as it sometimes passes is not the budget of the municipality, but one which is thrown upon them.

23929. Can you give any specific instance?—Not in my municipality, but I have known of other cases. It has happened with regard to the Sylhet municipality in 1895, as to the water-works. They wanted to make some tanks, but it was disallowed because the Chief Commissioner was against tanks. I forget whether he would have sanctioned anything else, but he would not sanction tanks.

23930. Would you give a municipality full power over its own budget?—Yes.

23931. Supposing they proposed to spend an exorbitant sum on establishment, for instance, in the interests of their friends and relations, would you give no one any power to interfere in the interests of the tax-payer?—General powers of supervision, of course, should be exercised, but only on urgent occasions. I do not see why it should be supposed that members drawn from different communities should have common friends and relatives, and why they would in a body betray the trust reposed in them.

23932. Who should be the judge of the necessity?—The Government.

23933. Then you would give Government a certain power of supervision?—Yes.

23934. Would you give the Government power to intervene in case of gross default of duty by the municipality?—Yes, if there was gross default.

23935. Would you give the municipality full power to levy any tax it chose?—I think the general power ought to remain with the Government.

23936. Then your position is that Government ought to retain general power of supervision, but that it ought not to exercise it quite so frequently as it does?—Yes, at present.

23937. (*Mr. Dutt.*) You say that the Government of India unfairly participates in all increase of revenue; have you studied the late *quasi*-permanent settlement between the Government of India and the Government of Eastern Bengal and Assam?—No.

23938. You do not know exactly how the revenues are distributed between the Government of India and the provincial Government?—No, my impression was that if there is an increase the Government of India takes it.

23939. But you cannot speak from definite knowledge? You say that provincial Governments should be allowed to borrow provided the loans are repayable within a definite time; can you recall any instance in which there was an urgent necessity for the provincial Government to borrow money?—No, I cannot.

23940. Supposing all the provincial Governments were empowered to borrow money, would it not lead to a multiplicity of loans and add to the indebtedness of the country?—The provincial Government is in a better position to know the needs of its own province than the Government of India is.

23941. Supposing every provincial Government had power to borrow money without the sanction of the Government of India, would not the total amount of the debt of the country increase vastly, and would there not be a multiplicity of loans?—If the debts could be repaid, there would be no evil.

23942. What definite period would you fix for the repayment of loans made by provincial Governments?—It would depend on circumstances—5 or 10 years.

23943. You say that the Local Government should have the power of making new appointments if there is a definite scheme sanctioned by the Council; do you know that there are certain definite rules on the subject by which all Local Governments have certain powers of making appointments, and that the Government of India also has certain powers of making appointments?—I do not know.

23944. Among your suggestions for relieving the Deputy Commissioner of some of his work is one that there should be a Sub-Divisional Officer at headquarters. Would you propose that the *sadar* Sub-Divisional Officer should be in the same position as other Sub-Divisional Officers are with regard to their sub-divisions?—He would be practically the same.

23945. Would you be in favour of delegating some of the revenue work which is now done at headquarters to Sub-Divisional Officers?—I think so, as far as the local institutions are concerned.

23946. Taking, for instance, income-tax work, if that work was made over to Sub-Divisional Officers within the limits of their sub-divisions, would it give satisfaction to the people?—I think so.

23947. Do you think that the work would be carefully done by the Sub-Divisional Officers?—Yes.

23948. Who collects the revenue from the estates of cultivators under the present system?—In Cachar, in certain areas, the *mauzadars*, within their *mauzas*.

23949. Would you allow a municipality to impose any new taxes without the sanction of the Government?—I think I would, with an appeal to the Government.

23950. Should Local Boards be placed upon a legal footing?—I think they should be.

23951. They are now based on a Government resolution—an executive order?—Yes.

23952. In that case would you like to have in Assam the same system which prevails in Eastern Bengal, namely, a District Board for the whole district with Local Boards under the District Board?—I think that ought to be done.

23953. Who is the Chairman of the Silchar municipality?—The Deputy Commissioner is *ex-officio* the Chairman.

23954. As a matter of fact, does he leave the work largely in your hands?—Yes, entirely.

23955. Have you found any difficulties in any work connected with the municipality?—I have not had much difficulty in my municipality.

23956. Does the Act work smoothly?—So far as my municipality is concerned, we have had no difficulty.

23957. And there have been no serious objections on the part of the people?—I think on one occasion we wanted to do something, when Major Herbert was the Deputy Commissioner, in the way of reclaiming an area by acquiring a piece of land, and an appeal was made to the Chief Commissioner, who came down and locally inquired into the matter, with the result that ultimately we agreed to a compromise.

23958. Generally speaking has the municipality worked smoothly?—I think so.

23959. Is your municipal income sufficient, not only for the current expenses of the year, but for making sanitary improvements also from year to year?—Yes, to some extent.

23960. Do you supply the drinking water?—We have asked Government for a loan as our resources are not sufficient for the purpose.

23961. Do you take charge of education?—Yes, primary education. We have two primary schools entirely maintained by the municipality.

23962. Who does the inspection work with regard to those schools?—The Government Educational Officers.

23963. Supposing, as Vice-Chairman, you find that the schools are mismanaged, what power of control have you?—I can do anything I like.

23964. Could you withdraw the grant altogether?—Certainly.

23965. Without consultation with the Educational Officers?—I think I have the power, but if I did so, I do not know what would happen.

23966. Is there a committee of the municipality in charge of education?—No.

23967. Would you suggest the formation of such a committee specially to look after primary schools?—It might be necessary in time, but at present there is no such necessity.

23968. Have you a dispensary in the municipality?—No.

23969. Is there no dispensary in Cachar?—There is, and the municipality makes a grant towards it.

23970. Have you any other supervision over it?—None, except that I am a member of the Dispensary Committee.

23971. And the members of the Local Board also?—Theoretically they are, but not actually.

23972. Does the institution work well?—There has been no complaint.

23973. Is it managed by the Dispensary Committee?—It is supposed to be, but I do not think the committee does much; in fact we had no meeting for two or three years, some time ago.

23974. Might not a little closer inspection improve the working?—It is a Government institution, and we are not required to take an interest in it.

23975. But as members of the committee could you not inspect and make your remarks and suggestions?—Perhaps we could, but we do not.

23976. Are village communities better developed in Assam than they are in Eastern Bengal?—In my part of the country the village communities are not so well organised.

23977. How would you organise them; would you select proper men in each district?—Yes.

23978. When the villages are very small, would you group a number of them for the purpose of the formation of one union?—Yes.

23979. Would you free them entirely from the control of the police?—Yes.

23980. You think if they were subordinate to the police, the plan would not work?—Yes.

23981. What powers would you bestow upon them?—I would give them small powers in petty criminal matters to enquire and report, and they might be called upon to settle small disputes.

23982. Would you also give them power to start some local works?—It would depend on the committee you were able to get.

23983. When the Local Board makes a grant for a small tank, for instance, in a village, would you make over the construction of that tank to the village panchayat?—That might be done.

23984. (*Mr. Hichens.*) Are there any other municipalities in your district besides Silchar?—No.

23985. Would it be desirable to establish more municipalities?—No.

23986. Can the municipality appoint and dismiss all its officers?—Yes, without the sanction of the Government.

23987. Is there any right of appeal?—Of course they have a right of appeal.

23988. Do you think that is right?—I think so. I would not take away the right of appeal from anybody.

23989. Do you mean because the municipality might make a mistake?—Yes.

23990. You would allow Government to retain control in that very important matter?—Yes.

23991. You said you were in favour of the establishment of District Boards; why do you want them?—For the purpose of watching the work of the Local Boards in a district.

23992. Do you imply that the Local Boards do not do their work well?—It would be better to have such institutions, I think.

23993. They are at present supervised, generally speaking, by the Deputy Commissioner?—Yes.

23994. You do not think that a District Board would be an unnecessary multiplication of Boards?—I do not think so.

23995. (*Mr. Meyer.*) You speak of budgets being passed by the Council and of definite schemes sanctioned by the Council—what Council do you mean?—The Legislative Council.

23996. If you abolished Commissioners, would you give larger powers to Deputy Commissioners?—Yes, I would restore the powers the Deputy Commissioners had formerly.

23997. Have they been reduced?—In some respects they have been reduced, because they are contingent on the sanction of the Commissioner.

23998. What former powers had the Deputy Commissioner which he has not now?—He had powers with regard to the settlement of lands, but he cannot exercise them now as before.

23999. You desire to remove the Deputy Commissioner from his position on Boards and municipalities, because you think his position as a Magistrate frightens the people, and you also desire to separate judicial and executive functions. Then if you had your way, the Deputy Commissioner would cease to be a Magistrate?—I desire to have the Deputy Commissioner and the Magistrate unconnected with the Board, so as to give the Board more power and independence.

24000. But if the Deputy Commissioner was only an Executive and Revenue Officer, would not your objection to his sitting on the Board disappear?—It would be better to have the Board free from official control.

24001. You say that officers and others do not mix sufficiently with the people, but if you withdrew them from the Local Board, might you not take away from them opportunities of mixing with the people?—I do not think so, because that does not give them much opportunity of mixing with the people; it only gives them a seat in the room for a short time.

24002. You say that gentlemen have sometimes been kept waiting when they wanted to see the Magistrate; is it not possible that the Magistrate has had to keep them waiting because he has been very busy?—It may have been so, but I think they should be better treated. I know of one instance where a gentleman was kept waiting in the compound for an hour, and surely that kind of thing would not tempt one to come again to see the Magistrate.

24003. If a Magistrate sent word that he was busy and asked the gentleman to wait or come another day to see him, would you consider that discourteous?—It would depend upon the manner in which the message was conveyed.

24004. Do you desire to give magisterial powers to Circle Sub-Deputy Collectors?—In my district they have that power.

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24005. Does that work satisfactorily, speaking generally?—It depends upon the officer, but I think so.

24006. Does your municipality get any grant from Government outside contributions for special purposes, such as water-works?—Yes. They have a fixed grant of Rs. 500 a year, as a general grant-in-aid.

24007. You say your dispensary is kept up by the Government, and that you contribute; is that the general state of things with regard to municipalities here?—I do not know.

24008. You say that you have full power of appointment of officers under the municipality; what is the highest post you have?—Overseers have the biggest pay, Rs. 60.

24009. Supposinig you had a man with a pay of Rs. 200, would you have full power in regard to him or would you have to get sanction?—I think we ought to have full power.

24010. As regards appeals, who passes orders punishing or dismissing any municipal servant?—In my municipality I would pass them.

24011. Is there an appeal from your decision to the Council as a whole?—There has not been such an instance; they might appeal to the Deputy Commissioner in the first instance.

24012. Is there any rule laid down with regard to these matters?—There are no rules.

24013. Should there be an appeal from the Chairman or Vice-Chairman to the collective Council?—Yes.

24014. From the collective Council would you have a further appeal?—Yes, to the Government.

24015. Not to the Commissioner?—No, because I would abolish the Commissioner.

24016. (*Sir Steyning Edgerley.*) Where does the Commissioner of the Surma Valley live?—At Silchar.

24017. Where do the members of the Board of Revenue live?—At Dacca.

24018. Where does the Chief Commissioner live?—At Shillong, and also at Dacca for a time.

24019. Would it not be very much more convenient to you if the Commissioner of the Surma Valley had adequate powers, so that you would be able to get all your business settled at Silchar?—Then there would be no necessity for a Board.

24020. Do you not think it would have its advantages?—Yes, if the Commissioner could pass final orders.

24021. In that case which would you prefer to retain, the Commissioner or the Board?—If the Commissioner had all the powers of the Board, the Board might be abolished.

24022. Would you prefer that; would you like to have the power of final disposal placed at Silchar itself?—Yes.

24023. Does the District Magistrate try criminal cases?—The District Magistrate does not try cases except under special powers.

24024. Has he appeals to hear?—Yes.

24025. If a visitor happened to call when he was in Court, he could not adjourn the whole proceedings to see him?—A visitor does not come to see him at his Court, but at his bungalow.

24026. When visitors are very greatly delayed do you suppose it is due to the exigencies of public business, or that they are kept waiting during the Magistrate's private pleasure?—I think during his private pleasure. I have known cases.

24027. You say that you are not expected to take much interest in the dispensary. How has that been intimated to you?—Because it is a Government institution towards which we only pay.

24028. In whose charge is the dispensary?—The Civil Surgeon's.

24029. Does the Civil Surgeon reside at Silchar?—Yes.

24030. Do you mean that he does not welcome you when you go to the dispensary?—No; I mean we are not required or asked to take any interest in the dispensary beyond giving a grant and attending the meetings which are not held always very regularly.

24031. If you do go to the dispensary and show an interest in it, does the Civil Surgeon show you that he would rather you stopped away?—There has not been such an instance, and I do not know what might happen in that case.

(*The witness withdrew.*)

Mr. William Skinner was called and examined.

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24032. (*Sir Frederic Lely.*) You are Chairman of the Assam branch of the Indian Tea Planters Association?—Yes.

The provincial revenue should be expended at the absolute discretion of the Local Government without check by the Government of India.

Local Governments certainly require powers to borrow; it would admit of a constructive policy for feeder lines of railways and enable the Local Government to give a guarantee to outside or English capitalists, a guarantee being an essential factor to attract English capital even though the guarantee may never be called for. Hitherto the hands of Local Governments have been tied; the formalities and restrictions imposed by the central Governments have choked all such projects, when initiated in Assam. With larger administrative powers and more financial control Assam would have been far more advanced. Colonisation would not have been entirely dependent on the Tea Industry, through railway communications would have been pushed on, the Postal and Telegraph Departments might have been stirred up to better meet public wants; whereas stagnation in every administrative sense has resulted from the restricted powers.

Increased administrative powers should be given, or restored, to Commissioners of divisions and Deputy Commissioners. Formerly they held power, had sufficient time to tour and knew every part of their districts; they mixed freely with all classes, while executive orders were few, initiative was encouraged and the names of these officers live in the villages still. Now, almost all the powers formerly exercised by these officers have been made over to Heads of Departments, which are increasing yearly, sometimes without any expert knowledge and knowing little of local conditions, while Commissioners and Deputy Commissioners are reduced to the expression of an opinion which has no force.

Revenue dominates almost every department to the exclusion of wider issues. Take excise; the increase in revenue has far outweighed the demand for facilities to secure drink. The Forest Department have gradually acquired, outside reserved or even conserved areas, nearly all rights immemorially held by villages; the ordinary necessaries such as cane, thatch, and drift wood are all taxed, while by a late order thatch cut on the Brahmaputra *churs* is being heavily taxed involving extreme hardship on Tezpur town and neighbourhood. In a backward part of India like Assam, its capabilities being immense, every encouragement should be given to extend cultivation and get the land taken up, Government being the landlord, whereas for revenue purposes rents have been consistently raised—between 1866 and 1893, a rise of 150 per cent. on *rupit* and waste, and on high lands useless for rice under 30 years' leases a rise of 125 per cent. is suggested and claimed as a right irrespective of adverse conditions and money sunk in the land during the period of the lease, to swell the revenue, while millions of acres of culturable land lie waste.

The frequent transfers of recent years has long been complained of. In Darrang between 1895 and 1907 eight Deputy Commissioners have held the district, and this district has been fortunate. The

rule used to be five years subject to long furlough to the manifest advantage of the district; now two years is the exception, resulting in arrears of all court work and loss of touch with the people.

District Board might advantageously be substituted for Local Boards in Assam, the members of which in education and interest compare favourably with District Boards in Bengal. The powers of Local Boards are inadequate, and under the larger powers of District Boards much more useful work would be possible than at present.

Assam is not sufficiently advanced for the creation of Advisory or Administrative Councils.

24033. Have you lived in the country for many years?—I have.

24034. Are you intimate with both the natives and Europeans in your part of the country?—I have had a great deal of experience of them.

24035. Is your answer to the question as to the powers of District Officers given from your own personal observation?—Yes, from my own personal experience.

24036. You speak of the excise, and say that the increase in revenue has far outweighed the demand for facilities to secure drink; do you mean that more facilities for securing drink should have been supplied?—No, I meant that consideration for revenue from excise returns had overruled any demand for facilities; for instance I have had experience myself of a grog-shop having been placed at each end of my garden.

24037. In that case would you say the supply was in excess of the requirements?—Yes. I think they were put there merely for the sake of getting the revenue.

24038. Was the only possible reason considerations of revenue?—Yes, I take it to be so; we were not consulted when the extra shop was put there, as we think, quite unnecessarily.

24039. Did you make any representations with regard to it?—Yes, and both shops have been removed since.

24040. Then might it not be probable that the second shop was established under some mistake?—No, I can hardly think that, because it took us a long time to have it removed; eventually we succeeded.

24041. With regard to the Forest Department, would you revert to the old system under which anybody was able to come and cut what he chose?—No.

24042. You admit that a certain amount of control is necessary?—I think the Department is useful in itself, providing it operates in conserved and reserved areas, but I am speaking of where they do not conserve or reserve, but claim rights which are oppressive and an interference with the rights of the people and very unnecessary. It is merely done for consideration of revenue. I am referring particularly to the *churs* on the Brahmaputra.

24043. Are the *churs* Government land?—I suppose so.

24044. Is it not desirable that Government should retain some control over the produce, and that is the most economical method of managing it?—But they do not control it at all beyond taking the revenue.

24045. But there is a check on indiscriminate cutting and taking away?—In this instance it could not hurt anyone, because *churs* are nearly always burnt at the end of the year or disappear under water.

24046. Should land like that be left entirely unaccounted for?—Quite so; it has been always so. As the means of getting thatch go further and further away from a town, the only opportunity the people have of geting thatching grass is from these *churs*.

24047. But is it not fair to say if you take away property, you must pay a certain price?—Certainly not in this case; it should be a public right as before.

24048. You speak of the steady increase in the assessment of land; is that owing to the action of the provincial Government or is it owing to the action of the Government of India?—That I am not prepared to say.

24049. Have you read the general Resolution on the subject of land revenue assessment published by the Government of India?—Yes.

24050. Do you not consider that the policy there laid down for suspensions and remissions in the case of short crops is a good policy?—Quite so; it is perfectly sound.

24051. Would you still after reading that book say that increase of assessment is claimed as a right, irrespective of adverse conditions?—If those conditions were applied to us, I should not say so.

24052. I am speaking now of the Government of India policy as laid down in their declarations?—Quite so; if the Local Government would apply those conditions to us, we ask for nothing more.

24053. In the case of a failure of crops in this province, would not those terms and conditions be applied?—I assume so; but I do not think the Tea Industry and the adverse conditions under which it has laboured are taken into consideration.

24054. You are speaking of tea planting, and not of the raiyats?—Yes.

24055. As a matter of fact has not the value of land in Assam gone up considerably in recent years?—Not in the high land; there is no demand for it whatever.

24056. Have not increased communications and the general improvement resulted in an increase in the value of land?—There is no increased demand whatever, and the value is determined by the demand. I am speaking of land taken up by the Tea Industry.

24057. Is that land on which the assessment is likely to be increased?—It has not been re-assessed, but it is in process of settlement.

24058. Are you speaking of past facts, or what you expect will happen?—I am speaking of the last period of settlement—there has been no great demand since.

24059. Have the assessments on this high land been increased of recent years?—No; it is 30 years since the last assessment, and it is just running out; it is only the Government's suggestion that it should be increased by 125 per cent.

24060. Then you are speaking of what you anticipate, and not as to facts?—Yes.

24061. You advocate the introduction of District Boards as a substitute for Local Boards, but do you not usually find that where a District Board exists, it has alongside of it a Local Board?—We have no District Boards in Assam. My idea was to institute District Boards instead of Local Boards. Assam is peculiarly situated. We have some districts with one sub-division a long way off and cut off from the centre, and possibly it might be very difficult to get good attendance between the two sub-divisions of one district; there I should recommend Local Boards, if possible. My idea with regard to District Boards is that there are more powers held by them than there are in Local Boards. The great idea in having a District Board is that you are able to have a proper supervisor in the shape of a whole-time engineer who can properly supervise the work. At present Local Boards are confined to the supervision of a surveyor, whose salary only rises to Rs. 120 a month. In former days we had five Executive Engineers in the province, and they used to supervise all the Local Board work which was all right, but now those five have been reduced to two: there is only one for the upper districts of the Valley and one for the lower, and their work is so enormous that they can give no time to the supervision of Local Boards, with the result that the work suffers.

24062. But that is rather apart from the question of whether you should have a District Board?—The District Board is a bigger thing and would enable us to keep a whole-time District Engineer.

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24063. Therefore would you recommend a District Board with, or without, the existing Local Board?—Without the existing Local Board, with the powers of proper supervision.

24064. (*Sir Steyning Edgerley.*) When was the diminution in the number of Executive Engineers made?—Within the last two years.

24065. Is it to be a permanent change?—That I cannot say.

24066. You lay great stress on Local Governments being able to borrow; what sort of sums ought they to be allowed to borrow—up to any limit?—I think there should be a fixed limit. I was principally thinking of feeder lines of railways which are very much needed in Assam, and if the Local Government had the powers of borrowing it could guarantee interest.

24067. Have any schemes you know of been stopped for want of that power?—Not exactly, because the Government has never had power to borrow outside the Government of India, and therefore no scheme has been put forward. Schemes have been started in Assam, and it has always been a stumbling block that the Government had not the money, and we could not get capital owing to the want of a guarantee.

24068. Schemes which you think would have paid their way?—Certainly. There was one scheme which I had a good deal to do with, which was run through without Government help beyond some minor concessions, and that scheme has been held up all over India as a model line. One of the Consulting Engineers about 1898 published a pamphlet on the system of feeder lines, and his idea was to use the provincial grant as a guarantee.

24069. Has that line been remunerative?—It has always paid its way, and has been a great boon to the district, as well as opening up a great deal of the country.

24070. Why has it not had the effect of inducing the people to go in for similar schemes?—The difficulty is in attracting capital to Assam. The scheme was carried out through the good offices of a few personal friends in Calcutta, and if we had power to borrow, it might be possible to set aside a certain portion of the provincial revenue as a security and deduct it from the budget heads for Public Works, which in this instance was the department which would benefit by such a railway.

24071. Have you been a member of a Local Board?—I have, for many years.

24072. Have you ever had much margin of revenue to expend?—No; everything is spent as a rule and there is very little surplus.

24073. Then how would you benefit by the creation of a District Board; you would not get more money?—I think so. The principal point is that we should get better supervision.

24074. For the same money?—District Boards would be larger, and would get a bigger grant, and there would be more heads of revenue falling in for them to deal with.

24075. (*Mr. Meyer.*) You say that the provincial revenue should be expended at the absolute discretion of the Local Government; are they never to require sanction from the Government of India about anything?—No, hardly that; I think I am right in saying that the provincial Government cannot give a guarantee for a railway without going to the Government of India, which it should have power to do, providing it does not ask for imperial funds.

24076. Are you aware of the system of provincial settlement between the Government of India and the Local Government?—It used to be a quinquennial settlement.

24077. When there was a quinquennial settlement, the Local Government really had no permanent resources to pledge?—No.

24078. And now there is a *quasi*-permanent settlement?—I have no means of knowing that.

24079. Where do you propose that the Local Government should borrow?—That, of course, is a difficult matter: I should like to see them first have the powers to borrow, and then it would be a question for them to settle how they could borrow: I do not think there would be any difficulty with regard to their borrowing in the open market on a guarantee.

24080. Do you think they could borrow in this province?—They could borrow at home.

24081. That would interfere with the borrowing powers of the Government of India?—Yes, it is a difficult question, certainly.

24082. Do you say that you would like the Local Government to take over the postal and telegraph work?—Not entirely to take it over, but they should have a bigger voice in the matter. Our postal and telegraph arrangements are far from satisfactory, and we cannot complain to the Local Government, because they have no powers.

24083. But have arrangements not been improved of late years?—Not as regards our northern bank; they are rather worse than they were a few years ago. If I want to send a letter which used to take by steamer a day and a half to reach its destination, it now goes to Gauhati right away round and across the river, occupying five days.

24084. Have you tried addressing the local Postmaster-General on the point?—Yes, we have tried many times.

24085. With regard to your remarks on assessment, is it your position that the Tea Industry, unfortunately, has not been so prosperous of late years, and therefore the proprietors should not pay so much for the land?—There should not be any rise; we do not object to the same revenue being demanded.

24086. To take the converse case, supposing the Tea Industry took a great bound upwards and prices rose, would you admit that to be a ground for raising the assessment?—Had it done so during the period of the first settlement, I should certainly say Government would be justified in the policy of raising the demand, but if the value of the produce has decreased by 50 per cent. on the Government's own policy, it should not make any increase, or at any rate nothing like 125 per cent.

24087. Since 1904 there has been some revision of settlements?—Not with regard to these leases; they are falling in; they began to fall in last year, and nothing has been finally settled. I only mention this as an instance of the sort of proposal Government makes. They have asked us to consider the matter, but they lay down a proposal which is based on a literal reading of the clause in the lease.

24088. In fixing the assessment, has not the Government to consider not merely the circumstances of your industry, but what the land might yield if cultivated with other crops?—I do not think the land is suitable for any other crop if taken over; in fact, the Government have never been able to let any of this land, except for the Tea Industry. If there were competition for the land, of course I should have nothing to say.

24089. As regards the District Board, is your view that it would be sufficient to have a sort of general Council for the district, co-ordinating the work and being able to employ an establishment which it might lend to the Local Board?—Not quite.

24090. Do you mean that when a district is compact, a District Board would be sufficient, but where there is an outlying area, there should be a Local Board below it?—Yes.

24091. Are you acquainted with the village organisation in this Valley?—I have more or less mixed with the villagers about my residence.

24092. Have you heard about the *mels*? Are they actual working entities?—I should not like to say definitely, but I do not think so.

24093. You would not be in favour of giving them some small powers?—I rather approve of panchayats: I think it is a very useful system if you can get the people to take the intelligent interest which is necessary. I use panchayats largely myself in my work, and I always try and let the coolies settle their disputes by their own panchayats, because they do it more satisfactorily than I would, as they know their own customs; similarly I think that panchayats in villages might be given certain powers. Altogether I think it would be a useful experiment.

24094. Would you try it as an experiment in a few places?—Yes.

24095. Are planters generally Honorary Magistrates?—No, I used to be; I was for about nine years an Honorary Magistrate.

24096. You speak of dealing with disputes among your own coolies; would it do to make you an Honorary Magistrate to deal with petty matters? I do not think it would work well; there would be a lot of jealousy, if a coolie in another garden came and complained of another. In the old days, when I was a Magistrate, that sort of thing did not arise because the gardens were very much scattered.

24097. But as between coolies on your own particular estate?—It would be very nice for us, but I do not think it would be altogether approved of by Government.

24098. (*Mr. Hichens.*) It has been suggested that education might be taken away from the Local Boards and taken over by the Government; would that be a good thing?—The Boards do not trouble themselves very much about it.

24099. The point of view of one witness was that the expenditure by the Local Board on education was growing from year to year, and was absorbing the money which was required very badly for other purposes?—Yes, that is perfectly true. Government laid down a rule that a certain percentage had to be spent on education out of the Local Board Funds, but it has been gradually going over that mark; we get orders to spend more and more on education every year, and we have nothing to say in the matter, but we have to do it. I quite agree that other useful works are starved on account of the amounts which are taken from the Boards for education.

24100. Is it not desirable, if possible, to make the local people take an interest in primary education?—Certainly, if it could be done.

24101. Is one way of doing it to put the management of it under the Local Board?—I do not think the Local Board takes much interest in it; I mean the native members.

24102. Perhaps they do not to-day, but in time might they take some interest in the matter?—It is possible.

24103. At any rate there is a chance that they will if you leave some control to them, but there is not very much chance if it is put under Government?—Quite so.

14104. Therefore, it might be better to adopt the alternative of increasing the Government grant for the Local Board in respect of education?—Quite so, and keep it apart, as it were, earmarking a certain portion—that would be preferable.

24105. Would it be fair to say that at the present time in Assam the Local Boards cannot afford to pay more than quite a small contribution towards education?—That is true.

24016. And that the balance must be made up by the Government?—Yes.

24107. And that it is desirable to keep it under the control of the Local Board in order to try and educate the people up to taking a definite interest in the matter of education?—Yes, I think that is a very good idea.

24108. Might the Local Board have more power in respect of primary education?—At present they have no powers beyond giving the money.

24109. Then one cannot expect the people to take much interest?—No.

24110. Therefore, if one wanted to interest them, might it not be useful to give them more powers?—Certainly, if possible.

24411. For example, do you think it would be worth while with regard to primary schools to allow them to alter the curriculum if they thought fit?—Yes, it would be a very good thing.

24112. The view might be that with a little experimenting they might find out the kind of education most suited to themselves and their children?—Yes.

24113. Even if they did make mistakes here and there, on the whole it would be worth while to allow the experiment if the upshot of it all was to get a kind of education that really suited them?—Certainly.

24114. It might then become, so to speak, a part of their lives; so that you think it might be worth while to take the risk?—Certainly, I think it would.

24115. Travelling, speaking broadly, is rather difficult throughout the whole of Assam?—It is very difficult, especially in the rains.

24116. Therefore, if you have District Boards, it would be somewhat difficult sometimes for the members to meet?—True.

24117. Also, the members of the various subdivisions do not know very much about the members in another?—No; they are very much apart.

24118. Can one expect them to take much interest, except in their own affairs?—No, only in their own locality.

24119. Therefore, if one substituted a District Board it might have the effect of killing local interest?—Not entirely, but partially it might.

24120. Would you abolish the Local Board in certain cases?—I would in certain cases where the communication was easy.

24121. In those cases might you not rather diminish the interests of the individual members?—I do not think so, necessarily. We used to have District Road Committees for a whole district, and I do not think things have improved under the conditions now; there is a tendency that way, I admit.

24122. But would you not admit that possibly local interest in a Local Board would be keen?—Yes.

24123. One objection to Local Boards, which you mentioned, and which seemed to have a good deal of weight, was that they cannot get sufficient supervision with regard to Public Works?—That is the main point.

24124. Might that not possibly be got over by appointing an officer for the district?—Quite so; a District Engineer for all the Local Boards in a district would suit quite well.

24125. So that your objection could be got over?—Absolutely, provided we got better supervision.

24126. And that being so, possibly it might be better to retain the Local Board?—Yes, I have no objection to that. I think it would suit the conditions of Assam better to retain the Local Board under those conditions.

24127. Are there any communal lands around the village homesteads?—No.

24128. Is there not a certain amount of Government land round the villages?—There is a lot of Government land, enclosed forest, but the villagers all have to get permission to use what they want.

24129. What would you say to the suggestion that, where possible, each village should be endowed with a certain amount of communal land for the purpose of getting firewood, for grazing cattle, and so forth?—It would be a very good idea; there is plenty of land.

24130. Would it interfere with the Government at all?—It would not; the land they would occupy is not marketable at all.

24131. It would give a common interest to the village, and the panchayat might have the control of the communal land?—Quite so.

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24132. Would that in itself be doing something to add to the development of public feeling in a village?—I think it might.

24133. Would you advocate that?—I would.

24134. (*Mr. Dutt.*) Do you know if the money which is spent on education exceeds the amount of the Government contribution, or is less than it?—It is less than the total Government contribution.

24135. Have the Local Boards other sources of income than the Government contribution?—Yes, they get local rates and receipts from ferries and pounds.

24136. Is that all spent practically on roads and communications?—No, not entirely; there are medical and postal expenses, and a certain amount of Public Works and establishment expenditure.

24137. Is the proportion which is now spent on roads adequate?—It is very inadequate for a country like Assam.

24138. You think it would be a good idea to employ a District Engineer for all the Local Boards in a district. Would that not create difficulty by his having to serve many masters?—No; it could all be done through the Chairman.

24139. But at present there is a Chairman for each Local Board?—But in each district one would have the Sub-Divisional Officer and the Deputy Commissioner, who is over the Sub-Divisional Officer.

24140. So that you would have the District Engineer under the orders of the Sub-Divisional Officers?—Yes.

24141. If, instead of having one Board for the whole district, you have three or four Local Boards and one District Engineer to serve them all, there might be a difficulty that he had not one master to serve but many masters?—I do not think that difficulty would arise.

24142. Could he act under the orders of the Deputy Commissioner?—Or the District Officer.

24143. Or if a District Board was constituted he could be placed under the District Board?—I presume so.

24144. Why should works which are likely to pay want a guarantee in Assam?—Because they have to be made, and you have to get the money, but you cannot get money from Calcutta because there they know nothing about Assam or Assam conditions, and unless business people know something about an undertaking they are not content to part with money on a mere statement of figures or a survey which may, or may not, be accurately made, and which although we might think it all right, might not appeal to them. We have tried it. If there is a Government guarantee behind them, that would be the great thing, and it would attract capital where private capital will not come forward simply on the mere statement that some one says a thing will pay.

24145. Is not British capital attracted to all parts of the world without any guarantee?—I am afraid not much to India.

24146. But if a scheme is one which is likely to pay, why should it not attract capital?—The question is, who is to know whether it is likely to pay; we can only make statements and so on. There has been always that breakdown; we cannot get the public to take any interest in Assam.

24147. Do you draw a distinction between India and other parts of the world in that respect?—I think it is difficult to attract capital to India.

24148. Might not the giving of a guarantee sometimes have the effect of launching you into enterprises which are not likely to pay in the end?—It has done; for instance, the Assam-Bengal Railway is one very notable case, but the public have nothing to do with that; that was purely a line initiated by Government.

24149. But there are risks of that kind?—There are risks, of course, and there have been many instances of lines down in Madras where the District Boards raised a special cess, and those lines are now returning very handsome profits to the Boards who supported them.

24150. We had evidence in Madras that some of those projects had to be abandoned because they did not pay?—Of course a great deal rests with the way they are made; you must get a good man to make them, and they should be made on appropriate lines.

24151. Will the Assam-Bengal line ever pay?—I do not think the line will pay for a century.

24152. And there is always that risk, if there is a guarantee?—I do not think so, because our little line, for instance, paid in its second year, and has never gone back, although it has no means of expansion. Moreover, Government has its own professional advisers to examine and certify the soundness of the scheme before giving the guarantee.

24153. You say that Heads of Departments have a great deal of power vested in them, and that Commissioners and Deputy Commissioners are reduced to an expression of opinion and to routine work more or less; would you suggest that Commissioners and Deputy Commissioners should have more control over the work of the other departments within the limits of their divisions or districts?—Within the limits of their divisions or districts they should have very much more power; they are the men on the spot. They know exactly what is required, far better than the Head of any Department, who is unacquainted with local conditions or who is not in the same position to learn them.

24154. For instance, in the matter of Public Works, do you suggest that the Commissioner of a division should have control over the Public Works executed in his division?—He should have control over the budget and the amounts spent; very often we find large sums of money are spent in useless directions, and more crying needs often are neglected.

24155. In making up the budget for the whole province, should it be made up by divisions, and the Commissioner of a division be empowered to fix what works should be done within his division with the money allotted?—I think the Commissioner with his experience and the advice of his Deputies is in a better position to know the needs, and might revise the budgets where necessary.

24156. Would you give the same power to the Deputy Commissioner with regard to his district?—Yes.

24157. Would you give a Commissioner similar powers in respect of the Excise Department, and an important voice with regard to the number of shops to be established in his division?—I think that is a good deal done now; Government recently made a great move in that direction. Every European gets a list of shops and has an opportunity given him of making any objection.

24158. Is the Forest Department under the control of the Divisional Commissioner or the Deputy Commissioner?—Neither; I think it is entirely a separate department.

24159. Should the Forest Department be, to some extent, under their control?—I think so, certainly. In Assam there is very little valuable timber which it is necessary to conserve, but there is a great deal of unclassed forest absolutely useless, which has been reserved, and if for any public purpose a demand for that land arises, there is no getting it; the Forest Department will not budge, and there is a long and tedious procedure to go through.

24160. So far as the convenience of the villagers is concerned, ought the Commissioner and Collector to have a potent voice as to the administration of these scrub jungles?—Yes.

24161. You say that the Forest Department have gradually acquired all the rights immemorially held by villages; were these rights of getting fuel and pasturing cattle enjoyed before by the people without the payment of any sort of rent?—Absolutely.

24162. And have those rights been now restricted?—They have been gradually acquired since the Forest Department has come into existence, and

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the villagers have to get permission for almost everything.

24163. So that it is practically taking away from the people a right which they possessed before?—Quite so.

24164. For each village should a sufficient quantity of this scrub jungle be left for pasturage and fuel, and other purposes?—Yes. Villagers are very often hard put to it in getting thatch and so on. Of course, a great deal of it is very often their own fault, because they are very improvident.

24165. A new settlement was begun in 1904-05?—Yes.

24166. Has that led to any large enhancement?—No, the reverse, I think.

24167. Evidence was given yesterday that sufficient endeavours are not being made to bring waste land under cultivation; has tea cultivation indirectly had the effect of bringing some land under cultivation independently of the gardens?—Of course, an enormous area has been gradually put out by time-expired coolies, the country is being gradually colonised by the Tea Industry.

24168. You get your coolies for a number of years?—We did get them for four or five years; at present we get them for four years.

24169. Under the penal clause?—Yes.

24170. Is that still necessary?—Certainly.

24171. After their time expires, do the coolies generally go back to their homes or do they settle down in Assam?—Not one-fifth of them go back; they come really to stay in the country, and they settle down in some capacity or the other, and large areas of land for miles round have been taken up by these coolies. Most of them drift into the villages; some of them become servants to babus and traders, and that sort of thing.

24172. Where do these coolies mostly come from?—A large number of them come from Chota Nagpur and other places, and now a good many of the Central Province coolies come in.

24173. (*Sir Frederic Lely.*) Are you in favour of withdrawing village schools entirely from Government control?—No.

24174. One very important point you mentioned was with regard to the school curriculum, which you said you would allow the people to change; but suppose you had a Muhammadan village, there is no doubt, is there, that the great majority of the villagers would vote for teaching all the smaller children the Koran; should they be allowed to spend public money in that way?—It is very difficult to say; you might have a school for them in that case.

24175. But in the case of a State-supported school, should Government not have a voice in its management?—I do not say that Government should have no voice in the matter, but I do not think the Local Board would change the curriculum of a school if there was not an absolute need for it.

24176. At present it lies with the Government Department to regulate?—Yes.

24177. As a general principle should Government not have a voice in the management of the schools so as to check vagaries of any sort?—Certainly. I did not understand it was suggested that Government was to have no control, but that in simple matters the control ought to be left to the Local Board.

24178. Supposing a school was in the hands of the higher castes in a village and they wished to confine it to themselves and to eject the lower class, what would you do?—The Local Board would have power to intervene.

24179. But suppose they did not intervene, should not Government have the right to interfere?—I should say so certainly; I do not want to interfere with the control of Government at all.

24180. You think that Government should have a regulating voice?—Yes.

24181. In the case of communal lands do you intend to say that Government should make them over to the entire disposal of the villages?—No, but that the villages should have certain rights within certain areas.

24182. Have you any actual experience of villages in which communal lands existed?—No.

24183. Do you know of cases of such land being entirely appropriated by the influential men in the village?—I have no doubt it might be so.

24184. In such a case should Government have a controlling voice in the management?—Quite so.

24185. And the full use of the land should be appropriated to the villagers?—Yes, quite so.

(*The witness withdrew.*)

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24186. (*Sir Frederic Lely.*) You are officiating Commissioner in the Assam Valley?—Yes.

The Local Government should be in a position to guarantee interest to pay dividends of shareholders in Light Railway Companies in the province. The case of the Mangaldai Tramway Company may be referred to as an instance. If the provincial Government possessed the power mentioned above and the necessary funds were forthcoming, and the Government was willing to guarantee, say, 4 per cent., it is understood that a Company to start the Mangaldai scheme, and possibly one in the Nowgong district also, could be formed without delay. The necessity for more Light Railways in the province of the Tezpur-Balipara type is great, and such lines would be useful, not only for opening up backward tracts and for affording facilities for the transport of merchandise, but also as feeder lines to the Assam-Bengal and Eastern Bengal Railway Companies. The rate of interest should not be less than 4 per cent. so as to attract readily investors in this country.

Official correspondence has increased in volume to such an extent, owing largely to the very numerous "opinions" on proposed measures of Government and reports which are called for, that Executive Officers, who should be moving about their charges, are largely chained to the desk, and are consequently unable to come into personal contact with the people. The Deputy Commissioners have far too much petty routine work to do, and in the planting districts their time is too much occupied with the inspection of tea-gardens and with tea-garden business generally. Their tours in consequence are necessarily run mostly along the lines of communication between the different tea-gardens, thus neglecting the villages in the interior of the *mauzas* situated away from the tea-garden roads which do not receive visits from the Deputy Commissioner or his assistants often for years together. Sub-Divisional Officers are tied much by their criminal work of which they should be relieved as far as possible—only the more important criminal cases should be tried by them and those preferably locally.

With the exception of the Goalpara district, I hear from many sources that District Officers cannot speak or understand Assamese as well as the officers of the last generation. This may be partly due to the larger employment of English in the Courts and offices, but it is also due to not sufficient trouble being taken by the officers to acquaint themselves with the language. I think it imperative that the District Officers should not only be able to converse fluently, but that they should also be able to read readily vernacular reports and dictate orders in Assamese, also, if possible, to be able to write Assamese grammatically. It has been recently proposed to confine the examinations of officers in Assamese to a colloquial test of the same degree as that of the Lower Standard in Bengali. I would submit that the test for passing in Assamese should be equally severe as in Bengali.

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Transfers of District Officers in the Assam Valley since the introduction of the new orders have not been unnecessarily frequent.

The legal status of Local Boards should be defined as soon as possible, principally with the idea that they may be able to float loans for the construction of many useful local works. Borrowing powers up to the extent of one year's "local" income might be allowed them subject to the sanction of the Commissioner. Similarly municipal loans might be sanctioned, on the applications of municipalities, by the Commissioner, up to the extent of a year's municipal income from other than Government sources. The security for loans in the first case might be the local rate and ferry receipts, and in the second the house-tax and market receipts. The Assam Local Board system suits this division better than the Bengal District Board arrangement.

Advisory Councils, if properly constituted, might be of considerable assistance both to the Commissioner and the Deputy Commissioner. Taking the District Advisory Council first. For this the existing Local Board system might be usefully utilised. In the planting districts of Lakhimpur, Sibsagar, Darrang and Nowgong, the Local Boards might elect members to represent both the planting community and the ordinary population of the district. District municipalities or stations might also elect one member each to serve on the District Council, and it might be necessary in backward tracts for the Deputy Commissioner, with the approval of the Commissioner, to nominate some members. The Civil Surgeon and Executive Engineer should be *ex-officio* members of the District Council. To the Council opportunities might be afforded of discussing such questions as the temporary suspensions of land revenue on account of local calamities, education, Public Works, sanitation, vaccination, dispensaries, preventive works against flood damage, and other matters of local matters.

For the Commissioner's Advisory Council members might be elected to serve on this body by the Local Boards in the division. One planting member and one Indian member might be elected by each District Council. The more important municipalities might be allowed to elect one member each to serve on the Council. One member each should be elected to represent the Assam Association and the Indian Tea Association. To the Divisional Council might be assigned such duties as assisting the Commissioner in the examination and passing of Local Board and municipal budgets, in advising him with reference to the grant of loans to Local Boards and municipalities, advising him as to the expediency or otherwise of granting administrative sanction to Public Works (but I would raise the limit for administrative sanction in such cases to, say, Rs. 20,000), advising the Commissioner with reference to remissions of land revenue on account of local calamities, education, sanitation, vaccination, light railways within the division, protective works against flood damage, and any other matters of local importance. The Superintending Engineer, the Sanitary or Deputy Sanitary Commissioner, and the inspector of schools, should all be *ex-officio* members of the Council.

Under the present rules ordinary Indian members of Local Boards are elected by *gaonburas* or village headmen, in the Assam Valley Division. It may be reasonably argued that *gaonburas*, who are practically Government servants, inasmuch as they receive in return for their services certain rent-free land, will be under the influence of Government, and will therefore seek to secure the selection of Government nominees or persons whose candidature may be thought by them to be acceptable to Government. Further, the *gaonburas*, who are as a rule men of no education, will be liable to sell their votes. I would suggest a franchise which in a backward portion of the province, such as Assam, should not be pitched too low at first—probably at about Rs. 100 or upwards.

24187. You think that the Local Governments should be in a position to guarantee interest to pay dividends on light railways. Do you mean that the Government should be responsible for the payment of the full dividends?—Either Government or the Local Boards.

24188. Has not the Government of India entirely abandoned the policy of guaranteeing dividends on new railways?—I was not aware of that.

24189. What is the difference between a periodic estate and an estate?—A periodic estate is an estate which is leased for a term of years; 20 years is the present term: it used to be 10 years; an ordinary estate is let annually. We have annual leases and periodic leases.

24190. Is most of the land let on the periodic system?—The permanent cultivation is so let; all the cultivation which is not fluctuating is periodic, and the cultivation which is fluctuating is annual.

24191. You mean such as *chur* land?—Yes, and lands which are liable to be constantly relinquished.

24192. It has been suggested that Deputy Commissioners should have power to annul the settlements of periodic estates, and that power to annul the settlement of ordinary estates also should be given to Sub-Divisional Officers?—I do not go so far as that.

24193. You would not even give the Deputy Commissioner power to annul?—My idea is that as the annulments of settlements carry with them relinquishments on the part of Government of all arrears, if you grant the power to Deputy Commissioners and Sub-Divisional Officers, they might do too much.

24194. Would you grant the power to annul the settlement of ordinary estates to the Sub-Divisional Officer?—Yes, there is no harm in that.

24195. You would give the Commissioner power to grant remission in the case of a local calamity up to Rs. 10,000?—Yes.

24196. Do you mean Rs. 10,000 in each village?—No, in the particular area affected. There might be a large area affected by flood, and our principal cases arise from flood damage.

24197. You do not refer to remissions rendered necessary by drought?—We have very little drought in this province; flood is the general trouble.

24198. Are you content with the Local Boards as they exist, provided their position is defined by law?—Yes.

24199. Would you advocate the introduction of a District Board also over them?—That is a difficult question. We had a great deal of correspondence about it in the time of Sir Henry Cotton and Sir Bampfylde Fuller. Sir Henry Cotton was in favour of creating District Boards as in Bengal, and all the officers were consulted and we came to the conclusion that the Local Board worked best. The great difficulty in working District Boards in Assam is that it is so difficult for the members to meet because they are so scattered. For many reasons we were in favour of District Boards if we could have got over that difficulty.

24200. In any case, even if District Boards were introduced, would you not concede most of the executive power to the Local Boards?—It would depend on circumstances.

24201. But the considerations you suggest would indicate that the executive power should be chiefly in the hands of the Local Board, and a District Board, if it existed, should exist chiefly for the purpose of taking combined action?—That is so, that of course would fit in with my idea of an Advisory Council for the Deputy Commissioner. On the other hand there is the doubt that it is hard to get the members to come from a distance to meet. That is the objection to District Boards in the Assam Valley.

24202. Still it would be important to get all the interests of the district combined?—I would, if the difficulty could be got over.

24203. Would there be any practical difficulty in getting them to meet once or twice a year?—Meetings are held oftener than that, and that might meet the difficulty. If the budget meeting was once a year, there would be no difficulty about that.

24204. Would your view of the proper function of the District Board be to frame the budget and to distribute the executive work amongst the Local Boards?—Yes.

24205. One of the functions of the Head of the District is to send up any expression of local opinion for the consideration of the Government; in that branch of his duty would you give him the advice and help of the Advisory Council?—Quite so.

24206. Would you give the Advisory Council the right to interfere with regard to any general orders laid down by the Government?—No. It should be a consultative body only.

24207. It is not intended to influence the Collector's action for which he himself is personally responsible?—No.

24208. If its particular function is to be that of ascertaining the popular opinion for the purpose of communicating it to the Government, does not every good Collector do that already?—Collectors call in men whose opinions they value and consult them.

24209. In what do you consider the present machinery defective in that respect?—Because if you could get all the people who are now consulted to meet together at the same time, you would get a better opinion. Sometimes a man when he is alone will tell you one thing, but if he is before a number of people he will not say the same thing at all.

24210. Which is likely to be the genuine opinion?—I think the opinion given in Council.

24211. You think, if you want to get the genuine opinion of an Indian, you would not invite him to your house and talk the matter over in a friendly way, but you would rather put him up at a public meeting to make a speech?—I think it would be better for him to be checked by the presence of others.

24212. Would that be a more likely way of getting at the truth?—I think so, because statements are not always reliable when made to one in private.

24213. Would they be reliable if made in a public assembly?—I think they would be checked more.

24214. Do you not think the present intercourse between a Deputy Commissioner and his leading men is more cordial and likely to be more productive than if formalised in a general assembly to which every man has a right to be called?—I do not think so, because in this division the people are accustomed to panchayats. In the times of the Rajas they did much of their work by panchayats and darbars, where they used to make speeches, and it is a system which is suited to this part of the province.

24215. Have the Deputy Commissioners lists of the leading men in their districts?—Lists of *darbaris* have been made out, but only of late; there used to be informal lists, but now we are making out *darbar* lists.

24216. But would they necessarily include men of all classes?—They would not include men of all classes, but only the most respectable people of the district.

24217. At any rate the establishment of an Advisory Council should not, in your opinion, do away with the necessity of as much private intercourse as possible?—Not at all.

24218. Your districts are divided into subdivisions, and over each sub-division there is an officer of the rank of Deputy Collector or Assistant Commissioner?—Yes.

24219. Is the Deputy an Extra Assistant Commissioner?—Yes.

24220. Does the Sub-Divisional Officer live in his sub-division?—Yes.

24221. Is there a treasury at headquarters?—There is a sub-treasury at the headquarters of each subdivision.

24222. In each sub-division are there Circle Sub-Deputy Collectors?—Yes, they are in charge of circles, but that is not the case in all the districts; it is only in districts where the resettlement has been completed.

24223. Are the Circle Sub-Deputy Collectors usually endowed with magisterial functions?—Not in this division.

24224. Who does the second and third class magisterial work?—Sometimes there is a second Extra Assistant Commissioner if it is a big subdivision, and if it is not a big sub-division the Sub-Divisional Officer himself tries the cases summarily, or sometimes there are Honorary Magistrates.

24225. Where you have a second Assistant Commissioner, does he do all the magisterial work?—No, he does civil work, and he does criminal work as well. The Sub-Divisional Officer is primarily responsible for the criminal work; he is supposed to take up the more important cases.

24226. Has the Extra Assistant Commissioner in charge of a sub-division powers to commit?—Yes he has powers to commit to the Sessions.

24227. Has he power to hear appeals?—Not as a rule; the District Magistrate hears appeals.

24228. Do you consider as Commissioner that you have control of all Government agencies?—I have only been in charge for six weeks, but I have an idea, so far as I have seen, that there is sufficient control.

24229. You do not consider yourself a Sub-Governor?—No.

24230. Do you consider that you have any responsibility in the matter of education?—Yes, a great deal of responsibility.

24231. In the way of inspecting schools while on tour, and keeping yourself acquainted with their tone and management?—Quite so.

24232. Do you deal with excise also?—Excise is not in the Commissioner's province now; it has been taken away altogether, except that with regard to matters of general policy the Commissioner is consulted.

24233. As a matter almost of official courtesy?—The Commissioners were consulted in connection with the carrying out of the proposals of the Excise Commission the other day.

24234. Do you deal with police matters?—To some extent; the Commissioner has not as much power now-a-days as he used to have.

24235. Has he enough power?—In Assam, I think, quite sufficient, because we do not work through the police; we work through the Revenue Officers.

24236. Do you deal with Local Boards?—The Commissioner has a good deal to do with Local Boards because the budgets are examined by him.

24237. Has the District Officer a sufficient interest in the management and conduct of Public Works in his district?—No, I do not think he really has enough, and it would be a good thing if he had more to do with them, so that he might be able to advise as to what work should be carried out. I do not mean that he should interfere in matters of detail or in professional matters, but he should be in a position to say that such and such a road or such and such a bridge was required, and his advice should be listened to.

24238. Should he have power to say such and such a bridge is not being well built?—No, I think then it would be necessary to call in the Superintending Engineer.

24239. Supposing you had good reason for believing that slack work was being put in, could you deal with it?—I should bring it to notice.

24240. Should it be made part of a Commissioner's duty to bring such a thing to notice?—I do not think that would be a good thing; it might lead to friction, and it would not be advisable.

24241. One often hears, rightly or wrongly, that the Public Works Department is the most expensive and extravagant department in the country;

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should the District Officer have no power at all in trying to counteract that, if it is true?—If he sees waste of money going on before his eyes, he ought to report it.

24242. Ought it to be understood that he is not doing his duty if he refrains from reporting it?—I think so.

24243. It has been said that the Deputy Commissioner has no power in regard to forests in Assam; is that so?—He has to a certain extent (but not very much, certainly) as regards any unclassed forests, that is to say, all forests which are outside the reserve. The terms "forest" is a misnomer; it means all those areas which are covered with grass and weeds, and so on; they are called unclassed State forests.

24244. With respect to reserved forests, has the Deputy Commissioner enough power?—It all depends on whether the Forest Department is to be retained as an Imperial Department; it would not be advisable to allow the Deputy Commissioner then to interfere with the work of the Deputy Conservator in respect to a reserved forest.

24245. Are you aware of the system in vogue in most other parts of India under which the forest officer is the subordinate of the Head of the district, save in respect to the technical portion of his duties?—To a certain extent he is in Assam, but not entirely; he is not in the same position as the Police Officer, for instance.

24246. Ought he to be?—No, I do not think so.

24247. (*Mr. Hichens.*) If a new municipality is constituted or if one is abolished, has the consent of the Local Government to be obtained first?—Yes.

24248. Do other local matters connected with municipalities have to go up to the Government, or can you settle all the rest?—Some matters can be settled by the Commissioner, but the more important matters have to go up. The Commissioner submits an annual report, and he notes the important matters.

24249. Might you have power to settle all matters except those two?—More power might certainly be given to the Commissioner with regard to municipalities; for instance when the boundaries of a municipality are extended, it does not matter to how small an extent, the consent of the Local Government is required, and it has to be gazetted. Those are matters which might be dealt with by the Commissioner.

24250. Is there anything else which the Commissioner should be able to decide?—As a rule the Commissioner ought to be able to decide most questions in connection with municipalities.

24251. Does not the Government distribute a grant of a certain fixed sum annually to the Local Boards?—Yes, a certain grant is made every year to all the Local Boards for different purposes, for communications, for education, and for sanitary and medical purposes.

24252. Are those grants specific amounts?—I cannot speak from memory.

24253. You are not aware whether the Commissioner receives a globular sum and distributes it?—It is automatically distributed; it has been laid down in some Resolution, and the Commissioner does not have a hand in the distribution of it; the distribution has been done by Government before.

24254. Is there a separate contribution in respect of education?—Yes, we have grants for education by the Local Government outside the 25 per cent.

24255. Apart from the educational grant, do the municipalities get any annual grant?—Yes, they get different sums; the different municipalities get varying sums; they do not get the same amount; it all depends on the size of the municipality.

24256. Do they get globular sums for improvements or do they get an annual contribution?—They get an annual contribution, but it is not laid down how they are to spend the money.

24257. Is the amount based on anything in particular?—It is based on their income. The Government looks to see what the local income is, and if a municipality has a good income it is not given such a big grant, but if it has a small income it gets a bigger grant.

24258. It is a charity dole?—That is so to a great extent.

24259. Is that a desirable system?—It is necessary in a place like Assam where there is so little money that the municipalities could not get on without assistance.

24260. That is to say a municipality which taxes itself up to the hilt and up to the full limit prescribed by law, and has a comparatively big income would get a small grant from the Government, whereas a municipality which did not do that might get a larger one?—That is not quite so, because even when a municipality is taxed up to its maximum it sometimes gets a very good grant from Government as well.

24261. Would it not be desirable to lay down a fixed contribution which the Government should give, and reserve power to Government to make special grants in special circumstances to all municipalities?—I think the Government ought to regulate the grants according to circumstances; the Government should be able to see which municipalities needed it most, and to give accordingly.

24262. Do the municipalities often make *ad misericordiam* appeals to the Government for assistance?—Sometimes they apply for loans and as a rule they are necessary; it is true they may be called *ad misericordiam* appeals.

24263. Would not their financial responsibility be further developed if they knew exactly what their income was?—They do know what their local income is, and they do know what the Government grant is; they do not get a different sum each year.

24264. Is it fixed for a certain number of years?—It is not laid down that it should be fixed for a certain number of years, but, as a matter of fact, it has been going on for some time without alteration.

24265. Certain evidence has been given to the effect that it would be desirable to remove education from the control of Local Boards on the ground that they have not enough money for it; what would you say as to that?—I do not agree; I think primary education should be charged to the local rates, and the local rates, being part of the Board's income, it should be part of the duties of the Board to look after primary education. It would not be a good thing to take it away and it would be rather an unpopular thing, because in some places the people take an interest in education.

24266. Is the income of the Local Boards adequate?—Yes; it is very fair for ordinary purposes, but sometimes there are special purposes. Take for instance the case of a Board which wants to build a large new bridge; more money is required, but as a rule the income is adequate.

24267. Is it adequate for a certain amount of improvement each year?—Yes, to a certain extent.

24268. One witness said that the finances at the disposal of his Board would not cover the works that were urgently required within 20 years; would that be an extreme case?—I should think a very extreme case.

24269. Are you in favour of granting borrowing powers to Local Boards?—Yes, under certain conditions.

24270. Would you allow them to borrow in the open market?—No, the idea is to borrow from Government under the supervision of Government. A certain proportion of the budget should be set apart by Government for the purpose of lending to municipalities and Local Boards.

24271. If you had District Boards as well as Local Boards, would the effect be to diminish the interest taken by the people in their Local Board work?—I do not think so; the only reason why I do not like District Boards is the difficulty of their meeting; in all other respects I am in favour of District Boards.

24272. Are the members of the Local Boards keen and do they work?—Yes; in Assam they work well.

24273. Would you not be taking away some of their responsibility by the establishment of District Boards?—Yes, but on the other hand you would be creating other responsibilities, and they would be taking a wider interest in other things.

24274. Are they likely to benefit by the wider view; will they all know anything about the district as a whole?—Certainly, in the planting districts the tea-planters know a good deal about the district, and some of the Indian members too.

24275. Would it not be exceptional for a man to be acquainted with a district as a whole?—I should not say so; in many cases they are acquainted with the whole of the district, in others they are not.

24276. If you started a District Board, would you pool the funds?—Yes, you would have to do so.

24277. And allow the District Board to dole them out to the Local Boards?—If I could work it in with the Advisory Council I should be in favour of the Local Board, because the two would work together.

24278. Do you mean that you would like to have a District Board and an Advisory Council in one?—That I think would be a good idea.

24279. Apart from the Advisory Council, are you personally in favour of a District Board?—No, I am not altogether—not for Assam.

24280. Speaking from the point of view of Assam, would there be any objection if you had a Central Board where all the funds were pooled and doled out to the Local Boards?—I do not care for that arrangement.

24281. Might it lead to bickering and perhaps to an undignified scramble?—Yes, it might.

24282. If you had an Advisory Board might it possibly be advisory with regard to local affairs as well as general affairs?—Yes, certainly.

24283. That is to say, it need not have the direct control over a Local Board which a District Board would have, but might be merely advisory in regard to general local matters?—Yes.

24284. Is it desirable that the Sub-Divisional Officer should remain as Chairman of the Local Board?—If the Local Board can get on without him, I would not have him, but as a rule they cannot get on without him.

24285. There is another point of view, namely, that it is the best way of keeping the Sub-Divisional officer in touch with what is going on in his district; do you agree with that?—But the Sub-Divisional Officer ought to be in touch with his district if he does his touring.

24286. Then that point of view does not appeal to you?—No.

24287. The last witness said he thought it might be a good thing if certain jungle areas round villages were set apart for communal grazing lands, and for the purposes of firewood and so forth; would you favour a proposal of that sort?—As a matter of fact some lands are set apart for grazing grounds; they are not settled by Government—that is to say, they are not leased out, and in the vicinity of large villages there are such lands already. It is a good proposal.

24288. You say that there are certain lands in the neighbourhood of large villages which are not leased out?—Yes, in some places. They are not handed over at all; they belong to Government.

24289. May the villagers go there and cut wood?—They are allowed to graze and cut wood without payment.

24290. If you had a panchayat or a village council, would you hand over the management of such lands to them?—Yes, it would be a good idea.

24291. It has been suggested that that might lead to the land getting into the hands of one or two powerful people; is that likely?—I do not think there would be that danger in Assam, because it is a raiyatwari system and so many of the people are equal; there is no big man in the village, and the status of all the people is much about the same, and each would look after his own interests.

24292. Even if there were a big man, there would be a certain number of Government officers who would keep an eye upon what was going on?—Quite so, besides the *mauzadar* could be instructed.

24293. Then there is no reason why the collective sense of responsibility should not be developed in that way?—No, it would be a good thing.

24294. You think an Advisory Council would be a sound thing both for a Deputy Commissioner and Commissioner?—That is so.

24295. Your electorate is to be the Local Board?—Yes, that is to be the basis of it; each Local Board will elect the district Advisory Council, and the district Advisory Council will elect the Commissioner's Advisory Council—that is my idea. Of course, that is only a sketch, and would require a good deal of working up.

24296. Would you have other members as well on the Collector's Advisory Council, or would the members be simply drawn from the Local Board?—No, I would have some nominated members as well, say the Civil Surgeon and the Executive Engineer, if there is one, who might be *ex-officio*.

24297. But you would not tap any other source, municipalities, for instance?—Yes, the municipalities should send some one; they might elect one member to serve on the District Council.

24298. So that it would be really only representative of, what one might call, Local Government interests in the narrower sense?—Yes. It could be made more representative later on, but that would have to be thought out.

24299. Is it your idea that collective advice is better than individual advice?—I think so.

24300. Would you take the expression of opinion of that Board as being the general public opinion of the district?—No, not necessarily.

24301. But is that not the object of an Advisory Council?—Yes, but I would not care to bind myself by it, because it might be inaccurate, and one would like to be able to consult other people as well if necessary.

24302. If you constitute a body and call it an Advisory Council, you imply, more or less, that it is a Council which is representative of the opinion of the district?—That is so.

24303. It is an important step in that sense, and it is an implication that it is a representative body of the district, and therefore its opinion is, by implication, the opinion of the district; consequently one has to be very careful to see that it is so in fact as well as in theory?—I think so.

24304. That being the understanding with regard to it, do you think they would long be satisfied to remain in the position of an advisory body?—Do you mean to say that the District Council would want to run the district after a time?

24305. Yes, they would say "We want more power"?—Of course they might say so, but I do not see why they should get it.

24306. In that case might not the Advisory Council sink into an insignificant body?—I think they would value the position and that they would consider it a position of honour, and by degrees they might have some say.

24307. Would they value the position as members of a municipality if all they could do was to talk?—I think so.

24308. Is there nothing in the objection which is sometimes raised that the most representative and able men do not go on to District Boards and municipalities because they are too much run by the Collector and because they have not sufficient power?—I do not think so in this part of the world.

24309. (*Mr. Dutt.*) Is it advisable that the Government should continue to guarantee interest to local enterprises in all cases or only with regard to special work?—I should say in all cases, but

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in all cases of special political or military importance it ought to be left to the Government to decide.

24310. Do you mean works for facilitating communication generally?—Yes, and opening up backward tracts.

24311. Should the finances of the Government be hypothecated for that purpose?—Yes, a certain proportion of the budget should be set apart for that purpose.

24312. Till now the Government of India have guaranteed interest to local railway companies in many cases?—Only to one in this province.

24313. But they have in other parts of India, and you want to extend that power to Local Governments?—I do.

24314. Would it not involve the danger of incurring too many financial obligations if all the provincial Governments had the power to stake their revenues in guaranteeing interest on local works in different parts of India?—Only to a certain extent; there would not be such a very large sum placed at their disposal.

24315. Would that not lead to guaranteeing interest in cases which were not likely to pay?—I do not think so if matters are carefully watched.

24316. Would the watch and control be kept by the Government of India or by the Local Government?—By the Local Government.

24317. You would not have any control left to the Government of India in the matter?—It would not be a grant, but a portion of the provincial revenues, and the Local Government might be left to look after that portion of its business itself.

24318. Do you recommend that local bodies should be empowered to guarantee interest for works?—No, I do not mean that, and I do not think I said that.

24319. At present has not Government the power to lend money to local bodies on interest?—It has power to lend to municipalities, and it does do so, but it cannot lend money to local Boards because they are not based on any Act.

24320. In cases where the settlement rates fixed by the Local Government appear to the Government of India to be too high, would you prevent the Government of India from suggesting an alteration in those rates?—No, certainly not, because there are experts in the Government of India who deal with those matters.

24321. Is not the soil unit calculation a very elaborate one?—It is very difficult; it is a new arrangement in Assam.

24322. Do the people who do that work really understand it?—I do not know.

24323. What is the class of officers entrusted with the making of the soil unit calculation?—I do not know the details.

24324. Do you agree with the suggestion with regard to the transfer of *mandals* from one place to another, that it should not require the Commissioner's sanction as at present?—The suggestion has been made that appeals from *mandals* should lie to the Director of Land Records; I am against that. I think there should be concurrent jurisdiction.

24325. Who makes the annual revision of the land revenue now in Assam, village by village?—The *mandal*; the *mauzadar* is only a revenue collector and has nothing to do with land records work.

24326. Is the *mandal* a paid officer?—Yes. I think they get Rs. 8 or Rs. 10 now.

24327. Is he an officer of a sufficiently high class to be entrusted with the work of the annual revision of the Government demand?—If he is properly supervised; he is a low-paid official and requires a great deal of supervision.

24328. Would you entrust that supervision to the Sub-Deputy Collector?—He is supervised by the Sub-Deputy Collector.

24329. So that the Sub-Deputy Collector is responsible that the annual revisions are properly made?—And the kanungo also.

24330. Are the records filed in the Sub-Deputy Collector's office for his own circle?—Yes, and there is a copy in the Deputy Commissioner's office, too.

24331. Before sending it on, is it the duty of the Circle Sub-Deputy Collector to examine these revision demands?—Yes; a certain amount of test is laid down, and he has to do so much.

24332. So that he is a Land Revenue Officer in his own circle?—He is the Land Record Officer for the circle.

24333. Would you be in favour of investing the Circle Sub-Deputy Collector with certain executive powers?—Yes, I am not against that; it would be a good thing.

24334. So that he would be practically an Executive Officer within his own circle?—Yes; I wish to give him more powers.

24335. In that way might the administration be brought more into touch with the people?—Yes.

24336. What control has the Circle Sub-Deputy Collector over the *mauzadars* who collect the revenue?—He has only indirect control, and they work directly under the Deputy Commissioner; every now and then Sub-Deputy Collectors are ordered to report about certain things they have done, but those are special cases.

24337. Would you be inclined to give them more systematic control over the *mauzadars*?—No, because the idea of Government is to keep the *mauzadar* as the revenue collector, and to keep the land records men separate.

24338. Would you not allow the Sub-Deputy Collector to have a special hand in the collection of revenue?—No, we have just abolished the tahsildari system which we found did not work well and have gone back to the old *mauzadar* system.

24339. I understand that there are certain estates which are permanently heritable and transferable as distinguished from periodic estates; what exactly are those estates?—No. An estate, the holder of which possesses a permanent heritable and transferable right, *is* a periodic estate; see sections 8 and 9 of the Assam Land Revenue Regulation. Formerly these estates were called "decennial," because they were ordinarily settled for 10 years, but since the settlement they have been settled in two districts for terms of 20 years. The estates were then called "periodic."

24340. Such estates are not very numerous?—Yes, they are.

24341. Is cultivation extending in Assam under the present system of land settlement?—In places it is extending, at a fair rate of progress.

24342. You probably heard the last witness say that many of the time-expired coolies had settled down in this country?—Yes, that is correct.

24343. Is the present system of recruiting garden labour necessary?—Certainly at present, but I do not say that it will always be necessary.

24344. We have been told that it gives some extra work to the police; what do you say as to that?—The police serve warrants, that is all.

24345. With regard to unclassed forest or scrub jungle and grass jungle, have not cultivators in some villages the right to graze their cattle and take fuel without payment?—That is so.

24346. Would you, where possible, extend that right to all villages?—I would like to do so, if possible, and where land is available.

24347. In those cases would you like to keep such land under the control of the Deputy Commissioner as distinct from the forest officer?—Certainly; I would put it under the village panchayat.

24348. Generally speaking would you suggest that the forest officer should be in some respects subordinate to the Deputy Commissioner?—I have said already that I do not wish this.

24349. (*Sir Steyning Edgerley.*) To whom do municipal appeals lie now?—It is not laid down, but the Commissioner hears them.

24350. Is that satisfactory?—Personally I would rather not interfere with municipal matters except in the case of a dismissal of an old officer or in some exceptional case; ordinarily speaking, municipalities might be left to manage their own affairs.

24351. Who sanctioned the settlement rules?—They were sanctioned by the Local Government.

24352. Are amendments within their own discretion if they choose to make them?—Yes.

24353. We have been told that sufficient was not done to meet the cholera distress and the earthquake disaster; do you know what was done?—Remissions of revenue were made. A large remission was made in the Nowgong district, and there was a remission also in this district on account of the damage done by the earthquake; but it was not made till some years after it occurred—I think in 1901.

24354. Was it a remission of assessment or of outstandings?—It was a remission of the assessment; the assessments were lowered and the classification was lowered.

24355. Was that on account of the earthquake?—It was on account of the earthquake and *kala azar*.

24356. Was that sufficient?—I think a little more might have been done, and it should have been done earlier.

24357. Then there is something in the complaint that the requirements were not adequately met?—There is none now; at the time there was.

24358. You heard the evidence of Mr. Skinner on the subject of *churs* and so on. Do you agree with him?—Yes, the villagers have always been accustomed to take firewood and reeds for thatching from these places.

24359. It has been suggested that Deputy Commissioners and Assistant Commissioners might remit apparently without limit; do you agree with that?—No, I doubt if Government would be prepared to grant unlimited powers to Commissioners to remit in cases of local calamity.

24360. But do you approve it as a principle?—No, it is giving too much responsibility.

24361. What amount have the remissions come to?—I believe in this district there was a fairly big remission of about Rs. 5,000 or Rs. 6,000 two years ago.

24362. Is that amount too much for a Commissioner to sanction?—No, I would agree up to Rs. 10,000.

24363. Supposing a remission of a couple of lakhs of rupees was felt to be just, would you allow the Commissioner to give it?—No, it ought to go to Government or to the Board.

24364. With regard to the suggestion of enlarging the number of Commissioners and doing without the Board, what is your opinion?—I do not agree with it; the Board of Revenue is very useful as a consultative body and as containing officers of long service and matured opinions.

24365. It has been suggested that the Commissioners should receive the Public Works grant and allocate it to certain works; do you agree with that?—The Commissioners are consulted now. There is what is called a forecast of works, which is issued by the Chief or Superintending Engineer, and which goes to the Commissioner. That forecast contains all the roads, bridges and other works for the ensuing year; the Commissioner looks at it and sends it to the Deputy Commissioners who make remarks as to whether anything is urgent, very urgent, and so on, and the Commissioner then writes to the Chief Engineer with his opinion.

24366. Suppose one Commissioner marked all the wants in the division "very urgent," and another Commissioner only marked them "urgent," money might go where it was not so much needed?—The Government would be able to correct that.

24367. Another suggestion has been made, namely, that the Deputy Commissioner might be relieved of the charge and actual responsibility for the treasury; do you think that is feasible?—As long as the Deputy Commissioner is responsible financially and the balance at the treasury is to his personal debit, he cannot be relieved. If he is relieved altogether of that responsibility, so much the better, if it is possible to do it. It remains to see who is to take his place.

24368. Has the police re-organisation weakened the position of the Commissioner at all?—No, I do not think so.

24369. As to Advisory Councils, you think you might have a District Committee and work it in with an Advisory Council?—That was the idea.

24370. Do you mean that that committee might be a sort of agent for the general business delegated by the different local bodies, as a sort of federal committee for joint works?—Yes; that might be tried.

24371. Could the committee gradually be entrusted, under the presidency of the Deputy Commissioner, with the outside control of the local bodies?—It is to be an Advisory Committee, and I would not give them administrative powers yet.

24372. What is the area under the charge of a *mandal*?—It varies with the amount of work he has to do. If there is a great deal of survey work it is smaller, but if it is all settled and the cultivation permanent, he has a larger area; roughly speaking it would be 8 or 10 square miles.

24373. How much has a kanungo to deal with?—He has a circle and would have a number of *mandals* under him—he would have about 20 or 30 *mandals* under him.

24374. Does the *mandal* prepare the revenue accounts for his area?—He prepares the *dagchitta* as it is called and then he prepares the *jamabandi*.

24375. In villages where they have certain privileges and unclassed forests, is there any record kept of those privileges?—No, there is no record, but there ought to be.

24376. Is there no public notification in a village of what they are permitted to do?—No, there is not.

24377. So that there is some uncertainty about it?—There is considerable uncertainty.

24378. You are in favour of a considerable development in the duties of the Sub-Deputy Collector?—Yes.

24379. You refer to certain difficulties with regard to agricultural loans. The Collector of Backarganj said that he had started a system of sending an officer out into the villages with money and making the loans on the spot, and that he had facilitated collection very much in the same way; have you ever tried anything of that kind?—No; it is what I would like to do, and I do not see why the Sub-Deputy Collector should not do it.

24380. As regards village tribunals, are you quite decided in the view that if the parties are dissatisfied with the decision of the *mel* they should be able to come to the Courts?—It is rather a difficult matter to decide. There might be no appeal from him, and his decision might be made final in regard to small matters, but in the Khasi hills they have a system by which cases are decided by village panchayats, and if the parties feel aggrieved they can come to the Courts, and the case is tried again *de novo*.

24381. Would you not lose a great deal if you allowed that?—I am not very anxious for it, certainly. If it could be done, I would rather give them power to decide these petty cases altogether.

24382. Unless you make the decision final would you not lose the chief element of the communal system in a village?—Yes, that is so.

24383. (*Mr. Meyer.*) Do you desire that the Local Government should borrow directly, or merely that it should guarantee interest to private enterprise?—They should guarantee interest on these railways.

24384. Do you desire full powers in that direction?—Yes, within certain limits placed in the budget.

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24385. Then the Local Government would be restricted and could not guarantee more than a certain aggregate sum?—Yes.

24386. Has the establishment of a Board of Revenue curtailed your powers as a Commissioner in the Assam Valley at all?—I have had very little experience of the working of it, but, of course, it must have curtailed them to a certain extent, and probably to a considerable extent, because a great deal of work used to be done by the Commissioner which is done now by the Board of Revenue.

24387. Is it not possible that the Board might simply have taken the place of the Chief Commissioner, and that the Commissioner had the same powers exactly as he had before?—I do not gather that that is so.

24388. As Deputy Commissioner you have had occasion to notice whether things which were formerly dealt with by the Commissioner now go to the Board?—Yes.

24389. Is it your opinion that the status of the Commissioner has been reduced?—That is my impression.

24390. Would you say that the Commissioner of the Assam Valley might be as big a man now as he used to be, and that there is no reason why the Board should take over any powers that he formerly possessed?—I think so.

24391. We were told by a witness that the establishment of a Commissionership in the Surma Valley had taken away powers from the Deputy Commissioners—is that so?—Before the partition there was no Commissioner in the Surma Valley, the Deputy Commissioners used to work direct under the Commissioner, and that is what I think the witness meant. I think the Local Government gave them more power.

24392. He also said that by the establishment of an intermediate authority they had lost some of the powers they formerly had when they were under the Chief Commissioner; is that so?—No, I do not think it is so.

24393. At any rate if it were so, you would not approve of it?—No.

24394. Such matters as suspensions and remissions are governed by rules under the Assam Land Revenue Regulation?—Yes.

24395. That is an Act of 1886?—Yes.

24396. Are not those rules subject to the control of the Governor-General in Council?—I think so; I think the Chief Commissioner has to submit them for sanction to the Government of India under sections 151 and 158 of the Land Revenue Regulation.

24397. Have the words "subject to control" been interpreted in practice that any alteration in these rules should be sent up to the Government of India?—I believe so.

24398. Are there definite rules as to the way in which suspensions and remissions are to be made?—Yes, they are contained in the Assam Land Revenue Regulation; an inspection of the area affected is made by the Land Records Officer.

24399. Is a general scale laid down?—Yes. Supposing a flood has carried away the whole of a crop except 4 annas, there is 100 per cent. remission; from 4 up to 6 annas, 50 per cent.; from 6 to 8, 25 per cent., and above 8 annas nil.

24400. Then these remissions are really the application to actual facts of the rules and principles which have been already issued?—Yes.

24401. That being so, can there be any reason why the Commissioner should not settle the matter definitely?—In cases of small calamities, I do not see why he should not, and when the area affected is not very large.

24402. In the case of a big calamity it merely means that there are (say) 100 holdings affected instead of 10; but the principle is the same?—If the area affected is very large, it would be desirable to get the orders of Government.

24403. As a matter of fact the Government would have to take for granted the report of the District Officer as to the amount of the loss?—The Government might order an enquiry by another officer—the Director of Land Records, if the remissions seemed to be very large ones.

24404. Are your Circle Sub-Deputy Collectors under the Director of Land Records?—Yes, they are under him; they are also the Deputy Commissioner's subordinates.

24405. Is the whole Land Records' establishment under the double control of the Director of Land Records and the Deputy Commissioner or Commissioner?—Yes.

24406. And yet they are doing what in other provinces would not be called settlement work at all, but only the ordinary applications of conditions of settlement already laid down?—They are keeping up the records.

24407. But they are not doing a fresh settlement?—No, but we call it a settlement.

24408. What you call settlement is merely the month to month, and year to year, application of the existing settlement?—That is so.

24409. Are not the establishments strictly district establishments?—They are.

24410. Might not the Director of Land Records be very well divested of authority in these things and made a purely inspecting officer?—I am not prepared to go as far as that; I rather like the control of the Director of Land Records, because he is an expert officer and knows how to manage the *mandals* and kanungos.

24411. Do you mean that he is more expert in dealing with men?—Not in that way, but he knows the ins and outs of the work of the *mandals*, and he is better qualified to see if there is anything wrong than the Deputy Commissioner is. The Deputy Commissioner would have a good deal of additional work thrown on him if the Director of Lands Records' influence was removed.

24412. Do you find that the Circle Sub-Deputy Collector looks upon the Deputy Commissioner or upon the Director of Land Records as his real chief?—He looks upon both really, but I think he is rather inclined to look to the Director of Land Records than to the Deputy Commissioner.

24413. Would you have a similar control of your Sub-Divisional Officers by a Judge, seeing that they are doing a lot of judicial work?—No; because it is rather a different thing; it is executive work which is quite different.

24414. Is not the system of putting before you, as Commissioner, Public Works projects for the year a new one?—Yes; so far as I am aware.

24415. Does the Deputy Commissioner have anything to say to it?—Yes; we send the portion referring to his district to him.

24416. But in former years, when you were Deputy Commissioner, it was not done, and the Public Works were entirely independent?—Yes.

24417. Is the new system a mere experiment, or has it come to stay?—I do not know under what orders it rests.

24418. You are not in favour of having a budget in your own hands as Commissioner?—No; I think the Commissioner has enough to do with the Local Board and municipal budgets.

24419. Various officers have told us that they would do away with the Commissioner; do you agree with that?—I prefer not to express an opinion.

24420. The Commissioner being there, might he have a considerable increase of powers?—In some matters he might be given more power, but I would not turn him into a Deputy Governor as someone suggested.

24421. Would you give him larger powers over the original appointment of Sub-Deputy Collectors, for instance?—I think as the Sub-Deputy Collectors are members of the Subordinate Civil Service, it is better that the appointments should be in the hands of the Government as being more in a position to judge.

24422. How far does the Subordinate Civil Service go down?—It goes down as far as Sub-Deputy Collector.

24423. What do you call clerks and other people?—Ministerial officers.

24424. And kanungos?—Kanungos are ministerial officers.

24425. Should the Subordinate Service remain with the Local Government?—I am inclined to think so.

24426. Who does the posting of these Sub-Deputies?—The Secretariat.

24427. Should that continue?—The Commissioner, of course, is consulted.

24428. Is the Commissioner's advice generally followed?—I think so; I have seen it done in two or three cases already since I have been in charge.

24429. Would you not go a step further and give the Commissioner the final say?—I would not be prepared to say that; from my short experience I think it would be better to leave it as it is.

24430. You would not, therefore, give the Commissioner any power of posting Assistant Commissioners and Extra Assistant Commissioners?—No; he might be consulted as he is now.

24431. Would you give him, as has been suggested, the power of granting magisterial powers?—No, I would not.

24432. Would you give him larger powers in regard to the grant of agricultural loans?—Yes, I think so.

24433. What power has he now?—A certain allotment is made by the Board to him, and he distributes it to the different districts.

24434. Is there any limit to the amount he can allot?—Yes; the amount is too small; I think the allotment is only Rs. 10,000 for the whole division this year.

24435. Could you grant the whole Rs. 10,000 to one man, or is there a limit within which you grant a loan to any individual?—There is nothing laid down in regard to it.

24436. You have full discretion, subject to your budget allotment?—Yes, it is a question of how much is available.

24437. You speak of some instructions of 1898 with reference to the distribution of these agricultural loans; are you aware of the Government of India orders of 1905, which expressly enjoin greater power in the granting of these loans, and that they shall be granted on the spot as far as possible?—Yes.

24438. Are they acted up to?—I do not think they are sufficient. In some districts the Deputy Commissioners have been distributing loans, but I have not heard of Sub-Deputy Collectors doing so.

24439. Has the Local Government issued instructions following out the general policy of the Government of India?—Yes, there is a circular.

24440. So that if those instructions have not been acted upon, the fault really lies with the District Officers?—One would have to look up the matter and see.

24441. Have you any power now to grant a pension?—No, I believe all the recommendations for pensions go up to Government.

24442. It has been suggested that, subject to the certificate of the Accountant-General, that a pension is all right according to the rules, a Commissioner might grant a large number of them, in the case of Non-Gazetted Officers at any rate: would you agree with that?—There does not seem to be any objection.

24443. Then there are certain sections of the Civil Service Regulations which give the Local Government power to extend the ordinary rules in such matters as joining time and travelling by the shortest route, and so forth—it has been suggested that Commissioners and other Heads of Departments might be given those powers, or at any rate, a considerable portion of them; do you see any objection to that?—I do not see any great object in it, but I do not see any objection.

24444. What is the position of a Commissioner in regard to a fresh settlement in his district?—He is consulted about the rates.

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24445. The Director of Lands Records told us that he sent in his report and it went to the Commissioner and the Deputy Commissioner for their views, but does the Local Settlement Officer never consult the Deputy Commissioner and the Commissioner with regard to rates?—I believe he does, but I have had no experience of it yet.

24446. We were told yesterday that there was an enormous number of appeals from all sorts of petty subjects, beginning with the Circle Sub-Deputy, and going up to the Board of Revenue; are those necessary?—There seems to me to be too many appeals in all revenue matters.

24447. Would you say that it was enough to have a single appeal on a question of fact—I am speaking with regard to administrative matters and not with regard to the punishment of officers?—Yes, I think so.

24448. When there is a question of interpretation of a ruling or of revenue law involved, what would you do?—If there is a question of law involved, the appeal should go to the Board.

24449. With regard to the punishment of Government officers, how far would you carry an appeal?—The Deputy Commissioner's order to the Commissioner, and the Commissioner's order to the Board, practically one stage.

24450. Would you make any exception in the case of a dismissal or would you treat it the same as any other punishment?—I would make an exception in the case of a dismissal.

24451. Have your Sub-Divisional Officers any power of dismissing a clerk?—No, the Deputy Commissioner passes the order.

24452. Have they any power of appointing clerks?—No.

24453. What sort of clerks has a Sub-Divisional Officer?—He has a head clerk on about Rs. 70 or Rs. 80, and a second clerk on about Rs. 30; then there is a nazir on about Rs. 30 and revenue clerk on about Rs. 40.

24454. Might the Sub-Divisional Officer not appoint clerks below Rs. 50 at any rate?—No, it would be better to leave it in the hands of the Deputy Commissioner.

24455. Has the Deputy Commissioner power to appoint his own ministerial establishment?—Yes.

24456. What does his highest paid clerk get?—He draws from Rs. 120 to Rs. 150.

24457. Can the Collector appoint him, or has he to get the Commissioner's sanction?—I think he can appoint him.

24458. Has the Deputy Commissioner power to dismiss his own clerks?—Yes.

24459. Supposing a settlement *mandal* had to be dismissed, who would dismiss him?—Either the Deputy Commissioner or the Director of Land Records, because he is under both of them.

24460. Would it require the concurrence of both?—If there was an appeal the Commissioner would be consulted. There is a rule about that in the Land Records Regulations. I think they both have to be consulted, and both have to concur.

24461. If they differ, is the Commissioner called in?—He would be, in practice.

24462. And in the same way as to punishments?—Yes, but not as regards fines or suspension.

24463. In the case of suspension, can the Deputy Commissioner act himself?—I think so.

24464. We were told by a witness that in his municipality a dispensary was not a municipal institution, but was kept up by Government, and the municipality merely contributed; is that the general position of affairs in this province?—Yes.

24465. Direct medical relief, then, is not a function of the municipalities?—They give grants.

24466. But they do not keep up any establishment?—They do not keep up any establishment.

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24467. Is it the same with regard to Local Boards?—No, it is different; the Local Board supplies the dispensary and keeps it up, and the Government contributes a Hospital Assistant.

24468. Does it give his services free?—Yes, on certain conditions.

24469. You do not have the system which Colonel Wilkie told us about in Eastern Bengal, under which the District Board can get its own Medical Officer entirely?—I think that used to be the old system.

24470. But that has been superseded by the free loan of a Government Hospital Assistant?—Yes.

24471. Have you any Local Board institutions in charge of higher persons than Hospital Assistants?—No, I think not; I think they are all Hospital Assistants.

24472. Again, Colonel Wilkie said that in Eastern Bengal he thought the Boards were neglecting the Civil Surgeon too much in the matter of medical work; has there been any complaint of that sort in Assam?—No, I have not heard of it.

24473. As regards municipalities, has the Chairman the power of appointing the staff, or are there any posts for which he has to get the Commissioner's sanction?—He has complete power, as far as I remember.

24474. However highly paid the officer?—The officers are not very highly paid in these municipalities; the overseer gets Rs. 70 or Rs. 80 a month.

24475. Then is there no definite rule?—There may be, but I am not conversant with it.

24476. Have you had many appeals from the *personnel* of municipalities?—I have one appeal pending.

24477. Supposing the Chairman, or the Vice-Chairman acting for him, punished a municipal servant, does an appeal lie to the Municipal Council as a whole?—I fancy a man can appeal under the Municipal Act, but I have never heard of it being done.

24478. As a general principle would it not be better that the first appeal should lie to the Council as a whole, rather than to an outside authority?—Yes. I feel rather doubtful about the Commissioner dealing with these appeals.

24479. As to your remarks with regard to loans by local bodies, does not the remedy lie very much in the hands of the Local Government; if the Local Government passed registration recognising the existence of these Local Boards, they could then borrow under the Local Loans Act?—I suppose they could.

24480. Do you attach special importance to having Advisory Councils elected, seeing that they are to be advisory only?—It would be a good thing to elect them, but, of course, in some out-of-the-way places it would be necessary to nominate them.

24481. Do you not think from your study of history that an elected body always demands more powers and brings pressure to bear on the Executive?—They might ask for more powers by degrees, and as the people became more educated and more advanced, there is no reason why they should not have them.

24482. So long as you think it expedient to make then purely advisory, would it not be desirable that they should be nominated?—They might be nominated at first and elected afterwards.

24483. You mentioned remissions as a matter which an Advisory Council could deal with—do you refer to individual remissions?—No; I meant large remissions in connection with calamities.

24484. Would it not be a little risky to start them on the details of remissions?—Certainly not on the details; I was referring to the general question whether there should be remissions in a certain area.

24485. A Council of that sort would not be financially responsible in any way?—No.

24486. And at the same time it might be inclined to be benevolent?—It might be inclined to be, but then there would be the Deputy Commissioner to keep it in check.

24487. Would it not be a little invidious, if the Deputy Commissioner was held responsible by Government?—If he gave good reasons for acting against the advice of his Advisory Council, the Government would presumably back him up.

24488. Since this province was joined with Eastern Bengal, have many of the officers who had served their time in Assam been removed to Eastern Bengal?—No, they have not: separate transfers have not been very frequent, and not so frequent here as in other parts.

24489. Have you not had Eastern Bengal officers sent here and Assam officers sent to Eastern Bengal?—Yes, we have had some.

24490. Do you regard that as desirable?—No, because the conditions are quite different and the Eastern Bengal officers only know Bengali and do not know Assamese and *vice versâ*.

24491. As regards your proposal that a village community should get communal grants of land for grazing purposes and fire-wood, probably you are not aware of what has happened elsewhere, and that in certain provinces they simply cut down the wood and appropriate the grazing?—But in this case it would not be so much cutting down the wood as the thatching grass which grows there.

24492. Before making these grants to village communities, might it not be advisable to enquire what had happened in other provinces?—Yes, but it was not my suggestion; I said I did not see any objection to it.

24493. (*Sir Frederic Lely.*) What exactly is your suggestion with reference to the communal land? If it was handed over, would there be supervision by Government?—Of course; the area would be fixed; it would be common grazing ground, and it would have to be available and at the disposal of the Government. I would not take up land which was already under settlement.

24494. It would always be subject to observation by Government officers?—Certainly.

24495. You would not allow the people to cut as much wood as they liked and carry it away until there was nothing left?—The rules of forestry would hardly be needed here, because it is only jungle.

24496. But there is sylvan growth, I suppose?—The trees are very poor and of no value.

24497. Are there no trees that might become of value?—No, not in the area I contemplate. The area I am referring to is where thatching grass and reeds grow. There might be a few poor trees, but they would never be of any value worth thinking about.

(*The witness withdrew.*)

Mr. GYANENDRA NATH GUPTA was called and examined.

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24498. How long have you been connected with Bogra as Collector?—Three years.

24499. Have you previously had experience as a Sub-Divisional Officer?—Yes, I was at Khurda for three or four years. I have 14 years' service altogether.

Much greater use should be made of the important office of Commissioner than is now the case, and both he and the District Officers in subordination to him should have much larger powers of initiation and action than they have at present. The position of the District Officer may still further be strengthened, since he, as District Magistrate, is primarily responsible for the administration of his district. I would, as a rule, fetter his executive authority as little as possible with hard-and-fast rules and circulars.

In large districts, the District Officer should be relieved of such miscellaneous duties as the control of the local treasury, which in such cases may be managed by a special officer under the Accountant-General. He may also be relieved of some responsibility in revenue matters by delegation of some of his powers either to the Sub-Divisional Officer or a competent Joint or Deputy Collector at headquarters.

Larger executive and statutory powers should be given to Sub-Divisional Officers. They should have greater control over the rural police and to some extent of the regular police of their sub-divisions. At present the Sub-Divisional Officer has very little authority in such matters. The excise and income-tax administration of the sub-division may also be vested in him subject to the general control of the Collector. Such special departments as the Court of Wards, *Khas mahals* may be made over to the control of the Sub-Divisional Officer. He should also look after the work of the registration officers of his sub-division.

With regard to the District Board, although the time has not yet come when the District Officer should be supplanted by a non-official as Chairman of District Board, yet in all District Boards where there are no Local Boards, half the numbers of members should be elected under rules similar to those which now govern the election of members by Local Boards. The district should be divided into a certain number of circles which may correspond with the thana boundaries, and different members be associated in some definite manner with each circle. The members should be authorized to inspect all District Board institutions, roads and other works within that circle and to draw travelling allowance for doing such work. Small municipalities may also be conveniently placed under District Boards. At present the Divisional Commissioner can hardly have time to inspect and exercise personal control over the numerous municipalities which have sprung up. The District Magistrate now does most of the work of supervision; and if the Board be constituted as the immediate controlling authority, then the Magistrate, as Chairman, will be able to make fuller use of his personal knowledge of the requirements and resources of the municipality, and also relieve the Commissioner of this part of the latter's present duty. Finally, the District Boards should have far larger powers of initiating and carrying out projects than they have now. The present practice by which control is supposed to be exercised by the Public Works Department has been a failure.

In municipalities where there are town police, the Chairman of the municipality should have the authority to inspect their work and suitable notice should be taken of his remarks by the District Officers.

The formation of District Advisory Councils has my hearty support. At first the members should all be nominated, but as time goes on some scheme for the appointment of a certain number by election may be adopted. Such Councils ought to be specially valuable in settling by arbitration disputes between powerful rival zamindars, about any disputed boundary or property; between co-sharers of the same family of zamindars about a share of the zamindari; or between a zamindar and his raiyats. Disputes between different sections of the community which may develop into a racial feud may also be referred to this body. The District Officer may also usefully consult this body in connection with administration orders affecting either the religious or social sentiments and prejudices of the people. In Bogra I have established a "District Improvement Committee." The leaders of both the Hindu and Muhammadan communities, the Government Pleader, the Chairman of the municipality, the Vice-Chairman of the District Board, the Secretary of the Bar Library and some leading zamindars belong to it. During the recent agitated condition of public feeling the members of this Committee were of great assistance in allaying unrest and informing the public of the attitude which Government meant to adopt during the crisis. With this Committee I also discussed such subjects as the need for the creation of a separate judgeship in Bogra, the extension of the district boundaries, the rules for the maintenance of the public park, and other questions relating to the public weal.

It is more important that the District Officer should be in close touch with the people of the district than that of the Head of the province should be in close personal contact with the District Officers. And it is far more important than either that the complicated machinery with which the work of administration and government is actually carried on should be within easy reach and access of the great mass of the people. That the foundations of our system of administration are weak and that "a vacuum has been forming between the Government and the people" has not failed to attract the notice of thoughtful administrators. To fill up this void, schemes have been proposed for re-organising the remnants of the autonomous institutions which are still left in the country and to give larger powers and responsibilities to village panchayats. The experiment appears to have succeeded in some Native States, such as Patiala and Baroda, and there is no reason why, in time, a moderate amount of success will not attend the recent efforts of the Bengal Government in this direction. I have always made free use of panchayats in making enquiries into petty criminal complaints, and in Khurda in the district of Puri the village bodies were of the greatest assistance in maintaining and improving village roads and tanks, and in carrying out elementary sanitary improvements of villages. In Malda too I followed the same policy, but the success attending my efforts was much more limited, as I had not the assistance of a trained body of public servants like the village *sarbarakars* of Khurda in every village.

Accepting the thana as the first important unit of our administrative system, it is necessary to make it a real centre of both criminal and civil administration. In each thana I would place a Gazetted Officer who would be the administrator of justice in the local thana Court. The same officer with such assistance as may be deemed necessary should—

(1) Indirectly control and check the work of the thana police.
(2) Organise and supervise the work of the circle panchayats and the rural police under them.
(3) Try all criminal cases for which he may have powers under the statute.
(4) Try all civil cases for which he may have powers.
(5) Be in charge of the registration office of the thana.
(6) Keep and maintain all settlement records appertaining to his thana.
(7) Be the Chairman of his own Local Board, and with the assistance of the members administer funds which may be set apart for his local institutions—schools, dispensaries, roads, &c.

On an average the proposed centres should have an area of 200 or 250 square miles, but no strict uniformity appears to be necessary.

The control of the work of the thana police should be one of the most important duties of the proposed Thana Officer. Control by a local Gazetted Officer, of the rank of a Deputy Magistrate, is the only possible means of effectively checking the dishonesty of the subordinate police. The real root of the difficulty has not been removed by the reforms of the Police Commission. The day that it is ordained that first information reports of all important cases must be recorded in the presence of the Thana Magistrate and under his signature, half of the corruption in the ranks of the subordinate police will disappear. People will cease from offering bribes to the police because it will not be worth their while to do so any longer. But before this arrangement can be expected to work satisfactorily in practice, the relations of the Thana Magistrates and the thana police, and of both with the Superintendent of Police must be clearly and definitely settled. I do not apprehend that there will be any difficulty or confusion if the

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District Magistrate be in substance, as he is still in name, the final controlling authority of the district police. A great blow, however, has been struck at the authority of the District Magistrate by the adoption of the recommendations of the Police Commission by which the District Magistrate has been deprived of all powers practically of either punishing, protecting, or rewarding the Police officers of his district. The department has been centralized, and the Inspector-General of Police is now both the Head of the Department and of the district police.

The Thana Magistrate should have no direct executive control over the thana police, but the District Magistrate should be expected to uphold any reasonable recommendations that he might think it necessary to make. All cognizable police cases should be divided into two great classes—important and unimportant. Except for purposes of annual reports, and I am even doubtful of that, no statistics should be prepared by thana officers of unimportant cases. The panchayats should have authority to record the first information in such cases, sending a copy at once to the Thana Magistrate. He should pass orders whether the Thana Police officer is to supervise the investigations in a particular case or whether it will be completed by the panchayat concerned. Final orders on all C forms of unimportant cases should be passed by the Thana Magistrate. Of cases to be classed as "important" the first information would be recorded, as now, by the thana officer, but with this proviso that the first information of all "special cases" (specially important cases) must be recorded in the presence of the Thana Magistrate under his counter-signature. The first information reports of all "important" cases should be sent to headquarters as now, and orders will be passed as to the supervision of the case from headquarters. As a rule, the Thana Magistrate should take no part in the investigation of any cases, but if under the orders of the District Magistrate he does supervise the investigation of any case, ordinarily that case should be transferred by the District Magistrate to the file of a neighbouring Thana Magistrate for trial.

Reference has been made to the powers of panchayats to hold investigations into such unimportant cases in which, under ordinary circumstances perhaps, no inquiry would be held, or in which, regard being had to the petty nature of the offence, an inquiry by the thana officer will only result in unnecessary harassment of the parties concerned. This investigation should only be made by the chief panchayat or the president of the panchayat, who should be given legal powers and be specially selected for such work.

Among other duties of panchayats I would encourage the practice which obtains in many districts of getting panchayats to make enquiries into petty complaints under section 202 of the Criminal Procedure Code. Such complaints, specially if they refer to petty land disputes, can best be settled by the village panchayats.

Some selected panchayats may also conveniently be given the powers of Honorary Magistrates and help the Thana Magistrate in disposing of criminal cases either in the thana Courts or in other Courts to be selected for the purpose. The Courts of the panchayat Honorary Magistrates should be practically "Arbitration Courts," where cases will be decided without any formal proceedings. All cases in which the parties concerned themselves have no objections may be made over to these Arbitration Courts.

Chaukidars should be appointed by the panchayats, with the approval of the Thana Magistrates, but daffadars should be appointed direct by him on the recommendations of the panchayats. The appointment of panchayats and daffadars should be approved by the District Magistrates. The assessment of the union by the panchayats for the chaukidari tax should be submitted to the Thana Magistrates and carefully checked by him. The scrutiny now supposed to be exercised by the District Magistrate is only nominal. It ought to be possible for the Thana Magistrate and his assistants to exercise a careful and real supervision over this important work. It is most important to constantly supervise the work of panchayat by competent officers if they are to be entrusted with larger powers. The Thana Magistrate should make a personal local enquiry before the appointment of panchayat is made, and a constant supervision of their work should be an integral part of his duties.

The Thana Magistrates should also take petitions and try criminal cases, both those sent up by the police and those brought to trial directly by the Court. The District Magistrate, who will get a daily list of the cases in the file of the Magistrate, will no doubt transfer any cases from the file of the Magistrate to that of another neighbouring Magistrate or to that of the *Sadar* Magistrate, either on account of the importance of the case concerned or for any other sufficient reasons. Both the parties in the case and their witnesses will find it more convenient to attend their own thana Courts than distant Courts at the headquarters of either the sub-division or in *sadar*. The disposal of cases too ought to be more expeditious, and the Magistrate is likely to have more personal knowledge of the real facts of the case. Lastly, we should be able to a great extent to get rid of the present mischievous interference of middlemen, such as *mukhtears* and touts, if we have our Courts closer to the homes of the people and make it possible for them to deal more directly with us.

Along with the Criminal Court, a Civil Court should also be located at each centre, and if need be, the same officer should dispense justice in both Courts. I do not see any great objection to the same officer trying both classes of cases. It is done in the Non-Regulation areas, and in Orissa a fair amount of civil work is done by the Revenue Officers. After the completion of the survey and settlement proceedings now going in the different districts, it will be still more easy for Revenue Officers to try civil cases. I propose that the following classes of civil cases should be tried by the thana Civil Courts:—

(1) All money suits up to the limit of Rs. 100 triable by a Small Cause Court procedure.

(2) Possessory suits under section 9 of Act I. of 1877 (Specific Relief Act).

(3) All rent suits, limit of Rs. 100, or at least those rent suits in which the plea of payment is made.

(4) Claims to attached property (section 278 of the Civil Procedure Code).

(5) All cases relating to resistance to execution (section 331, C. P. C.).

The Court should also have power to accept deposits of rent under sections 61 and 62 of the Act. Selected panchayats may be given powers to try petty civil disputes. They are likely to have personal knowledge of the real facts of the case, and an arbitration by them will be the speediest and most efficient form of dispensing justice in such cases.

All the presidents of panchayats should be members of the Local Board, *ex-officio*. As a rule there are between 20 to 30 collecting panchayats for each thana, and as all will not be able to be present at every meeting, this number will not be too large for the Local Board. All the local roads (as distinguished from the district roads), dispensaries, schools, and other local institutions should be under the management of this Board. Inter-village paths and roads which are being entirely neglected at present, and are being gradually swallowed up by unscrupulous villagers should be the object of the special care of the Local Board. Maps for each union showing all village paths should be prepared and kept up. Another object to which the special attention of the Board will have to be paid is the preservation of the existing water reservoirs of the villages. Similarly, the important question of the sanitation of villages should be one of the chief concerns of the Local Boards and the local unions under them. While in charge of the sub-division of Khurda, in Puri, I found that under adequate supervision the people not only took a good deal of interest in such matters, but also willingly paid small subscriptions for the excavation of their tanks and improvement of village roads.

The scheme proposed will probably entail a substantial increase in expenditure, but the increase will not be so great as might at first be anticipated. In the Bogra district, for instance, at present, besides the District Magistrate, we have three Deputy Magistrates, three Sub-Deputy Magistrates, one Superintendent of Police, two Inspectors and five Munsiffs, and five sub-Registrars and one Special Sub-Registrar. Excluding the *sadar* thana, we have eight thanas in this district. For the Courts at headquarters I should keep two Deputy Collectors, one Munsiff, one Special Sub-Registrar and the Superintendent of Police, or even a Deputy Superintendent of Police. If the scheme I have advocated is given effect to, a Superintendent of Police will not be required in every district. For a small district like this a Deputy Superintendent or even a senior inspector ought to be sufficient. The eight thanas of the district may quite conveniently be agglomerated into five, with areas of about 200 square miles. Even if we have two officers for each thana, we will have one Deputy Collector, one Munsiff for the post of first officer. Three more officers, either from the Provincial Executive or Judicial Service will be required to fill the post of first officers. For second officers we have already three Sub-Deputy Collectors and five Sub-Registrars and one Inspector of Police, and no more officers would be required to fill up this post. When the Sub-Registrar is relieved of some of his responsibilities and clerical duties, he will have a fair amount of time for general duties, including criminal and civil work.

Besides at least two Gazetted Officers, I should also attach a kanungo to each thana, half of the pay to be paid from Government and half from a Local Board. This kanungo, besides making all miscellaneous outdoor enquiries, should be the engineer and supervisor of village works. The District Officer, too, will require a Joint or Assistant to help him to do the increased amount of supervision and inspection which the ampler system will require. The District Judge may also be vested with powers to inspect these thana offices, and the "officers" themselves should be placed in some form of subordination also to the Judge.

The advantages to be gained may be summarized as follows:—

(1) The changes now proposed will be a noteworthy advance in the direction of bringing the Governors and the governed into closer touch with each other.

(2) The administration of justice, both civil and criminal, will be made much simpler and more accessible, and will be attended with a minimum of harassment to the parties concerned.

(3) An easily accessible refuge will be found for the masses of the people from the exactions and tyranny of either an unscrupulous police officer or a far too powerful zamindar.

(4) However humble, these outlying posts in the chain of the administrative system will be centres of civilization for the people of the locality, and the District Officer will no longer be solely dependent, as hitherto, on the village chaukidar and the sub-inspector of the thana for communion with the great mass of the people. The civilizing forces of the Government will thus have a far greater chance of working out the slow but certain regeneration of the people.

(5) The last and perhaps the most important gain will be the support and protection which this scheme will afford for the germination and growth of elementary institutions of self-government amongst the mass of the people, as distinguished from the infinitesimal minorities in towns on whom our attention has hitherto been too exclusively fixed.

24500. You recommend that the District Officer should be relieved of the control of the local treasury. Is that practically the monthly or bi-monthly counting of the cash?—Yes; that is only for very large districts; I would not do that in all districts, because in smaller districts it is hardly worth while making a change.

24501. In the larger districts should he retain the supervision of the local currency?—Some sort of control should be left to the Collector. What I meant was that he should not be held responsible for the actual balance at the treasury.

24502. Would you retain the staff of the treasury on the Collector's general list?—No, because if some one else was responsible for taking stock of the treasury and for the balance, he should have control of the staff also. We generally select the staff according to the honesty of the men, and unless the man directly in charge knew that the officer selected was a proper man, it would not be fair to make him responsible for him.

24503. Then would you have the staff on an entirely separate list?—Yes.

24504. Confined to that district only or would you combine several districts together?—I would confine the subordinate staff to that district only. But the officer who would take the Collector's place might belong to the Accounts Department, and be placed over five or six selected treasurers. He could go round to each of the treasuries once or twice a month and be held responsible to the Accountant-General.

24505. Although not residing in the district?—Yes.

24506. So your chief object is to relieve Collectors in large districts of the trouble of counting the cash balances?—That is so; if this could be managed in any other way by making over the treasury to a senior Magistrate or a Joint-Magistrate, I do not think it would be bad.

24507. You think that excise might be more under the control of the Sub-Divisional Officer subject to the general control of the Collector. Is that not already the case in Assam?—I do not know about Assam. I am speaking of Eastern Bengal, and Bengal, where the excise is under the control of the Collector and the Sub-Divisional Officers has very little to do with it.

24508. You speak of the control which is exercised over Local Fund works by the Public Works Department, which you say has been a failure; will you amplify that a little, please?—Under the old rules, the Collector, as Chairman of the District Board, had large powers; he could pass schemes up to Rs. 2,000, but recently that power has been reduced, and anything above Rs. 500 has to go to the Inspector of Local Works for sanction.

24509. Do you mean for administrative sanction?—Yes, for administrative sanction also. The District Board cannot undertake, for instance, to make a road, or construct a dâk bungalow, or take up any scheme which will cost more than Rs. 500 without getting the previous sanction of the Inspector of Local Works. That is unnecessary, one reason being that the Inspector of Local Works is not in a position to know the exact requirements of the district, and it causes a great deal of delay, so great that it really takes away from the efficiency of the District Board work. It takes six months to pass an ordinary estimate, for instance, and after all the departmental supervision is not of such a kind that it could not be exercised by the District Engineer if he was a competent man.

24510. Cannot the Collector sanction it, if it is put into the budget, and the budget is sent to the proper authority?—It cannot be put into the budget unless it is sanctioned by the Inspector of Local Works.

24511. What course would you propose?—I would leave the Chairman of the District Board to deal with these things up to Rs. 5,000 at least.

24512. What security would you have for the correctness of the estimate?—The District Engineer is there.

24513. Would it be sufficient to trust to him and to the professional reliability of the plans and estimates?—Those could probably be sent up to the Inspector of Local Works for general supervision.

24514. You think there ought to be some supervision as to the professional value of proposals, and that those could be settled by the District Engineer?—The professional control of the Inspector of Local Works might also be retained, but what I object to is the power of the Inspector to sanction the initiation of such schemes.

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24515. You think Advisory Councils might act with great advantage as Arbitration Courts? Would not that depend upon their obtaining the confidence of both sides?—They would have to be selected.

24516. Would they be more likely to obtain the confidence of both sides by being elected?—They ought to be selected in such a manner as to represent both sides to the dispute. They should represent all classes of the community, and then it is very likely that they would represent both sides

24517. Do you propose that the Advisory Councils should be elected?—I think they should be appointed at present.

24518. You mention a case of what you call a District Improvement Committee—was that nominated by you?—Yes.

24519. How did your intercourse with the Committee differ from your ordinary intercourse with leading people?—They had a more formal existence; they had a minute book of their own.

24520. But it depended on your selection; it had no rights of any kind?—No, I did it entirely on my own responsibility; there was no order to that effect.

24521. You did what any good Collector would ordinarily do, only in a somewhat more formal manner?—Exactly.

24522. Then you elaborate a scheme for the creation of thana centres and Magistrates. How many thanas are there in an ordinary sub-division?—Seven or eight; it depends on the size of the sub-division.

24523. How many Thana Magistrates would you propose for an ordinary sub-division?—One Magistrate for each thana, but if the thana area was very small, I would lump two together.

24524. Would there be nearly enough work for them?—I should think so, if they were given both civil and criminal work.

24525. I understand you are referring to Eastern Bengal and not to Assam in your evidence?—That is so.

24526. In speaking of first information reports, you think they should be recorded in the presence of the Thana Magistrate. That would only be possible in the event of there being a Magistrate in each thana?—Yes, it would not be possible otherwise; the delay would be too great.

24527. Ought the Magistrate to be in substance, as he still is in name, the final controlling authority of the district police?—Yes.

24528. Should he have power to punish, protect and reward the police officer?—Yes.

24529. Is that all you want?—Certainly that.

24530. But would that be sufficient?—Yes, it would, except probably that a Commissioner might also have the power of transferring officers in his own division.

24531. I am speaking of the relationship of the Magistrate of the district with the police; would you give him that power collaterally with other officers?—It might be collateral, because the Superintendent of Police should also have the same powers. When a Superintendent wanted to punish an inspector, he had to get the consent of the District Magistrate, but that has been done away with, and I would revert to it. Then when a District Superintendent punished a man, the man could come to the District Magistrate and appeal; that also has been done away with, and he goes now to the Deputy Inspector-General or the Inspector-General of Police. I would revert to that also.

24532. And give the Magistrate a collateral right to hear appeals, or the sole right?—The first appeal should be to the Magistrate and then to the Inspector-General.

24533. Where would the Deputy Inspector-General come in?—It would depend; if the Inspector-General wanted to delegate some of his powers he might do so.

24534. In that case would you allow a Deputy Inspector-General to hear appeals above a Magistrate?—In the old days the Commissioner had the power, it did not go to the Deputy Inspector-General at all; and if the officer concerned was not satisfied, he could go up to the Inspector-General or to the Government.

24535. Then the Deputy Inspector-General who has come in now is rather a disturbing element?—I think so. It would probably not be the proper thing for a Deputy Inspector-General to hear appeals from the Magistrate, and I do not know that he knows enough of the district to deal with the cases. It may be all right on paper, but he only judges of what he sees on paper, while the District Magistrate knows not only the particular officer concerned, but all the facts of the particular case, and as a Judicial Officer he knows more about the police than the Departmental Officers do. At present he has practically no power at all.

24536. Then do you think that the chief disturbing element as the result of the recent Police Commission report is the creation of the Deputy Inspector-General?—And also taking away powers from the District Magistrate.

24537. Then you speak of the panchayat and certain powers which you would commit to them; how is that panchayat to be elected?—The panchayat at present is the agency employed for collecting the chaukidari cess.

24538. Is the constitution of that body satisfactory?—Yes, it is satisfactory, but greater attention would have to be paid to the appointment of the men. At present they are supposed to be appointed after local investigation, but in fact that is not very often the case; very often the names are simply sent up by the police and accepted by the Magistrate.

24539. Would you propose any changes in the method of their selection?—Yes, I would propose in each case that the Thana Magistrate should go himself to the villages concerned.

24540. But I am afraid we cannot assume the Thana Magistrate?—Even without that, there ought to be more local enquiry made, and some officer outside the police ought to be responsible for selecting these men.

24541. That is rather a big business?—It is, but a very important business if we are going to give them any powers.

24542. Have you any more definite suggestions to make with regard to their selection?—No. If we cannot get a Thana Magistrate, we ought to have a Deputy Collector specially for that work.

24543. Would you accept that panchayat as the basis for your village tribunal?—Yes.

24544. Would you propose to give them power to try petty civil suits?—Yes.

24545. As a matter of fact is the village system scarcely in existence in Bengal?—I think there is more of it than we know of: a lot of cases never come up to the Courts at all, but are decided probably, not by formal panchayats, but by what they call the village elders.

24546. Do you take that as indicating that there is still a large amount of village life which might be utilised?—Yes; I have seen it stated that there is nothing left of it, but I do not think that is right: a great many disputes are settled by informal panchayats, and when they fail the people come to the Courts.

24547. Do you agree that most villages in Bengal are rent with faction, which would seriously militate against the success of a village system?—Yes, unless they are properly looked after; I would be very chary of giving them any powers unless there was some machinery to look after the work.

24548. (*Mr. Meyer.*) You desire to give larger powers to the Commissioners. What is the character of the powers you would give them?—Things ought to be settled finally by Commissioners more than they are at present. For instance, in regard to the police, a Commissioner might very well transfer the police of his division.

24549. Do you include the District Superintendents?—No, I think not.

24550. With regard to Sub-Deputy Collectors, has he not power to post them now?—I believe there is some sort of understanding that he can suggest their transfers, if he cannot post them himself.

24551. Would you give him power to appoint Sub-Deputies?—Not finally, but he should be allowed to nominate as he does now, with probably larger powers.

24552. A Commissioner now nominates and the Local Government appoints?—The Commissioner might with advantage be given some appointments also, because after all he has more frequent opportunities of seeing the nominees, and has more time to study them.

24553. It has been suggested that Sub-Deputy Collectors should be split up into divisional lists, and that each Commissioner ought to be allowed to appoint his own Sub-Deputies; are you prepared to go as far as that?—I do not think it would do any harm.

24554. As regards the posting of Civilians and Deputy Collectors, would you allow Commissioners to post them in their divisions?—Not Civilians, because they would have to be distributed throughout the province; it will not do for a Civilian to have experience only of one division; he must have experience of different parts of the province.

24555. Granted that, the system would then be that the Local Government would post a Civilian to a particular division and leave the Commissioner to determine where he would be employed, but Collectors, of course, stand on a different footing; would you permit the Commissioner to post junior civilians within his division?—Yes, this arrangement might do for junior civilians, but in emergencies Government might be called upon to appoint additional officers.

24556. And similarly with regard to Deputy Collectors?—Yes.

24557. Would you allow Commissioners to give leave to a Deputy Collector or an Assistant Collector if they did not want a man to replace him?—Yes.

24558. Would you allow them to grant magisterial powers, subject to any conditions as to fitness which the Local Government might impose?—Yes.

24559. Would you give them fuller powers in dealing with Local Boards, District Boards and municipalities?—The Commissioner has fairly full powers now; he passes the budget, and he might have absolutely full powers in those matters.

24560. Would you extend it to the abolition or constitution of a municipality?—Not to the abolition of a municipality.

24561. Or of the calling of a municipality into existence?—Yes, he might do that.

24562. Outside that, would you give him all the powers of control which Government think it expedient to exercise?—Yes, I think so.

24563. Would you give him powers under the Land Acquisition Act and allow him to put it into motion?—Yes, it would save a lot of time, because matters have now to go to him, then to the Board, then to the Government, and that is an Act under which we want very prompt action very often. Now we have often to ask people to allow us to make use of land before we acquire it, simply because a scheme is so urgent that it will not wait. If the Commissioner had power it would save a lot of time. There might be exceptional cases in which the interests involved are very important, but I would leave it to the discretion of the Commissioner to make a reference to the Government, if he wanted to.

24564. Would you confine him as regards money value?—No.

24565. If a Commissioner was prepared to take the responsibility, would you let him take it?—I suppose so; of course, there is always an appeal.

24566. In the meantime the land has been taken up?—I would have some sort of provision that in cases in which land is taken before a proper formal acquisition by the authority of the Commissioner there may be an appeal to Government.

24567. Would you give the Commissioner as full powers as possible under the Court of Wards Act?—Yes.

24568. Would you distribute the provincial Public Works budget and give the Commissioner a portion from which he might sanction allotments for Public Works?—I do not know much about Public Works, but it would be a good thing if some of the powers as to Public Works were given over to the Commissioner.

24569. Would you give the Commissioner the power of making temporary, and possibly permanent posts in the Public Service?—He makes appointments now.

24570. But he cannot create an appointment?—No. The case is so rare, and that may go up to a higher authority.

24571. Is it on rare occasions; are not people always asking for extra clerks?—He might appoint temporary men, but any permanent addition might well be limited; he might have power up to a certain limit of pay.

24572. Would you give him larger powers with regard to dealing with temporarily settled estates?—The Collector now consults the Commissioner before sending his final report.

24573. Would you give the Commissioner any power which the Board now exercises?—It all depends on what additional staff the Commissioner will get for all the additional work. These things might very easily be done, and it will save time if they are done on the spot. A Commissioner must have more knowledge of his division than the Board have.

24574. Would you give finality to his orders on appeal in revenue and administrative matters?—Yes, he might have some powers, but at the same time the interests involved are very important, and the parties concerned would like to have more than one appeal.

24575. Taking appeals of Government servants generally, would you give the Commissioner finality if he confirmed the orders of a Collector?—Yes, except in the case of dismissal. In most cases the orders of the Commissioner should be final.

24576. You would help him by giving him a Civilian as a personal assistant instead of his present Deputy Collector?—Yes, and also his Deputy Collector.

24577. Would you give him the two?—Yes, it is very necessary. I have seen the way in which Commissioners work when they come to my district, and I certainly think even now with the work they have, they find it very difficult to get through it all. They ought to have a touring assistant also, because when they come out on tour they have practically no staff at all, and depend on the Collectors to help them to some extent.

24578. Having elevated the Commissioner so far, what would you leave to the Board?—I think I have gone far enough. I leave the Board and the Commissioners to decide that between themselves.

24579. What is your opinion; do you think the present Board will be necessary when you have Commissioners all exercising large functions?—No, I should not think so.

24580. Do you think one member would do, or would you have none at all?—It would depend on what powers you gave them in revenue matters; probably there ought to be an intermediate authority between Government and the Commissioners, but it would do no great harm if there was none, and the Commissioner had all the power.

24581. Would there be no risk of divergence?—Is it not desirable to have an authority to keep all Commissioners more or less on the same lines in matters of policy?—The Government would probably have to have one more Secretary, or something of the kind.

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24582. Might Collectors have larger powers too?—Yes, I think so in most matters.

24583. Speaking generally, are they matters of relatively small importance, or is there any big matter you would make over to the Collector?—They are more or less small matters chiefly relating to things, which would save a lot of time if the Collector had the power to deal with them, because he has all the materials before him. With regard to large matters, there are the powers as to the police, which are most important; the District Boards, and he might also have a little more power in the matter of education.

24584. Secondary or primary education?—Both; over primary education he has almost as much as is necessary as Chairman of the District Board, but in cases like the conversion of a school from a primary to a secondary school, the power lies entirely with the department, and that is a question which the Collector is in a better position to judge of than the department.

24585. Are you speaking of a Government school or an aided school?—I am talking of aided schools. The schools in Bengal are divided into lower primary, upper primary, middle vernacular and middle English, and it is the constant aspiration of most of them to be converted either into middle vernacular, or, chiefly, into middle English schools. For some reason the department does not favour the conversion of the schools from primary to middle schools, but as the people are anxious for it, and when they also go to the length of subscribing funds, and the District Officer thinks there is need for such a school, he should have certain powers of helping them to get it.

24586. Speaking generally, a secondary school, whether it is maintained or aided, costs considerably more than a primary school?—It costs somebody more, but not necessarily to the District Board or Government; as a rule we never encourage people to ask for a middle school unless they are asked to subscribe more.

24587. It is possible, if you give the Collector power to declare that secondary schools should be maintained or aided, that the expense will fall on the budget of the Education Department?—No, the entire thing is maintained by the District Board.

24588. But I thought Government dealt with secondary education generally?—Not as regards money entirely; it is only the higher education which is maintained by Government.

24589. Are you speaking of lower secondary schools under the District Board?—Yes.

24590. Has not the Collector, as Chairman, considerable say there?—Not in the matter of the conversion of schools; he has in the matter of granting any stipends or aid, but even then, of course, the inspector's sanction is necessary, but that one does not object to, because an inspector might point out certain things which might escape the notice of the Collector.

24591. You wish the existing Deputy Collector to remain in charge of the treasury, but that he should be supervised by some official belonging to the Accountant-General's office?—That is only with regard to very large districts, but that scheme may create some difficulty, because the Treasury Officer, under those circumstances, might think he is independent of the Collector, and occasions might arise when there might be a little friction. There might be urgent payments which might have to be made, and which probably the rules might not be clear about, and the Collector now takes the responsibility and passes the necessary orders.

24592. Apart from the question of cash balances and stamps, does the Collector have much treasury work now?—It is not the work so much as the responsibility. He is entirely responsible for any defalcations; in fact for everything in the treasury.

24593. There are lakhs of rupees sometimes in the treasury and large currency balances?—Yes, there are sometimes as much as 5 or 6 lakhs.

24594. Is it not a sound precaution that even a Deputy Collector should not be trusted exclusively with regard to those balances?—Yes, but over the Deputy Collector there should be an expert officer to travel round and deal with several treasuries.

24595. Assuming a Deputy Collector ready to take money from the treasury, could he not take it before the Collector arrived?—Yes, but that might be done now. I do not think there has been a case found of a Deputy Collector taking money.

24596. You spoke of excise powers being given to Sub-Divisional Officers; do you refer to sales of shops and things of that kind?—Yes, annual sales of shops and control over excise sub-inspectors.

24597. As regards sales of shops, who does that now?—The Excise Deputy Collector; it has been recently recommended that the Collector should do it himself.

24598. Is it not contemplated to have an excise superintendent to deal with technical work?—Yes.

24599. Do you propose to do away with him?—No, he is only a departmental officer.

24600. Would you give a great deal of the work now done at headquarters to Sub-Divisional Officers?—Yes.

24601. Would you also have a separate Sub-Divisional Officer in charge of the headquarter subdivision?—Yes.

24602. We have been told that that would not work in regard to revenue collections in Bengal, and the zamindars prefer to make their payments at headquarters; what do you say as to that?—That is a matter of very little importance, because it is merely routine work.

24603. So, you think, it does not matter whether they pay at headquarters or not?—Yes, I think the convenience of the payees should be consulted.

24604. Might all the registration and certificate work, at any rate, go to the sub-divisions?—Yes.

24605. Would you reduce the number of Deputy Collectors you now have at the district headquarters dealing with specific subjects?—Yes, naturally, because they would have less work.

24606. Your Collectors in Bengal are also District Registrars?—Yes.

24607. Do they do much work in connection with that?—It depends on the officer; I do not think they do much; they inspect the head offices once a year and also the sub-offices.

24608. Are not some districts sufficiently advanced in the way of registration to have a separate Registration Department, as in Madras, for instance?—Yes, it would do no harm.

24609. With regard to thana officers, are they to be Deputy Collectors?—Yes, or a Munsiff or Gazetted Officer.

24610. Not Sub-Deputy Collectors?—Not as a rule, unless the thana centre was a very unimportant one.

24611. What do you propose to do with your present Sub-Deputies?—Place them under them.

24612. Is the Thana Magistrate to have all powers, revenue, magisterial and civil?—Of a limited nature.

24613. What magisterial powers should he have?—He should exercise those powers for which he has statutory power; if he is a Second-Class Magistrate those of a Second-Class Magistrate; if he is a First-Class Magistrate, he should have the powers of a First-Class Magistrate.

24614. Is he to be subordinate to the Sub-Divisional Officer at all?—Yes, because it would be impossible for the District Magistrate to exercise control in a large district.

24615. Is it practicable under present conditions to revert to the heaping of different functions on one man?—I think it would be very popular among the people.

24616. It would not be very popular among the people who write in the newspapers?—Even they will probably see the great disadvantages the

people now have to suffer under in bringing witnesses 40 miles, and then be told that the case is postponed and they must come again, and then when they come again, find the Magistrate is out on tour.

24617. Is not the general cry from what is known as the educated class in Bengal rather the other way?—I am dealing with minor matters really, relating purely to petty criminal cases and loans of Rs. 100. The objection chiefly centres round the power of the District Magistrate; popular criticism would also be disarmed if these thana officers were supervised and inspected by the District Judge. There would be no reason why the Judge should not go round and be held partly responsible for the work.

24618. Are you aware that in other provinces they have *tahsils*, which are in charge of tahsildars who are below the Sub-Divisional Officer? But you propose to have a thana as the area, which is smaller than a *tahsil*, and at the same time for each thana to have a Deputy Collector. Is that not expensive?—Yes, but the tahsildar's work is entirely revenue; he does not do any criminal work.

24619. Your scheme is a great deal more expensive and substitutes a Deputy Collector for a Sub-Deputy Collector?—I am not keen on the officer; I want a thana centre, where the people might get elementary justice instead of having to go to headquarters.

24620. And you see no special objection to having a lower agency?—No, but it would be better done by a Deputy Collector, as I suggest.

24621. You say your District Board has to refer every work which costs Rs. 500 to the Inspector of Local Works. At the same time you employ District Board Engineers?—Yes.

24622. On what pay?—Rupees 200 to Rs. 500, and Rs. 700 in very large districts.

24623. Till lately the District Board Engineer also did the Government work?—I think it still holds in Bengal. Some District Boards were given the option of taking up the Public Works work and many of them elected to do so, but in Eastern Bengal it has been done away with now.

24624. Have you any experience of the old system under which the District Board Engineer did such Government work as there was?—Yes.

24625. Has he to send up his estimates in the same way?—He has to send up everything.

24626. The Inspector of Local Fund Works is really the Executive Engineer?—That is his other title; he is called Inspector of Local Works only so far as the Board's work is concerned.

24627. Can he pass any work, however great?—No, his limit is up to Rs. 5,000, and it has to go to the Commissioner after that.

24628. But the Commissioner is not a Public Works expert?—It goes to the Commissioner to sanction the scheme, and to see whether it is a scheme which is desirable or not, and whether certain works should be taken in hand.

24629. If it costs over Rs. 5,000 it goes to theCommissioner to sanction as an administrative proposal, and if it costs over Rs. 500 it goes to the Executive Engineer in the capacity of Inspector of Local Works to sanction professionally?—Yes, and also as a scheme.

24630. Your limit is Rs. 5,000 for both. Do you think works over Rs. 5,000 need go to the Commissioner for administrative sanction?—Yes, because cases of that kind are very rare, and in the case of a large sum of money it should go to the Commissioner.

24631. Would you increase the powers of Local Boards?—I think they have most of the powers they want.

24632. We have been told that they have very little powers; that they can only deal with local roads practically, and that education is mainly in the hands of the District Boards; what have you to say as to that?—There is not a Local Board in my present district, but I think that is right; Local Boards only have powers as to roads and such things.

24633. Would you give them a definite share in the Road Cess?—I should give them a minimum, but it would have to vary with the demands of different parts of the district.

24634. For instance, in Madras, the District Board and the *taluk* Board divide the cess half and half; would you approve of any such division?—I would fix a minimum; that Local Boards should be entitled to so much, but if there is any saving after that, at a meeting of the District Board where the Local Boards are represented, they should share the residue.

24635. Are you hampered much by the provisions of the Education Code?—There may be a certain amount of check, but the present Director and I have always got on very well. I have had some cases in which the department objected to changing the status of schools.

24636. Have you to give grants-in-aid according to the scales laid down by the Education Code?—No, not exactly according to scale; each case has to go up to the inspector of schools for his opinion, and he has to certify that it is fair, and it is passed by the Board.

24637. Can the Board differ?—Yes, if the inspector does not pass it, then it can go up to the Commissioner.

24638. We were told yesterday by the Inspector-General of Civil Hospitals that in Eastern Bengal the Boards were beginning to start medical work on their own lines, and that they rather ignored the Civil Surgeon; is that your experience?—I do not think so, because after all the Board is the Collector, and it is seldom that the Collector would take action without consulting the Civil Surgeon. I have had complaints from Civil Surgeons that we are not giving them enough support; even in the question of collecting subscriptions they want us to do it for them.

24639. In the management of these institutions, does the Civil Surgeon ever complain that he is ignored?—In all technical matters his recommendations are acted up to as far as funds permit; if they want things which the Board cannot afford, as they very often do, the Board cannot meet them.

24640. Are there many District Boards in Eastern Bengal which have no Local Boards under them?—Very few; all sub-divisions must have a Local Board, but there are a few districts which have no sub-divisions.

24641. Do you desire that the District Board members, or part of them, should be elected?—Yes.

24642. Generally speaking, is the present elective system satisfactory?—It is as good as we can get.

24643. Are not a large number of your municipalities in Eastern Bengal really mere villages?—I do not know about Eastern Bengal, but a very large number are in Western Bengal.

24644. Is it expedient to retain them as municipalities; would they not be better as Local Fund unions or something of that sort?—It would certainly probably get rid of a lot of formality, but is necessary that they should have some funds, and provided that, it is not very important under what name they go.

24645. As regards Advisory Councils, are they to be purely advisory and might the Collector overrule them if he differs from them?—Yes.

24646. When the Collector is dealing with matters that he has power to dispose of finally, is he to be obliged to consult the Advisory Council at all, or is he to consult them quite at his own option?—It depends upon the Collector; it is to his advantage that he should consult them: I have done so myself.

24647. Do you mean that he should generally consult them, but if, as Collector, he has power to

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pass a final decision, then he must act according to his own judgment, though he may be materially helped by what he has heard from the Advisory Council?—Yes.

24648. Supposing it is a matter in which he cannot act himself, but has to get the confirmation of the Board of Revenue or the Government, and he disagrees with the Advisory Council, should be mention this?—If he has consulted it, it is just as well probably that he should, and also give his reasons for disagreeing with the Council.

24649. Would you also allow a member of an Advisory Council, in such a case, to ask the Collector to send up his minute of dissent along with the Collector's own report?—It would be a good thing, and the members of the Council would know that they were doing some good and that they were there for a definite object.

24650. As regards police, you think it just as well to abolish Deputy Inspectors-General altogether?—I do not mind a Deputy Inspector-General, and I have no concern with the departmental work, but I refer only to the diminution of the authority which Magistrates exercised before.

24651. There are a great many matters connected with discipline and the efficiency of the police force: is the District Magistrate necessarily a good judge of those things?—No, but they are quite subordinate to the main duty of the police, which is the keeping of law and order in the district, but the tendency of the present scheme will be that the important part of the duty of the police will be subordinated to questions of departmental discipline, and matters to which probably the Superintendent of Police and the Deputy Inspector-General might attach more importance.

24652. Supposing a District Superintendent wished to reduce a head constable because he could not drill his men properly or let them get slovenly, is that a matter which ought to go to the District Magistrate on appeal?—It cannot do much harm, because he would not interfere in a case like that.

24653. Has a District Magistrate who allows these things to go to him any right to complain that he is overworked?—I think so, because as long as he is held responsible for the administration of the district, including police administration, he might legitimately ask for assistance to enable him to discharges his duties properly.

24654. First of all he is to get work which he is not properly qualified to deal with, and then he is to get assistance to deal with it?—What I said was that the Magistrate is held responsible for the criminal administration of the district, and the police are placed under him with the object of helping; if the power of punishing these men is entirely taken away from him, I fail to see how he can be considered to be Head of the district police.

24655. Is there anything now to prevent a District Magistrate getting a police officer punished if he has been guilty of any offence? Cannot he make any representation he desires to the District Superintendent?—But it should not be necessary for him to do so.

24656. Are you speaking strictly from theory or from practical experience?—I have had one or two cases in which I have experienced some difficulty, but not many.

24657. Have you ever had a case in which the District Superintendent ignored your view in the matter of the peace and order of the district?—The District Magistrate would hesitate before putting forward his view, because he knows there is a chance of the District Superintendent ignoring him. I have known of cases where the District Superintendent has punished the police where the District Magistrate, if he had power, would have interfered.

24658. Could you not in that case have referred the matter to the Deputy Inspector-General, or to the Inspector-General?—It would hardly do, because if these powers have been taken away deliberately, and still the Magistrate interfered in such matters, his action might be constructed as encouraging insubordination among the police. If, for instance, a man appeals to the Inspector-General of Police, and I took up his case and said he ought to be treated more leniently, I do not think that is what would be expected of me, but if the officer could appeal to me, as District Magistrate, and the matter came to me officially on appeal I should do what I thought necessary.

24659. Are not the chaukidari panchayats being gradually dissociated from the control of the police?—In name only, not in substance.

24660. Have you had any experience of what has been done in Bengal proper in that respect?—No, I have never been in charge of a district where the new scheme has been tried.

24661. Have not orders issued there that the thana officers should have nothing to do with the nomination of the panchayat and chaukidārs?—I do not think practically much has been done in that direction.

24662. In your district are they practically nominated still by the police?—My district is a very small one, and I go round as far as possible and see that the panchayats are appointed after local inquiry.

24663. You desire to have a special officer for the supervision of panchayats. Supposing there is an officer with local jurisdiction, is it not his duty to look after the panchayats; would it not be one of the most important things he would have to deal with?—Yes.

24664. Do you want a Deputy Collector for the whole district for the purpose?—Yes.

24665. Supposing you had your thana officer, he would look after it?—Yes.

24666. If you had your scheme, with these thana officers having civil jurisdiction, would you be prepared to reduce the number of Munsiffs?—Yes, there are two now in my district, and one could be dispensed with.

24667. Then you speak of the thana officer and his Local Board; would you have a Local Board for each thana?—Yes.

24668. How many would you have in a district?—About 8 or 9 in each sub-division. In the district, from 15 to 20.

24669. Would they be directly under the District Board or a Sub-Divisional Board?—Those that are in a sub-division might be placed under a Sub-Divisional Board.

24670. You desire that there should be sub-divisions all over the district, and you have told us that there is to be an officer in charge of the headquarters sub-division—if you had such a Sub-Divisional Officer would you give him a Local Board?—It is hardly necessary. It would be an advantage to have them under the Sub-Divisional Board because otherwise the Chairman would probably have too much to look after.

24671. Then would you have Local Fund unions?—No, I would dispense with them altogether.

24672. We have been told that at present zamindars or their local agents do a great deal practically in the way of settling disputes amongst their tenantry, and, some people have even put it, in the way of coercing their tenants to accept their arbitration; is that so?—There may be instances of that sort; people will not take the trouble to travel a distance to fight the wishes of their landlord, and there may be cases on the other hand in which a lot of good is done in that way.

24673. Would you recognise that position by making the zamindar an Honorary Magistrate, or Honorary Munsiff, and let him deal with a certain number of these cases?—Yes, but of course I would select the man. In some cases you might have zamindars to take up the duty and look after a thana if they would.

24674. Would you make a zamindar an honorary thana officer?—Yes.

24675. (*Sir Steyning Edgerley.*) As to the police, is your position that the District Magistrate must

have the real authority of punishing the local police if he is to be respected by them?—Yes, that is the exact position, because the police will come to know by and by, no matter how good their case work is, they will have very little chance of preferment, unless they please their departmental superiors.

24676. With regard to punishments, can the Police Superintendent punish a sub-inspector?—Yes.

24677. Can he dismiss him?—Yes.

24678. Can he dismiss an inspector?—No.

24679. Then practically the sub-inspector is the senior local officer with whom he can deal?—Yes. The inspector has a division; the sub-inspector is in charge of a local thana.

24680. Is the inspector's division as big as a district?—No; each sub-district has probably two divisions.

24681. Who punishes an inspector?—A Superintendent or even a Deputy Superintendent can suspend him, and they can always report him to the Deputy Inspector-General or to the Inspector-General.

24682. (*Mr. Dutt.*) Really the authority lies with the Inspector-General?—Yes.

24683. Deputy Collectors now belong to the Provincial Service?—Yes.

24684. Under the present rules are all members of the Provincial Service transferred under orders of the Government?—Yes.

24685. Would you change the present rule and give Commissioners the power of transferring them within their divisions?—Yes.

24686. Would you also keep up the power of the Government to transfer Deputy Collectors from one division to another?—Yes.

24687. So that there would be two authorities to transfer them?—The one will ensure more efficient and quicker work within the division, and the other will ensure the proper training of the Deputy Collectors concerned.

24688. Would the grant to Commissioners of these powers be likely to lead to the more frequent transfers of Deputy Collectors?—No; if it was recognised that it was not a sound thing to have frequent transfers, the Commissioner is as likely to carry out those instructions as the Government.

24689. You do not think the Deputy Collector would be likely to be transferred on the suggestion of a Collector for slight causes?—If the Commissioner had a suggestion from a Collector, it would be a rather good thing that the Deputy Collector should be moved.

24690. You do not see any harm in that?—No, I do not, because very often a Collector wants to keep his Deputy if he is a good man, and get rid of him if he is of no use.

24691. Would it be likely to lead to more frequent transfers in a division than take place at present?—It might.

24692. You have suggested that the income-tax administration might be made over to the Sub-Divisional Officer within his own sub-division, do you suggest that the Sub-Divisional Officer should himself make the assessment or that an officer should be appointed under him?—An officer should be appointed under his direct supervision.

24693. Is a Sub-Divisional Officer, who has knowledge of the sub-division, likely to be able to arrive at the truth better than an officer from headquarters?—Yes.

24694. Should the income-tax be collected also in sub-divisions?—Collection is not a matter of any very great importance.

24695. Would it be convenient for the assessees to pay in the money at the sub-divisional treasury, rather have to go to headquarters?—As far as travelling is concerned, it would.

24696. You also suggest that the work of the Court of Wards might be transferred to the Sub-Divisional Officers?—To selected officers only; if a man is very capable, the Collector might make over some of the work to the Sub-Divisional Officer.

24697. Would you in that case prescribe a limit as to the annual revenue of the estate within which the Sub-Divisional Officer should have the power of administration?—It would be a sound thing to do that, or to limit the revenue of the setate of the management of which the Collector can divest himself and make it over to the Sub-Divisional Officer.

24698. I did not quite understand your answer with regard to the Inspector of Works having the power of giving administrative sanction as well as technical sanction?—It is not called administrative sanction, but in fact it amounts to that. If the District Board decide to construct anything, and if it costs more than Rs. 500, it has to go to the Inspector for sanction.

24699. Even supposing it is included in the budget itself?—You cannot include it without its being previously sanctioned; that is an executive order.

24700. Are you aware that there are certain definite rules now with regard to appeals by Government officers to higher authorities?—I have not studied those rules.

24701. Supposing those rules allow a person an appeal from the Commissioner to the Board of Revenue, would you restrict that appeal to the Commissioner?—I think too many appeals are probably unnecessary, but in cases of dismissal those appeals might be allowed. The rules might probably follow the status of the officer concerned. If it were the case of an officer drawing more than Rs. 100 pay, I might allow another appeal. In petty matters appeals should not go beyond the Commissioner.

24702. You have suggested that larger powers should be delegated to the Divisional Commissioner than they at present enjoy; in that case the work of the Board of Revenue would be greatly lightened? It is possible to conceive that the members of the Board of Revenue would not then have sufficient work to do?—As I have said, probably one member might be sufficient.

24703. Might the members of the Board in that case become advisers to the Government in other matters than purely revenue matters?—Yes, you could utilise them for general administration.

24704. They are men generally of great experience?—At the same time I think the Lieutenant-Governor should be the final authority and that they should be his advisers, but that he should not be in any way handicapped by the Board of Revenue.

24705. Among the duties which you suggest for village panchayats is the holding of investigations into unimportant cases. That would be transferring to them a part of the duties now performed by the police; would that be desirable?—The cases I had in view were mostly petty matters into which at present no enquiry is made under section 157 of the Criminal Procedure Act, either because the value of the property stolen is less than Rs. 5 or because the parties do not want an enquiry.

24706. Supposing there is a case of theft of property valuing Rs. 10 in a village, would the panchayat make enquiry into that?—If the panchayat was selected, it would be a good thing.

24707. If police duties were entrusted to them, would you not to some extent make them subordinate to the higher police authorities and would not the higher police authorities insist upon passing orders on the panchayats who made the police enquiries?—Not in my scheme; in such matters the order of the Thana Magistrate should be final.

24708. Supposing your scheme was not adopted, under the present circumstances, would you entrust police enquiries to the village panchayats?—It would probably complicate matters if it was done, and there would be no harm in leaving it out.

24709. If the panchayats made enquiries into cases, would they not thereby be unfitted to be judges of the same cases and to decide them?—Not exactly, because we are not unfitted to be judges of cases into which we make enquiries. The High

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Court have held that the making of an enquiry into a case does not necessarily make a person unfit to try the case. It is only where some positive interest is taken in one of the parties that the disability would apply. On the other hand, the panchayat would probably have more knowledge of the real facts of the case.

24710. The Magistrate, as a matter of fact, does not make the same kind of enquiry that the police do?—It depends on the case.

24711. Then you do not see anything inconsistent in panchayats making enquiries into cases and trying them also?—No, unless the parties object. My object is to cause the villagers the least amount of harassment and trouble which object would be secured if these things could be settled as quickly as possible.

24712. You suggest that thana officers should have special duties delegated to them, including the duty of trying civil cases?—That would place them under the District Judge, so that these thana officers would be subordinate both to the District Magistrate and the District Judge?—Yes; I have also suggested that the District Judge might inspect their work if necessary.

24713. Would that not complicate matters?—No, I think it would be a good thing, because there is a demand that these functions should be separated, and that would satisfy the people who advocate that theory.

24714. Supposing a District Magistrate wanted to transfer a thana officer, could he do it without the concurrence of the District Judge also?—I suppose the District Magistrate will have to have that power. When I said the District Judge also might inspect the work, I did not mean that he should directly exercise any executive authority. If he wanted any action taken, he might refer either to the Magistrate or to the Commissioner.

24715. But who would have the final power in regard to the transfer of these thana officers?—The Commissioner, under the recommendation of the Magistrate.

24716. Without consulting the District Judge?—He might be consulted.

24717. And supposing he did not agree?—Then the Commissioner would have the final voice.

24718. So that if the District Judge wanted to keep a man in a particular place, and the Collector wanted to transfer him, the Commissioner would decide?—Yes.

24719. Is it your idea that village chaukidars should be subordinate to the police or to the village panchayats?—To the village panchayats mainly; but some authority must be left with the police.

24720. Should they still be compelled to attend the fortnightly parades?—Yes, otherwise all the local information which the police want will be denied to them.

24721. Supposing a crime is committed in a village, should it be the duty of the chaukidar to report direct to the police or to the panchayats?—He ought to inform his panchayat and also the police.

24722. You do not think it would be the duty of the panchayat, but of the chaukidar, to inform the police?—I think it would be safer to make it the duty of the chaukidar.

24723. You said that you would have a District Board, and a Sub-Divisional Board, and a thana Board if you had a thana officer. Is that not rather complicated?—The Sub-Divisional Board would be a Local Board, and its place would be taken up really by the smaller Board which I recommend.

24724. So that your suggestion is that there should be only two classes of Boards?—I suggest two, the District Board and the smaller Local Boards—the thana Boards.

24725. Would you abolish the Sub-Divisional Boards?—Yes, because they would be taken up by the Local Board; the two would overlap.

24726. Then the whole work for the district would have to be divided among the thana Boards in the district?—Yes. The important works—the District Board works—would be provided from the centre, but a lot of money which depends on the requirements of the particular areas should be given to the other Boards for looking after dispensaries, village roads, and so on.

24727. Would there not be a necessity for a Local Board for each sub-division if your scheme was carried out?—No, because each thana centre would have its own Board and its own money.

24728. Supposing your scheme was rejected on the ground of its expense, would you accept the idea of having smaller circles within a sub-division, each circle including two or three thanas, presided over by an officer of the rank of a Sub-Deputy Collector?—Yes, it would be the second best thing; but I should prefer to have an officer at each thana, even of the rank of a Sub-Deputy Collector; otherwise it would be impossible for the important first information reports to be recorded in the presence of a Magistrate. There would be no harm in increasing the area of a thana if it was too small.

24729. You said that the average number of thanas in each sub-division was about eight. Is it not more like four or five?—In my sub-division, a very big sub-division, we had eight.

24730. Were they not practically outposts?—We have mostly done away with outposts, but I speak under correction.

24731. (*Mr. Hichens.*) Do you think your Advisory Councils will tap a source of information which you do not get hold of to-day?—It all depends; it may be that the Collector is consulting the very same men, but the proposed scheme ought to give them a more formal standing.

24732. If the Collector only consults the same men as he does at present, do you carry him any further forward?—It depends upon what men he consults, and it is not every Collector who does it.

24733. But the trouble is that you leave it entirely optional with the Collector to take advice or not?—I am afraid we shall have to start with that.

24734. The Collector who is not ready to consult people would probably be the man who would not take their opinion when he got it?—Do you mean after these bodies had been started? If the wishes of the Government were made express upon that point, I should always leave the option with the Collectors, and most Collectors would consult the Council, especially when they know they are not bound to adopt their suggestions.

24735. If a Collector did not adopt the suggestions, there would be a certain amount of friction?—I eliminate all grounds for friction, because he is not bound to act on their advice.

24736. But would they not feel hurt if their advice is not taken?—Yes, if they find that they are simply kept there and no notice is taken of what they say; then no doubt they would not attend, and there is always the danger of these things dwindling into paper things without any actual existence, but it will all depend upon the Collector and what use he is prepared to make of them.

24737. Would it be open to the public to attend their meetings?—No.

24738. Then they would meet *in camera*, so to speak?—Yes, certainly.

24739. Do you not think that general public opinion would say that was rather a hole and corner way of discussing public affairs?—They might say that now, but it will be conceding a good deal to them.

24740. Supposing the Council happened to differ from the Collector, might they ask to be allowed to publish their opinions to the world?—There is no harm in that; it would only probably systematise the ordinary criticisms which we now get; we get enough criticism now as it is, and there would be no harm in that.

24741. Would you not mind their afterwards going to a public meeting and recounting what had been said in Council?—Of course a great deal would depend on the men you get. I think the great

advantage would be that if you could convince these men that what you are doing, and what Government is doing, is sound, there would be very great chance of their getting over hostile criticism and stating that what was being done was with their consent and knowledge.

24742. Would they look upon themselves rather in the light of popular representatives?—Yes, and probably it would be a good thing to encourage them to do so.

24743. Would they not really think that they represented the public as against officialdom?—There is that unfortunate element.

24744. Therefore, would there not be rather a tendency on their part to play to the gallery?—There might be.

24745. Supposing something unpopular were proposed, might they not feel if they supported it, although possibly it was the soundest thing to do, that they would bring themselves into odium with their constituents, and would there not be the temptation under these circumstances to say "The Collector can do it anyhow; why should we support him in the matter"?—To begin with, if the Collector is tactful, and it is a very ticklish matter, he would not bring it before them unless he thought it absolutely necessary to do so, but if he did do so, he would probably find out some means of convincing them all, that what was proposed was necessary. A great deal is done by talking to these men at first, and telling them that they have some power and could help the District Officer.

24746. Then at first is he only to bring before the Board things which do not much matter?—It will depend on the circumstances of the case and the matter with which you are dealing.

24747. It has been suggested that in addition to, and possibly in place of, an Advisory Council, there should be an Administrative Council, that is to say, that the Collector should be a sort of miniature king with an Executive Council round him—what do you say to that?—That will never work.

24748. Would it be too elaborate?—Yes, and these men must have some powers, and the Collector would have to be bound in some way by what they say.

24749. Would you have an Advisory Council for the Commissioner?—There is no harm, but the Commissioner might probably dispense with them if he got the opinion of all the Collectors and their Advisory Councils. These administrative orders do not directly emanate from the Commissioner as they do from the Collector, because he has to carry them into practice, and that is where the friction comes in.

24750. The Commissioner would be in rather an awkward position supposing the Collector said, "My Council, which represents the public opinion of the whole district, recommend so and so"?—No Collector would say that.

24751. He might not put it in that way, but at any rate he would have public opinion behind him, and it would be a very difficult position for the Commissioner unless he had a rival Advisory Council whose opinion was contrary to that of the Collector?—I think the Commissioner would attach the amount of importance to it which was due to it.

24752. From where would you get your members?—They must, of course, be more or less men of the town.

24753. Then they could hardly be said to represent the great voice of the people, could they?—Not in the sense that they had been elected, but they would probably be able to put before the Collector things which he might not know, and the great point would be that if the Collector got them to accept his views it would save a lot of trouble. For instance, in the case of a difference between Hindus and Muhammadans with regard to a mosque, I got together representatives of one side and the other and settled the matter without much difficulty, whereas it might have gone on for many years.

24754. You can do that kind of thing to-day?—Yes, that is the sort of thing which we can do now, and I think we could do more by putting it into a more formal character.

24755. Then would you introduce a certain amount of rigidity where there is elasticity to-day?—I do not think there would be much rigidity about it, because we are not bound to accept their views, nor are we bound to consult them in every matter.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I.—Note on the organization of the Government of Eastern Bengal and Assam, filed by the Honourable P. C. Lyon, Chief Secretary.

II.—Letter from the Chief Secretary to the Government of Eastern Bengal and Assam, to the Secretary to the Royal Commission on Decentralization, No. 411T., dated 13th December 1907, submitting a general statement of the views of that Government on the subject of Decentralization.

III.—Letter from the Officiating Secretary to the Government of Eastern Bengal and Assam, in the Public Works Department, to the Secretary, Royal Commission, Decentralization Scheme, No. 1446G., dated the 16th November 1907, on the subject of Decentralization as affecting the Public Works Department.

IV.—Schedule of the detailed proposals of the Government of Eastern Bengal and Assam on the subject of Decentralization.

APPENDIX I.

The organisation of the Government of Eastern Bengal and Assam.

THE administration of the province of Eastern Bengal and Assam is entrusted to a Lieutenant-Governor, assisted by a Legislative Council appointed to make laws and regulations, consisting of 15 members, in addition to the Lieutenant-Governor, who is its President. Of the 15 members of Council, nine are nominated by the Lieutenant-Governor himself, and six are nominated by him on the recommendation of various elective bodies. The number of official members of the Council is limited to seven, one of whom, the Superintendent and Remembrancer of Legal Affairs, acts as its Secretary.

The Lieutenant-Governor is assisted, in addition to his personal staff of a Private Secretary and an Aide-de-Camp, by four Secretaries. Of these Secretaries, the Chief Secretary is in charge of the Revenue, Appointment and Education Departments of the Secretariat, another Secretary is in charge of the Financial and Municipal Departments, and a third Secretary controls the Judicial and Political Departments. The fourth Secretary, who is the Chief Engineer and Head of the Public Works Department, deals with the affairs of that Department.

Under each of the Secretaries is an Under or Assistant Secretary, who has below him a Registrar and a large staff of clerks dealing with the different branches of work which come into his department.

The accounts work of the province is divided into Civil Accounts under an Accountant-General, and Public Works Accounts under an Examiner. These officers are members of independent Imperial Departments, and control separate offices, being themselves responsible to the Government of India for the proper performance of their duties. They work in constant communication with the Secretariat offices of the Local Government at headquarters, and are freely consulted demi-officially and unofficially by the Secretaries to that Government.

The following departments are imperial and answerable to their own departmental chiefs, who are themselves directly under the Government of India :—The Postal, Telegraph, Ecclesiastical and Archæological Departments. The Lieutenant-Governor is frequently consulted as to the affairs of these departments, and of himself, or on the suggestion of local officers, suggests local reforms in such matters as the extension of postal and telegraph facilities, the preservation of ancient monuments, and the like.

For the executive administration of the province, the Lieutenant-Governor is assisted by :—

(1) A Board of Revenue consisting of two members, who exercise jurisdiction over all branches of the public revenue. Certain power have been conferred upon the Board of Revenue by Acts and Regulations, principally in connection with revenue matters, to deal with questions in dispute not only between private individuals and Government (such as arise in the course of revenue settlements), but also between private persons themselves, as in the case of partitions and land registration and in dealing with rival claims to settlement. And powers have been conferred by the same Regulations and Acts on the Commissioners and Collectors who work under the Board to deal with similar subjects to a smaller extent. Executive powers have in the same way been delegated to these authorities from time to time by orders of Government embodied in the various Revenue Manuals. The members of the Board of Revenue hear appeals in revenue matters from the decisions of the Commissioners of divisions, they tour over the province to inspect the offices of Collectors and Commissioners, and settlement and excise work is specially entrusted to them. The work of the Board of Revenue is divided between the two members who are known as the "First" and "Second" member respectively, and is at present divided, as follows :—

First Member.—Land revenue, cess and local rate, partition, Court of Wards, agricultural loans, special measures of relief and the management of Government estates.

Second Member.—Excise, salt, stamps, customs, land acquisition, arboriculture and business of all classes not specified above.

(2) *Commissioners of Divisions.*—There are five of these divisions—

Dacca. — Dacca, Mymensingh, Faridpur and Bakarganj.

Chittagong.—Chittagong, Noakhali, Tippera and the Chittagong Hill Tracts.

Rajshahi. — Rajshahi, Pabna, Bogra, Rangpur, Jalpaiguri, Dinajpur and Malda.

Surma Valley and Hill Districts.—Sylhet, Cachar, Lushai Hills, Naga Hills, Khasi and Jaintia Hills.

Assam Valley Districts. — Goalpara, Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur.

The Garo Hills district is at present administered directly by the Lieutenant-Governor and has not been included in any of the Commissionerships, mainly for geographical reasons.

The Commissioners hear appeals in revenue matters from the decisions of Collectors. They deal with a good deal of Local Self-Government and Court of Wards work, exercising supervision over the operations of District Boards, municipalities and the local officers of the Court of Wards. They may be said generally to supervise all work which does not form part of any department which has been constituted separately under a head of its own. They inspect district as well as sub-divisional offices, and deal in the course of their inspections with magisterial and police work, as well as with revenue matters. It may be noted that under the Local Self-Government and Municipal Acts, the power of final decision has been given in some cases to Commissioners and to Collectors, and does not always rest with the Local Government.

The Commissioner of the Chittagong Division is also Chairman of the Commissioners for the port of Chittagong, and is the Chief Customs Officer of that port. He also exercises special functions in the Chittagong Hill Tracts, which are governed by special laws under a Superintendent.

The Commissioner of the Surma Valley and Hill districts has special duties in the Lushai, Naga and Khasi and Jaintia Hills under the laws applying to each of those tracts.

(3) *District Officers.*—The district forms the unit of the administration. The chief officer in it is denominated Deputy Commissioner in the Assam Valley and Surma Valley districts, and in the district of Jalpaiguri. In the other districts recently transferred from Bengal, they are entitled Collectors and Magistrates. The duties of a District Officer include revenue and magisterial work, the control of the local police, the local administration of the Excise and Jail Departments, Government estates, and estates which are under the Court of Wards. As Magistrate he is in charge of all magisterial work performed within his district, and he hears appeals from Magistrates of the 2nd and 3rd class serving under him. He is also District Registrar.

The districts are divided into sub-divisions, except the district of Bogra, Malda, the Garo Hills and Nowgong, which have no such sub-divisions.

The sub-division in which the headquarters station is located is called the *Sadar* sub-division, and is in the direct charge of the Collector. Outlying sub-divisions are placed in charge of special officers responsible to the District Officer, but exercising a considerable amount of semi-independent control within their charges. These officers are sometimes taken from the Imperial Civil Service but more frequently in this province from among the members of the Provincial Civil Service. In some of the larger sub-divisions the Sub-Divisional Officer is assisted by one or more Deputy Magistrates of Sub-Deputy Collectors for magisterial work, the charge of the treasury and other miscellaneous duties.

In the districts of Assam, a good deal of revenue work is delegated to Sub-Divisional Officers, but in Eastern Bengal districts almost the whole of the revenue administration is concentrated at the headquarters of the district.

At the headquarters of districts are posted Deputy Magistrates and Sub-Deputy Collectors to assist the

District Officer in his magisterial and revenue work. In some of the heavier districts he also has the assistance of a covenanted Joint-Magistrate belonging to the Imperial Civil Service, but owing to the inadequacy of the staff in this province, it is rarely possible to give the Collectors of most of the districts such assistance.

Owing to the concentration of revenue work at headquarters, in Eastern Bengal districts, there are frequently five or six Subordinate Magistrates employed there, and the various branches of the Collector's duties are divided among them, the necessary powers to enable them to deal with routine work and *quasi*-judicial work in connection with these branches being given them. These branches of the Collector's duties include the acquisition of land for public purposes, the administration of the Act for the recovery of public demands (known as the Certificate Act), the conduct of petty settlements in waste land, or the Government estates, the administration of the Act for the partition of estates, the management of Government estates, the Excise Department, and the working of the Income Tax and Land Registration Acts. They also deal with accounts, and hold charge of the treasury, and in the Assam Valley do the work of Sub-Registrars.

The District Officer is, however, in ultimate charge of all the above work and is responsible for the conduct of the officers he places in charge of these departments, as also for the work of his Sub-Divisional officers.

The District and Sessions Judges are in charge of the Civil judicial work of the districts, and deal with the more serious criminal cases as Sessions Judges. They also hear appeals from Magistrates of the 1st class and inspect the subordinate Civil Courts. The larger districts have each a separate Judge, but there is only one Judge for each of the following groups, the districts of Rajshahi and Malda, Dinajpur and Jalpaiguri, Pubna and Bogra, Sylhet and Cachar, and the six districts of the Assam Valley. There are also two additional Judges who deal with judicial work in Mymensingh and Dacca, and Sylhet and Bakarganj. In the six districts of the Assam Valley, and in hill districts, the Deputy Commissioner and some of his subordinates also have power to deal with civil judicial work, as it has been found unnecessary as yet to post officers of the Subordinate Judicial Service to these areas to deal with the comparatively small volume of this work.

In addition to the work within the jurisdiction of the Board of Revenue, Commissioners and District Officers, the following departments of Government are controlled by special officers either under Government, or under the Board of Revenue.

Under the Local Government.—The Public Works, Police, Education, Forests, Medical, Jails, Sanitary, Registration, Agriculture, and Legal Departments.

Under the Board of Revenue.—The Excise, Land Records, Survey, and Customs Departments.

7. *Public Works Department.*—The Secretary to Government in this department is the Chief Engineer and Head of the Public Works Department of the province. His jurisdiction is divided into two circles, each in charge of a Superintending Engineer, while Executive Engineers are posted to districts or special divisions comprising areas in which any large works are in progress.

Police Department.—The Police Force is administered by the Inspector-General of Police, with three Deputy Inspectors-General under him. Of the Deputy Inspectors-General two deal with general civil police work, dividing the province into halves; the remaining Deputy Inspector-General is in charge of the Criminal Investigation Department and the river and railway police.

Working directly under the Inspector-General there are also four battalions of Military Police under the command of Military Officers.

For civil police work there is in each district a Superintendent, with Assistant and Deputy Superintendents under them, and a force of inspectors, sub-inspectors, head-constables and constables. The smaller districts are, however, frequently placed in charge of an Assistant or Deputy Superintendent of Police, with no officers below them higher in rank than an inspector. The Superintendent of Police works in subordination to the Magistrate of the district, who controls his proceedings generally.

The Deputy Inspectors-General are mainly inspecting officers and deal more especially with the recruiting, discipline, training and general organisation of the force.

Education Department.—The Director of Public Instruction is the Head of this Department, and has under him an inspector of schools in each Commissioner's division. With these inspectors are associated, in a few instances, additional and assistant inspectors. Deputy inspectors of schools are posted to each district, and sub-inspectors of schools to each sub-division. There are also under the Director three principals of colleges, with a staff of professors in each college, and the head-masters and masters of the Government high schools.

It may be said generally that the colleges and schools are affiliated to the University of Calcutta, which exercises important control over them under its Regulations, and has appointed a special inspector for the colleges, who works under its direct orders. The colleges as well as the high schools include both Government and private institutions, the latter being in some cases aided by Government subventions, and in others unassisted. There is also a School of Engineering in Dacca, and there are a few other technical schools in different parts of the province.

Forest Department.—The administration of forests in the province is conducted by a Conservator, with nine Deputy Conservators, and three Assistant Conservators under him. The technical work of this department is controlled by the Inspector-General of Forests, who is at the head of the Imperial Forest Department, under the Government of India. A great deal of the work of the department is not, however, technical, and this is dealt with under the orders of the Local Government.

Medical Department.—The Head of this Department is the Inspector-General of Civil Hospitals, an officer of the Indian Medical Service, who controls the whole of the medical arrangements of the province, with the exception of such as have been placed under the Sanitary Board. In each district there is a Civil Surgeon, usually a member of the Indian Medical Service, but sometimes belonging to the Subordinate Service, and under them are officers of the Subordinate Medical Services in charge of hospitals and dispensaries. Civil Surgeons of districts are also placed in charge of such prisons, medical schools, or lunatic asylums as may be situated within their jurisdiction.

Jail Department.—This department is controlled by an Inspector-General, who has under him a special officer, a member of the Indian Medical Service, in charge of the Dacca central jail, and utilises the service of Civil Surgeons as Superintendents of district jails. Under these Superintendents is a subordinate staff of jailors and assistant jailors. It is the duty of District Officers and Sub-Divisional Officers to visit constantly the jails and sub-jails within their respective jurisdictions to see that rules are maintained, and to bring to notice all defects.

Sanitary Department.—The Sanitary Board of the province consist of the First Member of the Board of Revenue as President, the Chief Engineer and the Sanitary Commissioner, as member and secretary. The Board has power to add to its number for the consideration of local questions. The general work of sanitation, including the registration of births and deaths, and the preparation of vital statistics, is in charge of the Sanitary Commissioner, who is assisted by a Deputy Sanitary Commissioner, both of them members of the Indian Medical Service. These officers advise the Lieutenant-Governor in all sanitary matters, inspect local municipalities and deal with sanitation and drainage schemes.

Registration Department.—This department deals with the registration of documents of all kinds and is under the control of the Inspector-General of Registration. He has an inspector to assist him. In each district, the Collector or Deputy Commissioner is the District Registrar, but subordinate officers of the Registration Department, known as Special Sub-Registrars, do such work of the department as comes to him in that capacity. For the subordinate offices which are scattered all over the districts of Eastern Bengal, there is a service of Sub-Registrars working directly under the District Officer and the Inspector-General of Registration.

Agricultural Department.—This department has only recently been separated from that of the Director of Land Records, and is in process of development. It is under the Director of Agriculture, a member of the

Imperial Civil Service, who will eventually be assisted by various experts and inspectors, as well as by officers in charge of Government farms to be established in different parts of the province. The Civil Veterinary Department is in charge of an officer of the Imperial Civil Veterinary Department, who works under the Director of Agriculture.

Legal Department.—The Superintendent and Remembrancer of Legal Affairs, who is also Secretary to the Legislative Council, is a Judicial Officer and a member of the Imperial Civil Service. He superintends the legal work of Government in all its branches, controls the work of Government Advocates and Public Prosecutors, and instructs barristers or solicitors engaged in dealing with Government work in the High Court. He is also the Lieutenant-Governor's legal adviser in all matters.

The departments mentioned above are all directly under the control of the Lieutenant-Governor. The Heads of the Departments correspond with the Secretaries to the Local Government, and receive replies and instructions from the Local Government through his Secretary.

The following departments are under the Board of Revenue, corresponding with the Secretary to the Board and receiving replies and instructions from its members through the Board's Secretariat.

Excise Department.—This is under the Commissioner of Excise, who is assisted by two special Excise Officers in Eastern Bengal, and eight in Assam, and a large number of subordinate inspecting officers and others in charge of distilleries.

Land Records Department.—This department is in charge of a Director, a member of the Imperial Civil Service, who organises and controls all large settlement operations, including the preparation of records-of-rights in permanently-settled districts. Under him are Settlement Officers, usually members of the Imperial Civil Service, in charge of all the large settlement operations, and a large number of special assistants, including Deputy Collectors, Sub-Deputy Collectors and other officers.

Survey Department.—This department is now in the course of reorganization, the result of which will be to bring it more directly under the control of the Local Government. The Superintendent of Provincial Surveys who is at present at the head of it is an officer of the Imperial Survey Department, and carries out all traverse survey operations within the province, besides advising Government generally in survey matters, and inspecting the cadastral survey operations carried out by the Director of Land Records.

Customs Department.—This is only a very small department in the district of Chittagong, which is the only port of the province. The Customs Officer in that port is the Commissioner of the Chittagong Division, and he has two assistants under him.

APPENDIX II.

No. 411-T., dated Chittagong Camp, the 13th December 1907. From P. C. Lyon, Esq., I.C.S., Chief Secretary to the Government of Eastern Bengal and Assam. To the Secretary to the Royal Commission on Decentralization, India, Camp.

I AM desired to submit a general statement of the views of the Government of Eastern Bengal and Assam on the subject of Decentralization.

2. The Lieutenant-Governor has requested me to make it clear that the following paragraphs contain an expression of his personal views, as at present advised, on this important subject. He cannot determine the views, which he would wish to have laid before the Royal Commission as the final opinion of the Local Government without full consultation with his officers and non-official gentlemen in his province and a careful consideration of the various schemes which will be placed before the Commission by those officers and gentlemen in the course of their enquiry. And these views can only be generally expressed, as he is not yet prepared to place before the Commission all the details of the devolution of powers that he would propose for their acceptance. Statements embodying these details are now under preparation and will be laid before the Commission in due course.

3. Sir Lancelot Hare is disposed to consider that the form and organization of our Government in India is somewhat too elaborate for practical purposes, and that this is the cause, to some extent, of the charges that are levelled against it of being out of touch with the masses of the people of the country. While he is not prepared to assert that in general matters of administration the Government of India controls Local Governments with too great minuteness, he thinks that further financial independence should be granted to those Governments to enable them to carry out approved schemes with more freedom and with more consideration of the relative importance of each to the people of their provinces. He would accordingly be inclined to ask that a larger discretion should be allowed to the Local Government in dealing with all charges which fall upon provincial revenues, subject only to the general control of the Government of India and to limitation in special cases. He thinks that the refusal of such liberty implies a want of confidence which diminishes the sense of responsibility under which the Local Government acts, and he would take action to secure practical effect for these proposals by a modification of the present budget system, the Local Government being left free to arrange the details of its budget, subject only to a general limitation of its estimates by the Supreme Government.

4. While the control hitherto exercised by the Government of India over Local Governments does not appear to the Lieutenant-Governor to be more detailed than is required to secure a fair degree of uniformity and an adherence to general lines of policy throughout the country, he is disposed to think that the system under which the *personnel* of the Supreme Government is at present determined causes it frequently to lose touch with local officers and to render it too rigid and too subject to departmental views dictated by an experience more exclusively derived from single provinces than it should be. It seems to him to be essential that the Government of India should include within its circle of advisers representatives of every province, and that for the conduct of the executive Government, the local authorities should have constant access through its representatives in the Supreme Government to the highest authorities in the land. Where this advantage is not secured, there is always the danger that administrative reforms, which may be unsuited to the circumstances of a province, may be forced upon it because that policy has proved successful in conditions which are wholly distinct.

5. With regard to the organization of the Local Government, the Lieutenant-Governor is doubtful whether full efficiency is gained for it by the present system under which a Board of Revenue is constituted as a separate authority, with a separate Secretariat corresponding officially with the Commissioners on the one side and the Government on the other. He fully realizes the great value of a strong Board of Revenue, and would urge the importance of bringing the members of it into closer touch with the Government, thus obviating the waste of time and expenditure and the large increase in the total sum of work which are involved in the present system. His Honour favours a change to a system by which the Members of the Board would be brought directly into touch with him, and would send their opinions to him as notes on files rather than in the form of correspondence. He would constitute them as his direct advisers in all revenue matters, and would establish relations between their Secretariat and the Local Government Secretariat, similar to those at present governing the relations between the office of the District Superintendent of Police and that of the District Magistrate. He would also be prepared to delegate largely increased powers to the members of the Board, in executive as well as in *quasi*-judicial matters, and he would wish to utilise their services not only in dealing with the comparatively limited range of subjects now open to them, but as the general advisers of Government in all matters of importance pertaining to the administration. While doing this, however, he would not in any way interfere with their independence as an Appellate Court for the

review of the decisions of Commissioners of divisions. He appreciates the value of their work in this respect and the confidence which is reposed in them by the public at large, and he does not think that their being brought into closer contact with Government need in the least interfere with their independence as an Appellate Court.

6. As to the manner of delegation of powers to the Board, to Commissioners of divisions or to Collectors, Sir Lancelot Hare would prefer that powers of delegation should be granted by means of an enabling Act, which would reserve to the Lieutenant-Governor the right to delegate, to refuse to delegate, or to withdraw powers in specific cases, should he deem such a course advisable. Should it be proposed to hand over powers to subordinate officers finally and to take away the superior authority's discretion in the matter of delegation, His Honour would feel bound to limit all his proposals for delegation far more than he would otherwise have deemed necessary.

7. Turning next to the delegation of powers by the Local Government, or by the Board of Revenue, to the Commissioners of divisions, the Lieutenant-Governor desires me to point out that it is through these officers that the Local Government can best get into touch with the people of the province, and that he looks to his Commissioners and District Officers to keep him informed of the real needs and wants of the various communities with which he has to deal. It appears to him that by largely enhancing the powers and responsibilities of Commissioners and their status in their own divisions, he would be best able to secure for them a position in which people of all classes will readily refer to them in their difficulties and will communicate to them their wishes and their grievances. With the reservation that has been mentioned in paragraph 6 above, he would hand over a very considerable share of the responsibilities and powers now possessed by the Board of Revenue and the Local Government to the Commissioners of divisions. He acknowledges that in order to do this safely considerable circumspection will have to be observed in the selection of officers for these important posts, and he is prepared to accept strict rules to secure this. Details as to the devolution of powers that he would propose will be supplied to the Commission in due course, but as to the direction which delegation might take, he would instance the control of District Boards and municipalities, the postings and transfers of subordinate officers within the division, the management of Court of Wards' and Government estates, the development of educational and agricultural work and the expenditure of Public Works grants.

8. The same principles as those which he would adopt in dealing with the Commissioners appear to the Lieutenant-Governor to apply to the case of the Heads of the principal Departments of Government. In referring to these departments, I am desired to note that Sir Lancelot Hare appreciates fully the grounds on which various Imperial Officers have been appointed for the general inspection and control of technical departments under Local Governments. He believes that these officers do a great deal to keep such departments in his province in touch with reforms introduced into other provinces and experienced gained elsewhere, and while he would deprecate any action being taken by the Supreme Government on their reports without previous reference to the Local Government, he would always give his best consideration to the memoranda of their inspection of departments and institutions in his province. As regards these departments, while he would himself delegate considerable power to their Heads to deal finally with many matters of detail which at present are referred to the Local Government, and would give them greater freedom in the carrying out of schemes already approved and provided for in the local budgets, he would, at the same time, suggest that they be brought into closer touch with the Government by changes of procedure which would greatly reduce or abolish official correspondence between them and the Secretariat of the Local Government, and would utilise unofficial notes and memoranda and conferences in its place.

9. Sir Lancelot Hare would treat Collectors of districts in the same way as Commissioners of divisions. He would give them greater power and authority in their own districts, and would leave it to the Commissioner to exercise his control over them more by means of personal relations and the inspection of their work and by advice and conversations than by written instructions formulated on a perusal of reports and returns. This devolution of authority would not, however, relieve the Collectors of much of the burden of work that falls upon them, and indeed it would, in some instances, even increase that burden. The Lieutenant-Governor would, accordingly, carry the devolution of power still further down. He would have a considerable portion of the revenue work which is now done at the headquarters of Bengal Districts transferred to Sub-Divisional Officers, and he would give to these Sub-Divisional Officers, and to Deputy Collectors who are chosen to have subordinate charge of revenue departments at headquarters, larger powers to deal finally with questions relating to their own departments. He would also ordinarily relieve Collectors of the duty of hearing all appeals from Magistrates of the 2nd and 3rd classes, giving the power to make over to other selected Magistrates a large proportion of these cases; and he would constitute what is known as the *Sadar* sub-division of each district into a sub-division in reality by appointing to it a Sub-Divisional Officer, who would exercise the powers given to other Sub-Divisional Officers and would receive a special allowance equivalent to the grant of free quarters now enjoyed by Sub-Divisional Officers only.

10. As regards District Boards and municipalities, His Honour is not at present prepared to greatly extend their powers. He thinks that for a long time to come, their function must be principally advisory. Some methods are required to secure the permanent efficiency of the executive establishments, and he desires me to note that if greater powers are conferred upon such bodies and if they cease to receive direct guidance from the Magistrate as Chairman, he would then grant to the Magistrates of districts many of the powers of control at present granted to Divisional Commissioners.

11. The Lieutenant-Governor fears, however, that it is impossible to greatly relieve the local officers of their increasing pressure of work, or to bring them into more effective touch with the people generally without a considerable increase of establishment, which would not only provide more men to do the work but would directly prevent a large number of the transfers which at present prevent officials from acquiring the knowledge of their districts, and of the people in them, which is so essential to a proper performance of their duties. Owing to increased facilities for communication with Europe, and the extension of the leave rules which were found to be necessary to secure for our European Services that popularity which alone enables us to recruit for them among the best men in England, officers of Government obtain leave more frequently than was formerly the case, and the reserve of officers to fill their places is so small that vacancies cannot be filled in some cases without the transfer of officers from other districts. There should be, in the Lieutenant-Governor's opinion, a sufficient reserve both in the Imperial Civil Service and in the Subordinate Services in the province to enable the Lieutenant-Governor almost invariably to fill a post temporarily vacated from the staff of the district in which it occurs. It seems to him clear that the enormous increase in work which has naturally followed upon the spread of civilisation and the development of the country during the past 50 years has not been accompanied by an adequate increase in the establishments of Government, and he is convinced that any diminution that may actually have taken place in the intimacy of the relation between the district officials and the people they govern is due, not to any want of sympathy or to any failing on the part of the present race of officials, but to the fact that the pressure of their duties and the great refinement of the methods of Government leaves them less opportunity of cultivating the acquaintance and friendship of the Indians with whom they come into contact. He would urge, therefore, that no system of decentralization is likely to have much effect unless the staff at the disposal of Government for the conduct of the affairs of the country is considerably increased.

12. In making the proposals mentioned in the last paragraph for an increase in the staff of Government officials, the Lieutenant-Governor does not lose sight of the great advantages that would be obtained by the transfer of a good deal of petty work to properly constituted local, or village, councils. It is difficult, in the present state of Indian society, to secure, in this

province at least, that such councils should deal fairly with matters in which persons of considerable local position, such as zamindars, are concerned, and the working of such tribunals must, for some time at least, and until some healthy public opinion can be evoked, be subjected to a considerable share of control. But he believes that much may be done by means of such councils to bring the masses into touch with the authorities, and he would be glad to see them more generally used.

13. I am to explain finally that His Honour is in no way unimpressed by the argument as to the advisability of affording to the educated classes of the country larger opportunities for acquiring a knowledge of public affairs and a greater understanding of the methods and aims of Government. He accepts the maxim that responsibility is the best educator, and he would look forward to being able in time so to extend the powers of advisory councils or District Boards and municipalities as to afford in them, in addition to that which is given by employment in the Public Service, a sufficient outlet for the energy of educated Indian gentlemen who are willing and anxious to take part in the government of the country. But he holds that all such considerations must be subjected to the paramount duty of the Supreme Government in India to hold the scales evenly between the different races and religions, castes and interests that are to be found in the different parts of this province, and he is of opinion that the diminution in the efficiency of the Government that would inevitably follow any large devolution of powers to individuals or bodies who are not competent to receive them would eventually end in injustice and the oppression of the poorer and less influential communities and grave waste of very slender resources. Such injustice, oppression and waste must inevitably lead to discontent and to disorder, and could not be tolerated by any Government that has at heart the interests of the country as a whole.

APPENDIX III.

No. 1446 G., dated Shillong, the 16th November 1907. From Mr. W. Banks Gwyther, F.R.I.B.A., Offg Secy., to Govt. in the P. W. D., Eastern Bengal and Assam. To the Secy., Royal Commission, Decentralization Scheme.

With reference to letter Nos. 10990–11005, dated the 28th September 1907, from the Chief Secretary to this Government (copy enclosed for ready reference), I am directed to forward herewith three lists showing as regards matters that are dealt with in the Public Works Department of this province :—

(i) Questions that have to be referred to the Government of India by Local Government.
(ii) Powers delegated by Local Governments to Commissioners, Heads of Departments, Superintending Engineers, etc., and,
(iii) Matters that have to be referred to this Government by District and Local Boards.

2. In regard to the devolution of powers to Local Governments, etc., I am to say that the Lieutenant-Governor is of opinion that larger powers should be given to the Local Governments and subordinate officers in connection with the following items :—

To Local Governments.

List No. I.

Item No. 1.—Limit of provincial expenditure should be increased to Rs. 10,000 and that of imperial expenditure to Rs. 2,500.

Items No. 5, 12.—Existing rules laid down to be used for the guidance of the Local Governments, who should however have discretion to sanction outside the rules in individual cases. Failing this, scales of accommodation might be laid down without reference to money limits.

Item No. 25.—The limit of Rs. 15,000 in an expensive province is much too small and should be increased to about double the amount.

Item No 38 (b).—Addition to salary should be up to Rs. 5,000 a year.

Item No. 39.—Should be based on same rules as apply in Bengal.

Item No. 40.—Should be based on same rules as apply in Bengal.

Item No. 52.—Limit to be raised to Rs. 1,000.

Item No. 54.—Limit of period might be increased to one year.

To Superintending Engineers.

List No. II.

Item No. 1.—Limit might be increased to Rs. 2,500.

Item No. 2.—Limit of professional sanction to estimates might be raised to Rs. 1,00,000.

Item No. 3.—Limit (*a*) to be increased to Rs. 5,000.
Limit (*b*) Ditto to „ 200.

Item No. 5.—The appointment of all lower Subordinates should be vested in Superintending Engineers.

Item No. 10 (a).—Limit of local purchase of stores might be increased to Rs. 2,500.

To Commissioner.

List No. II.

Item No. 21.—Limit might be increased to Rs. 200.

Item No. 22.— Ditto ditto „ 500.

List No. III.

Item No. 4.—Powers of confirmation of surveyors and sub-surveyors might be delegated to Commissioners.

3. It is not proposed to give increased powers in the case of other items of the lists not mentioned above.

4. The control of marine matters is regulated by the Chittagong Port Commissioners Act, 1877, and the Indian Ports Act, 1889, and the rules framed under those Acts. The amendment of the former Act is now under the consideration of this Government, and no separate proposals in regard to the control of marine matters are now made, but this Government will be glad to hear whether the submission of separate proposals is desired by the Committee.

ENCLOSURE TO P. W. D. No. 1446G., DATED THE 16TH NOVEMBER 1907.

LIST I.

Matters that have to be referred to the Government of India.

No.	Subject.	Authority.	Remarks.
	Buildings and Roads.		
1	Non-recurring expenditure, whether Provincial or Imperial, on objects customarily recognized as fit objects for expenditure of public money in excess of Rs. 1,000 when Provincial, and Rs. 500 when Imperial.	P. W. D. Code, para. 136.	
2	Erection of buildings other than Military on land situated in cantonments.	P. W. D. Code, para. 802 (IV).	
3	Sale of buildings constructed from Imperial Funds, the book value of which exceeds Rs. 1,000.	P. W. D. Code, para. 1057.	
4	Purchase and construction of residential buildings from Imperial Funds above Rs. 10,000.	P. W. D. Code, para. 1063 (IV).	
5	Proposals to construct or purchase residences for officials in all cases, which are not provided for in paragraph 1063 or in which Local Governments have doubts as to the operations of that paragraph.	P. W. D. Code, para. 1064.	
6	In purchasing or constructing residential buildings when the rental exceeds 8 per cent. of the pay of the officer for whom the building is intended, except when the capital cost does not exceed Rs. 5,000.	P. W. D. Code, para. 1066–II.	The question of raising the limit of Rs. 5,000 to Rs. 20,000 is under consideration, *vide* His Honour's orders 6R in file B—— of 32 1907.
7	Additions and alterations to an existing residential building, if the cost exceeds the limit provided in 1066–I and when the amount involved is in excess of Rs 200.	P. W. D. Code, para. 1066–IV.	
8	Leasing of buildings when the rent payable by the occupant is less than the amount to be realized under the rules.	P. W. D. Code, para. 1065.	
9	Write-off of portion of the capital cost of a building when it is considered excessive in consideration of its real value.	P. W. D. Code, para. 1068–I (*g*).	
10	Report of write-off of portion of the capital cost of a building owing to renewals necessitated by the occurrence of fire, flood, etc., or where a portion of a building is required to be dismantled to make room for alterations or additions.	P. W. D. Code, para. 1068–I (*h*).	
11	Reduction of rent to prevailing local rates for those for whose benefit the building was constructed or purchased.	P. W. D. Code, para. 1068–II (*c*).	
12	Fixing of rents of buildings otherwise than under Rules I and II of paragraph 1068, occupied by Government servants drawing more than Rs. 100 a month.	P. W. D. Code, para. 1068 (IV).	
13	Amount of imprest exceeding Rs. 1,000	P. W. D. Code, para. 1143.	
14	Loss of cash and stock, exceeding Rs. 1,000 where Imperial Funds are concerned.	P. W. D. Code, para. 1666.	
15	All Military Major Works	P. W. D. Code, para. 1988.	
16	Re-appropriation of Imperial Funds to any other major head or *vice versa*.	P. W. D. Code, para. 2107 (*c*).	
17	Do. from English to the Indian grants	P. W. D. Code, para. 2107 (*c*) 2.	
18	Do. from the grants for works classed A in Budget or for which grants have been specially sanctioned for the year.	P. W. D. Code, para. 2107 (*c*) 3.	
19	Re-appropriation of Imperial Funds from any Departmental head to Establishment.	P. W. D. Code, para. 2107 (*c*) 4.	
20	Re-appropriation of Imperial Funds from the grant for any departmental head or from reductions in suspense balances to non-budget works when the estimated cost exceeds Rs. 20,000.	P. W. D. Code, para. 2107 (*c*) 5.	
21	Expenditure upon the construction of productive Public Works (Irrigation and Railways).	P. W. D. Code, para. 2130.	
22	Sanctioning estimates for Imperial Ordinary projects above Rs. 50,000 inclusive of departmental charges.	P. W. D. Code, para. 2167.	
23	Sanctioning estimate for Provisional projects above Rs. 10,00,000 or Rs. 12,50,000, inclusive of departmental charges.	P. W. D. Code, para. 2167.	
24	Supplementary and revised estimates for works, the original estimate for which was sanctioned by the Government of India or additional charge when it exceeds 10 per cent. of the original estimate.	P. W. D. Code, para. 2170.	
25	All proposals for expenditure on buildings occupied by the heads of Local Government and on buildings dependent upon or in connection therewith whenever the total outlay in any one year, excluding ordinary but including Special Repairs exceeds Rs. 15,000.	P. W. D. Code, para. 2174.	
26	Construction of circuit-houses exceeding Rs. 30,000	Government of India, P. W. D., letter No. 1330-C.W.-B., dated the 2nd October 1905.	
27	Proposals for the construction of churches, clerical residences and cemeteries in Civil Stations and Cantonments, except those for small additions or alterations costing not more than Rs. 1,500.	Part IV, Appendix 10, Rule XXIII, S. O. No. 61, Government of India, P. W. D., No. 324B., dated the 5th March 1907.	

LIST I—*concluded.*

No.	Subject.	Authority.	Remarks.
	Buildings and Roads—cont.		
28	Grants from Imperial Funds for churches and cemeteries	Part IV, Rule XVIII.	
29	Excess over scales of accommodation and expenditure on all churches laid down in Rules IX and X, Appendix 10, Public Works Department Code, Volume II.	Part IV, Rule XIX.	
	Railway matters.		
30	Creation of subordinate appointments carrying salaries in excess of Rs. 250 a month.	P. W. D. Code, IV-VIII-16 and 26 (*j*).	
31	Construction or extension of railways as Productive Public Works...	P. W. D. Code, IV-III-5 (II) (i).	
32	Construction of any railway or steam tramway outside of Municipal limits or extension of an existing line.	II-XV-2'60, Section 4 (1) of the Indian Tramways Act, Government of India, P. W. D., Circular No. 7Ry., dated the 9th October 1893, Government of India, P. W. D., Regulation No. 514R.C., dated the 17th April 1906, Government of India, P. W. D., letter No. 9R.P., dated the 8th January 1902, Railway Board's No. 313, dated the 23rd June 1905.	
33	Extending the Indian Railways Act (IX of 1890), or any portion thereof to any steam tramway constructed under the Tramways Act.	Section 146 of the Railways Act.	
34	Sanction to the adoption by the Agents and Managers of Railways of the General Rules for working open lines of Railway.	Section 47 (1), (3), and (4) of the Railways Act, and Railway Board's Circular No. R.T.–89A-5, dated the 8th September 1906.	
35	Working of any railway on any particular system mentioned in rule 91 (1) (*b–g*), Chapter IV, Part I of the General Rules of 1906 for working open lines of Railway.	Rule 91 (2), Chapter IV, Part I of the General Rules.	
36	Agreement with connected lines for the interchange of traffic ...	Section 50 (*d*) of the Railways Act.	
	Establishment matters.		
37	Abolition or reduction in pay of permanent appointments carrying salary above Rs. 250 a month.	Code I, paragraph 40 (ii).	
38	Creation of permanent appointment (*a*) on salaries higher than Rs. 250 a month or any addition (*b*), to salary in excess of Rs. 250 a month.	Paragraph 40 (i).	
39	Appointment and promotion of Engineer establishment and fixing their cadre.	Paragraphs 40, 60–62.	
40	Appointment of Upper Subordinates and fixing of cadre	Paragraphs 40 and 52.	
41	Appointments and promotions in Superior Accounts Branch and grant of leave other than leave on urgent medical certificate.	Paragraphs 57 and 409.	
42	Appointment of persons as Accountants who possess superior qualifications and who do not belong to the Accounts Branch, and exemption from the prescribed examination for promotion to 2nd grade of Accountants in case of persons not belonging to the Accounts Branch.	Paragraphs 58 and 248 of the Public Works Department Code, I.	
43	Appointments on Imperial establishment of which the salary exceeds Rs. 50 a month.	Paragraph 41 (2).	
44	Creation or abolition of class or grade of officers or raising or reduction of pay of such officers.	Ditto 40 (iii).	
45	Fixing permanent scales of Lower Subordinates, Petty and Office Establishment when paid from Imperial funds.	Ditto 40.	
46	Revision of establishment involving an expenditure exceeding Rs. 25,000 a year.	Code I, paragraph 381.	
47	Condonation of interruptions and deficiencies in service for pension in certain cases.	Article 422 and 423 of Civil Service Regulations.	
48	Grant of injury and family pension exceeding Rs. 10 a month ...	Article 740, Civil Service Regulations.	
49	Grant of injury gratuities equivalent to a sum not exceeding six months' pay or Rs. 1,000 whichever is greater.	Article 739, Civil Service Regulations.	
50	Grant of language leave to officers of Superior Accounts Branch ...	Code I, paragraph 241.	
51	Dispensing with professional examination for Assistant Engineers or reducing the period of probation.	Code I, paragraph 174.	
52	Sanction to fees over Rs. 500 paid to a Government servant by private firms, etc.	Article 74, Civil Service Regulations, and also 72, Civil Service Regulations.	
53	Write-off of irrecoverable personal advances exceeding Rs. 1,000 ...	Code I, paragraph 510.	
54	Creation of temporary appointments for a period beyond six months on remuneration exceeding Rs. 250 a month.	Code I, paragraph 114.	

List II.

Powers delegated to Commissioners, Heads of Departments, Superintending Engineers, etc.

No.	Subject.	Authority.	Remarks.
	Powers delegated to Superintending Engineers.		
1	Initiation of, and sanction to, projects up to the cost of Rs. 2,000 only under all service heads, except those in connection with residences of Government officials and those not involving acquisition of land.	Resolution No. 716A., dated the 30th March 1906.	
2	Sanction to estimates under all heads; up to a limit of Rs. 10,000 only. (Messrs. Sweet and White have been delegated with this power as regards Provincial buildings only.)	Code 311 (*a*) and (*d*)	
3	Sanction to estimate for the (*a*) purchase of tools and plant to the extent of Rs. 2,000. But purchase of office furniture can be sanctioned by (*b*) Superintending Engineers up to Rs. 50 for each transaction.	Resolution No. 11E., dated the 26th January 1906, and Code 311 (*c*).	
4	Professional approval to all Local Board works costing above Rs. 10,000.	Assam Local Board Manual, Rule 51 (*b*).	
5	Appointment on occurrence of vacancies of permanent third grade Sub-Overseers on probation, and termination of the services of such men in the event of their proving unsatisfactory.	Government order Nos. 2146-47E., dated the 12th September 1907.	
6	Grant of privilege leave to non-Military subordinates	Resolution No. 11E., dated the 26th January 1906.	
7	Grant of subsistence allowance within the limits specified in cases of suspension (Article 193, Civil Service Regulations).	Ditto.	
8	Sanction of State expense of the conveyance of horses (up to a limit of two at a time), camp equipage (up to 25 maunds in weight), bicycles, etc. (Articles 1000 and 1001, Civil Service Regulations).	Ditto.	
9	Countersignature as Controlling Officers of all Gazetted Officers and of subordinates who are Subdivisional Officers in their circles in regard to travelling allowances payable under the Civil Service Regulations, Article 1159.	Ditto.	
10	Grant of quinquennial increments to Sub-Overseers when they become due (paragraph 16, Code I).	Ditto.	
10(*a*)	Local purchase of stores of European manufacture up to Rs. 1,000....	Appendix 36, Volume II, P. W. D. Code, paragraph 3.	
	Commissioners.		
	(*Provincial.*)		
11	Can finally sanction projects (executive Buildings, Communications and Miscellaneous Public Improvements) up to Rs. 2,500.	Resolution No. 716A., dated the 30th March 1906.	
	(*District Boards.*)		
12	Plans and estimates for provision and improvement of drainage, and of water-supply (exceeding Rs. 1,200) and for new works and repairs, tools and plant, the amounts varying in cases of districts under Classes I, II and III.	Rules framed under section 138 of the Bengal Local Self-Government Act, III of 1885.	
13	Inspecting and progress	Section 122 of Bengal Local Self-Government Act, III of 1885.	
14	Suspension of the execution of any order or resolution of a local authority (relating to Public Works).	Section 124 of ditto.	
	(*Local Boards.*)		
15	Inclusion of works estimated to cost above Rs. 2,500 up to Rs. 10,000 in the budget of Local Board.	Paragraph 47 of Assam Local Board Manual.	
16	Excess over estimates for works and deviations from such estimates up to Rs. 2,500.	P. W. D. letter No. 772A., dated the 13th March 1907.	
17	Completion reports of works up to Rs. 2,500	Ditto.	
18	Local purchase of European stores up to Rs. 1,000	P. W. D. letter No. 772A., dated the 13th March 1907.	
19	Law charges up to Rs. 500 in each case	Ditto.	
20	Purchase of tools and plant up to Rs. 500	Ditto.	
21	Purchase of office furniture up to Rs. 50 for each transaction ...	Ditto.	
22	Re-appropriation of budget grants from one schedule to another over Rs. 100 with the approval of Chief Engineer.	Paragraph 43 of Assam Local Board Manual.	
23	Subscribing for books and newspapers, etc.	P. W. D. letter No. 772A., dated the 13th March 1907.	
24	Disposal of all unserviceable and surplus stores of Local Boards ...	Ditto.	
	Board of Revenue.		
25	Sanctioning projects finally for works connected with salt, customs, excise, settlement and their own office up to Rs. 5,000, except those in connection with residences of Government officials and involving acquisition of land.	P. W. D. Resolution No. 716A., dated the 30th March 1906.	

LIST II—*concluded.*

No.	Subject.	Authority.	Remarks.
	District and Sessions Judges.		
26	Sanctioning Civil and Sessions Court Buildings only up to Rs. 500, except those in connection with residences of Government officials and involving acquisition of land.	P. W. D., Resolution No. 716A., dated the 30th March 1906.	
	Inspector-General of Civil Hospitals.		
27	Projects connected with hospitals, asylums, and subordinates' quarters costing up to Rs. 2,500, except those in connection with residences of Government officials and involving acquisition of land.	Ditto.	
	Inspector-General of Police.		
28	Projects connected with Police buildings and quarters up to Rs. 2,500, except those in connection with residences and involving acquisition of land.	Ditto.	
	Inspector-General of Prisons.		
29	Projects connected with jails, lock-ups and subordinates' quarters costing up to Rs. 2,500 except those in connection with residences and involving acquisition of land.	Ditto.	
	Director of Public Instruction.		
30	Projects connected with colleges, schools and hostels costing up to Rs. 2,500, except those in connection with residences and involving acquisition of land.	Ditto.	
	Director of Agriculture.		
31	Projects connected with Farm and Veterinary buildings and up to Rs. 2,000, except those in connection with residences and involving acquisition of land.	Ditto.	
	Inspector-General of Registration.		
32	Projects connected with Sub-Registration offices and record rooms costing up to Rs. 2,000, except those in connection with residences and involving acquisition of land.	Ditto.	
	Private Secretary to His Honour.		
33	Projects connected with Government House and grounds costing up to Rs. 500, except those in connection with residences and involving acquisition of land.	Ditto.	

LIST III.

Matters requiring reference to this Government by District and Local Boards.

No.	Subject.	Authority.	Remarks.
	District Boards (Eastern Bengal).		
1	(*a*) All projects for new works the estimated cost of which amounts to Rs. 25,000 or more. (*b*) All projects for works which may affect or alter the course of any river which is navigable at any time of the year or on either bank of which there is any public embankment. (*c*) All projects for embanked roads passing through country subject to floods or irrigated from canals.	Rules framed under section 138 of the Bengal Local Self-Government Act III of 1885.	
	Local Boards (in Assam).		
2	Inclusion of works in the budget estimated to cost above Rs. 10,000.	Rule 47 of the Assam Local Board Manual.	
	Excesses over estimates for works and deviations from such estimates over Rs. 2,500. Completion reports of works over Rs. 2,500 ... ... Local purchase of European stores over Rs. 1,000 ... ... Law charges over Rs. 500 in each case ... ... Purchase of tools and plant over Rs. 500 ... ... Purchase of office furniture over Rs. 50 for each transaction ...	P. W. D. letter No. 772A., dated the 13th March 1907.	
3	Fixing the scale of Surveyors and Sub-Surveyors of Local Boards in Assam.	Rule 53, Assam Local Board Manual.	
4	Confirmation of Surveyors and Sub-Surveyors nominated by the Local Boards.	Rule 62, Assam Local Board Manual.	

APPENDIX IV.

SCHEDULE OF THE PROPOSALS OF THE LOCAL GOVERNMENT OF EASTERN BENGAL AND ASSAM ON THE SUBJECT OF DECENTRALIZATION.

Subject I.—Assam Land Revenue

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(a) Powers to be given to Local Government.				
1	To sanction finally settlement as against Government	Section 34 (*a*) of the Assam Land and Revenue Regulation, I of 1886.	Government of India.	Local Government.	
2	To sanction the leasing of waste lands for ordinary cultivation, for a period exceeding ten years in the Assam Valley districts and exceeding fifteen years in the Surma Valley districts.	Rules 35 and 69, pages 71 and 85, respectively, of the Assam Land Revenue Manual, 1905.	.....	.....	The Lieutenant-Governor recommends that the powers of the Local Government be considerably enhanced with respect to this item.
3	To sanction in special cases the leasing of waste lands for ordinary cultivation, for a period exceeding ten years in the Assam Valley districts and exceeding fifteen years in the Surma Valley districts, with a revenue-free term exceeding three years.	Rules 42 and 75, pages 73 and 87, respectively, of the Assam Land Revenue Manual, 1905.	.....	.....	Ditto ditto.
4	To sanction the sale of lands on favourable terms for a public purpose, when the full value exceeds Rs. 1,000.	Rule 187, page 208 of ditto	.....	.....	Ditto ditto.
5	To sanction the gift or grant of lands in cases ... ... (*a*) where the value of the grant exceeds Rs. 3,000, when given as a site for the construction of Government schools, hospitals, dispensaries or other public works, at the cost of recognised local funds ; (*b*) where it exceeds Rs. 500, when given for any other public purpose, or to a private individual for services to be performed to the State ; (*c*) where it exceeds Rs. 100, when the services are to be performed to the community ; and (*d*) in all cases of grants to individuals for their private benefits, irrespective of any services to be performed.	Rule 188, page 208 of the Assam Land Revenue Manual, 1905.	.....	.....	Ditto ditto.
6	To sanction gift of State land of a value exceeding Rs. 500, or an assignment of land revenue exceeding Rs. 15 a year for one life or for a term of twenty-five years, whichever period may be the longer, to a private person, inclusive of a village headman or watchman, in recognition of special service rendered to the Police or to the Criminal Administration.	Rule 188A page 208 of ditto	.....	.....	Ditto ditto.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
7	To except any land from the operation of Chapter II of Assam Land and Revenue Regulation, I of 1886.	Assam Land and Revenue Regulation, I of 1886, section 4, page 4 of the Assam Land Revenue Manual, 1905.	Local Government	Board of Revenue.	
8	To cause the boundaries of excepted lands to be defined	Assam Land and Revenue Regulation, I of 1886, section 5 (i), page 5 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
9	To declare any collection of water, running or still, to be a fishery.	Assam Land and Revenue Regulation, I of 1886, section 16, page 8 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
10	To exclude any local area, etc., from the operation of any portion of Chapter III of Assam Land and Revenue Regulation, I of 1886.	Assam Land and Revenue Regulation, I of 1886, section 20, page 9 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
11	To direct the preparation and maintenance of registers	Assam Land and Revenue Regulation, I of 1886, sections 48 and 49, pages 16 and 17 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
12	To direct how processes should be employed for enforcing payment of arrear demand in respect of land other than permanently-settled land.	Assam Land and Revenue Regulation, I of 1886, section 68, page 25 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
13	To make rules prescribing the manner of registering names, to impose a fee and to fix a period for such registration.	Assam Land and Revenue Regulation, I of 1886, section 72 (6), page 28 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
14	To empower an officer to conduct the sale of defaulting estates. ...	Assam Land and Revenue Regulation, I of 1886, section 74 (1), page 29 of the Assam Land Revenue Manual, 1905.	Ditto ...	Commissioners.	
15	To make rules for recovery of arrears.	Assam Land and Revenue Regulation, I of 1886, section 95, page 35 of the Assam Land Revenue Manual, 1905.	Ditto ...	Board of Revenue.	
16	To make rules regulating the partition and union of estates. ...	Assam Land and Revenue Regulation, I of 1886, sections 114 and 121, pages 39 and 41 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
17	To make rules relating to procedure.	Assam Land and Revenue Regulation, I of 1886, section 152, page 50 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
18	To make rules relating to matters enumerated in section 155 of the Assam Land and Revenue Regulation, I of 1886.	Assam Land and Revenue Regulation, I of 1886, section 155, page 52 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
19	To sanction the leasing of waste lands of certain descriptions. ...	Rule 3, page 60 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
20	To sanction the leasing of an area exceeding 600 acres of land for special cultivation to any one applicant.	Rule 6, page 61 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
21	To alter forms prescribed in section 1 of the Settlement Rules at pages 59–70 of the Assam Land Revenue Manual, 1905.	Rule 31, page 70 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto	

22	To grant periodic leases of waste lands for a period of 10 years in the Assam Valley districts and for fifteen years in the Surma Valley districts, with a revenue-free term not exceeding three years, in special cases.	Rules 42 and 75, pages 73 and 87, of the Assam Land Revenue Manual, 1905.	Ditto ..	Ditto.	
23	To make rules for guidance of Sub-Deputy Collectors, tahsildars, mauzadars, etc., in measuring, classifying and assessing land.	Rules 56 and 87, pages 80 and 93 of the Assam Land Revenue Manual, 1905.	Ditto ...	Board of Revenue, or Director of Land Records	
24	To prescribe restrictions in regard to the settlement of road-side lands.	Rules 63 and 69, pages 82 and 85 of the Assam Land Revenue Manual, 1905.	Ditto ...	Board of Revenue.	
25	To alter forms prescribed in Sections II and III of the Settlement Rules in the Assam Land Revenue Manual.	Rules 64 and 94, pages 84 and 95 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
26	To determine the rates of assessment and term of settlement of town lands.	Rules 65 and 95, pages 84 and 96 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
27	To direct the sale by auction of leases of town lands	Rule 102, page 97 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
28	To notify tracts in which the service of copy or copies of notice to a person who has succeeded to an estate or share, may be effected by dispatch by registered post.	Rule 124 (3), page 105 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
29	To alter forms prescribed in Registration Rules	Rule 132, page 108 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
30	To alter forms prescribed in rules for the recovery of arrear revenue.	Rule 172, page 124 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
31	To alter forms prescribed in partition rules	Rule 183, page 126 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
32	To sell lands, other than waste lands for full value, without reference to the Government of India, unless the full value exceeds Rs. 10,000.	Rule 186, page 208 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
33	To sell lands on favourable terms for a public purpose when the full value does not exceed Rs. 1,000.	Rule 187, page 208 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
34	To sanction alienation of land in exchange, when the value of each plot of land exchanged does not exceed Rs. 10,000.	Rule 190, page 209 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
35	To deal with the annual returns of authorized alienations of State lands and assignments of land revenue.	(*a*) Rule 191, page 209 of the Assam Land Revenue Manual, 1905. (*b*) This Government Circular No. 19C., dated the 19th April 1906.	Ditto ...	Ditto.	
36	To sanction attachment of defaulting estates for a longer period than five years.	Assam Land and Revenue Regulation I of 1886, section 69A (4), page 26 of the Assam Land Revenue Manual, 1905.	Board of Revenue	Commissioners.	
37	To direct what estate may be sold	Assam Land and Revenue Regulation, I of 1886, section 70 (1), page 26 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
38	To annul sale on the ground of hardship	Assam Land and Revenue Regulation, I of 1886, section 81, page 31 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
39	To fix rate of interest at which purchase money should be refunded when sale is set aside.	Assam Land and Revenue Regulation, I of 1886, section 84, page 32 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
40	To order new allotment of revenue on proof of fraud or error in first distribution at the time of partition.	Assam Land and Revenue Regulation, I of 1886, section 118, page 40 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
41	To withdraw and transfer revenue cases	Assam Land and Revenue Regulation, I of 1886, section 130, page 44 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto ...	From Subordinate Courts.
42	To sanction the employment of *thika amins* to survey waste land blocks applied for for special cultivation.	Rule 12, page 64 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
43	To sanction the attachment of a defaulting temporarily-settled estate.	Section 69A of the Assam Land and Revenue Regulation, I of 1886, page 26 of the Assam Land Revenue Manual, 1905.	Commissioners ...	Deputy Commissioners.	
44	To deal with report as to the postponement of the sale of a permanently-settled estate.	Section 74 (3) *ibid*, page 29 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
45	To give any officer attached to the Deputy Commissioner's establishment special authority to survey lands generally or any land in particular, applied for for special cultivation.	Rule 12, page 64 of the Assam Land Revenue Manual, 1905.	Ditto ...	Ditto.	
46	To authorise a purchaser to take possession of land immediately after day of sale.	Rule 27, page 69, *ibid*	Ditto ...	Ditto.	
47	To confirm all settlements for ordinary cultivation approved by the Settlement Officer (including a Deputy Commissioner) in the Assam Valley districts.	Rules 53 and 54, pages 79-80 of the Assam Land Revenue Manual, 1905.	.....	.....	The Lieutenant-Governor would enhance the powers of the District Officers in regard to this item.
48	To alter the number and situation of posting boards and the lists of permanently-settled estates attached to them.	Rule 169 (3), page 123 of the Assam Land Revenue Manual, 1905.	Commissioners ...	Deputy Commissioners.	

Subject II.—Survey and Settlement (Eastern Bengal).

	(*a*) *Powers to be given to Local Government.*				
1	To sanction— The creation of settlement appointments above certain limits ...	Rules 3 (1) and (2), page 13 of the Survey and Settlement Manual, 1900.	Government of India.	Local Government.	
2	To pass orders on the half-yearly returns of settlement appointments created and continuing.	Rule 4, page 13 of the Survey and Settlement Manual, 1900. Circular from the Government of India in the Department of Revenue and Agriculture, No. 1—155-19, dated the 13th April 1898, and connected correspondence, at page ci, Appendix I of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto.	
3	To pass orders on survey and settlement programmes and estimates of survey and settlement.	Rule 8, page 14 of the Survey and Settlement Manual, 1900. Practice.	.....	.....	The Lieutenant-Governor recommends that the powers of the Local Government be considerably enhanced with respect to this item
4	To sanction settlement appointments in excess of the sanctioned scale of such appointments.	Ditto ditto ...	Government of India.	Local Government.	

	(b) Powers to be delegated to authorities subordinate to the Local Government.				
5	To compile periodical lists of average prices prevailing throughout each year and published in Gazette.	Section 39 (5) of the Bengal Tenancy Act, VIII of 1885. Rule 146 (2), page 31 of the Manual for preparing Agricultural Statistics, 2nd edition.	Local Government..	Board of Revenue.	
6	To prescribe form of receipt and accounts in connection with rent paid by raiyats to landlords.	(*a*) Section 56 (3) of the Bengal Tenancy Act, VIII of 1885. (*b*) Section 57 (2) of ditto.	Ditto ...	Ditto.	
7	To cause forms of receipt and accounts to be prepared in connection with rent paid by raiyats to landlords.	Section 59 (1) of ditto	Ditto ...	Ditto.	
8	To direct the payment by money order of rent deposited in court. ...	Section 64 (2) of ditto	Ditto ...	Ditto.	
9	To prescribe form of application and make rules for the registration of landlords' improvements.	Section 80 (2) of ditto	Ditto ...	Ditto.	
10	To direct what amount should be deposited for payment of expenses on account of survey and settlement operations.	Section 101 (2) (iv) of ditto	Ditto ...	Ditto.	
11	To make rules for the survey to be made and the record-of-rights to be prepared.	Section 101 (4) of ditto	Ditto ...	Ditto.	Rules made by the Board under this section to be approved by Local Government.
12	To make rules for the guidance of Revenue Officers for ascertaining or recording particulars with respect to an estate or tenure or any part thereof.	Section 103 of ditto	Ditto ...	Ditto. ...	Ditto ditto.
13	To make rules for the disposal of objections	(*a*) Section 103A of the Bengal Tenancy Act, VIII of 1885. (*b*) Section 104E of ditto.	Ditto ...	Ditto ...	Ditto ditto.
14	To make rules for the guidance of Revenue Officers for the preparation of table of rates and settlement rent rolls.	Sections 104B (4) and 104D of ditto	Ditto ...	Ditto ...	Ditto ditto.
15	To order survey and record-of-rights of proprietors of private lands.	Section 117 of ditto	Ditto ...	Ditto.	
16	To authorise an officer to hold local enquiry under section 158 (2) of the Bengal Tenancy Act.	Section 158 of ditto	Ditto ...	Ditto.	
17	To direct how proclamation under section 163 (3) of the Bengal Tenancy Act should be published.	Section 163 (3) of ditto	Ditto ...	Ditto.	
18	To direct that occupancy-holdings be dealt with as tenures... ...	Section 168 of ditto	Ditto ...	Ditto.	
19	To appoint a Superintendent of Survey to exercise all or any of the powers of a Collector ... ... To appoint one or more Assistant Superintendents and Deputy Collectors to exercise all the powers of a Collector...	Section 4 of the Bengal Survey Act, V (B.C.) of 1875.	Ditto ...	Ditto.	
20	To sanction deduction from *jama* of estates on account of diluvion	Section 5 of the Di ra Act, IX (B.C.) of 1847 ...	Board of Revenue	Commissioner of Division ...	Within limits.
21	To sanction addition to *jama* of estates on account of alluvion ...	Section 6 of ditto	Ditto ...	Ditto ...	Ditto.
22	To vest Settlement Officers with powers under Regulations VII of 1822, IX of 1825, and IX of 1833 and Act VIII (B.C.) of 1879.	Rules 4 and 8, pages 3 and 4 of the Survey and Settlement Manual, 1900.	Local Government	Board of Revenue.	
23	To sanction settlement allowance in anticipation of sanction to creation of post.	Rule 4A (1), page 13 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto.	
24	To sanction *malikana* when it exceeds 10 per cent. of the net amount realised by Government from the lands under settlement.	(*a*) Section 5 (2), proviso 1 of Regulation VII of 1822. (*b*) Rule 11 (II), page 111 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto.	
25	To confirm temporary settlements in which the Government revenue assessed exceeds Rs. 25,000, and also proposed permanent settlements to which the proprietors have no statutory right.	Rule 5 (IV), page 118 of the Survey and Settlement Manual, 1900.	Ditto ...	Ditto ...	Up to Rs. 50,000.

Subject III—Land Registration (Eastern Bengal).

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To fix latest date for application for registration of estates	Section 39 of the Land Registration Act, VII (B.C.) of 1876.	Local Government	Board of Revenue.	
2	To fix different dates for application for registration in respect of different estates.	Section 40 of ditto ...	Ditto ...	Ditto.	
3	To exempt proprietors and managers of estates paying less than Rs. 20 annual revenue or of revenue-free property of less than 50 acres, from compulsory registration.	Section 43 of ditto ...	Ditto ...	Ditto.	
4	To sanction entry of revenue-free property in Register B.	(*a*) Section 10 of the Land Registration Act, VII (B.C.) of 1876. (*b*) Section 35 of ditto. (*c*) Rule 10 (16), page 56 of the Land Registration Manual, 1904.	Board of Revenue	Commissioner of Division.	
5	To decide what lands should be included in revenue-free estates ...	Section 36 of the Land Registration Act, VII (B.C.) of 1876.	Ditto ...	Ditto.	
6	To order the removal of incorrect entries of revenue-free properties from the General Register.	(*a*) Section 36 of ditto ... (*b*) Rule 5, page 44 of the Land Registration Manual, 1904. (*c*) Rule 10 (9), page 54 of ditto.	Ditto ...	Ditto.	
7	To remit payment of fees payable on the registry of transfer under the Land Registration Act.	Section 64 of the Land Registration Act, VII (B.C.) of 1876, as amended by Act I (Eastern Bengal and Assam Council) of 1907.	Ditto ...	Ditto.	

Subject IV—Government Estates (Eastern Bengal).

	(a) Powers to be given to Local Government.				
1	To sanction gift or grant of State lands in cases— Where the value of the grant exceeds Rs. 500 when given for any other public purpose or to a private individual for services to be performed to the State.	Rule 1, Section V, pages 48-49 of the Government Estates Manual, 1902. [Paragraph 9 of the Resolution of the Government of India in the Department of Agriculture, Revenue and Commerce, No. 1—143, dated the 6th February 1872.]	.....	.....	The Lieutenant Governor recommends that the powers of the Local Government be considerably enhanced in respect to this item.
2	To sanction grants of State land or assignments of land revenue to private persons as rewards for special assistance to the Police or to the Criminal Administration, when the value of the land and the land revenue assigned exceeds Rs. 500 and Rs. 15 a year, respectively.	(*a*) Rule IA., Section V, page 49 of the Government Estates Manual, 1902. (*b*) Rule 1, Section VIII, page 10 of the Tauzi Manual, 1899.	.....	.....	Ditto ditto.

3	To pass orders on the annual statement showing the alienations of lands and assignments of land revenue.	(*a*) Rule 9, page 52 of the Government Estates Manual, 1902. (*b*) Rule 7, page 56 of ditto. (*c*) Rule 7, Section VIII, page 10 of the Tauzi Manual, 1899. (*d*) Rule 9, Section VIII, page 10 of ditto.	.....	.....	Ditto ditto.
4	To sanction the disposal of lands which, under a competent authority, have been constituted the property of a municipality or other local body.	Practice. Rule I, page 48 of the Government Estates Manual, 1902. [Paragraph 5 of India Government, Department of Agriculture, Revenue and Commerce, Resolution No. 1—143, dated the 6th February 1872.]	Local Government..	Board of Revenue.	
5	To sanction the alienation of State lands, other than waste lands, which are sold for full value and of which such value does not exceed Rs. 10,000.	Rule 1, page 48 of the Government Estates Manual, 1902. [Paragraph 7 of India Government, Department of Agriculture, Revenue and Commerce, Resolution No. 1—143, dated the 6th February 1872.]	Ditto ...	Ditto.	
6	To sanction the sale of State lands on favourable terms for a public purpose, when the full value of such lands does not exceed Rs. 1,000.	Rule 1, page 49 of the Government Estates Manual, 1902. [Paragraph 8 of India Government, Department of Agriculture, Revenue and Commerce, Resolution, No. 1—143, dated the 6th February 1872.]	Ditto ...	Ditto.	

Subject V.—Collection of Land Revenue (Eastern Bengal).

	(*a*) *Powers to be given to Local Government.*				
1	To sanction the reduction or remission of revenue on the State land which is alienated.	Rule 4, Section VIII, page 10 of the Tauzi Manual, 1899.	.....	.....	The Lieutenant-Governor recommends that the powers of the Local Government be considerably enhanced with respect to this item.

Subject VI.—Partition (Eastern Bengal).

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To direct that the salary of Deputy Collector and cost of special establishment be recovered as part of costs of partitions.	Section 41 of the Estates Partition Act, V (B.C.) of 1897.	Local Government	Board of Revenue.	
2	To order a new allotment of land revenue upon separate estates when it is found that the assets of the lands assigned to any separate estates are not in proportion to the amount of land revenue for which such estate has been made liable.	Section 102 of ditto ...	Ditto ...	Ditto.	
3	To require proprietors of under-assessed estates to make refund to proprietors of over-assessed estates.	Section 103 of ditto ...	Ditto ...	Ditto.	
4	To vest a Collector or a Deputy Collector with settlement powers when engaged on partition work.	Section 110 *Cf.* also section 19 of ditto ...	Ditto ...	Ditto.	

Subject VII.—Land Acquisition

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To publish notification authorising preliminary investigations under sections 4 and 5 of the Land Acquisition Act.	(*a*) Section 4 (1) of the Land Acquisition Act, I of 1894. (*b*) Board's Instructions 4 and 5, page 44 of the Land Acquisition Manual, 1902.	Local Government	Board of Revenue.	
2	To authorise an officer to make preliminary investigations under sections 4 and 5 of the Land Acquisition Act.	Section 4 (2) of the Land Acquisition Act, I of 1894. Board's Instructions 4 and 6, page 44 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	
3	To publish under section 6 of the Land Acquisition Act a declaration announcing that a particular piece of land is required for a public purpose or a company.	(*a*) Section 6 of the Land Acquisition Act, I of 1894. (*b*) Board's Instruction 10, page 47 of the Land Acquisition Manual, 1902. (*c*) Board's Instruction 11, page 47 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	
4	To authorise, in cases of urgency, immediate possession of arable or waste land required for a public purpose or for a company under section 17 of the Land Acquisition Act.	Section 17 of the Land Acquisition Act, I of 1894. Board's Instruction 43, page 59 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	
5	To make arrangements with a person having a limited interest in the land to be acquired, either by the grant or other lands in exchange, the remission of land revenue on other lands held under the same title, or in such other way as may be equitable, instead of awarding a money compensation.	Section 31 (3) of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
6	To authorise temporary occupation of land	Sections 35 (1) and 36 (2) of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
7	To authorise an officer of any company to exercise the powers conferred by section 4 of the Land Acquisition Act.	Section 38 (1) of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
8	To direct enquiry as to utility of the work for which land is required by a company and to appoint an officer to conduct the enquiry.	Section 40 of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
9	To require a company to enter into an agreement in respect of any land to be acquired for such a company.	Section 41 of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
10	To publish in the provincial as well as in the *Gazette of India* the agreement executed by a company under section 41 of the Land Acquisition Act.	Section 42 of the Land Acquisition Act, I of 1894.	Ditto ...	Ditto.	
11	To withdraw from the acquisition of any land of which possession has not been taken.	(*a*) Section 48 of the Land Acquisition Act, I of 1894. (*b*) Board's Instruction 14 (v), page 49 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.	

12	To recover expenses, etc., for damage done or obstruction caused, to the surface land or to any other work thereon.	Section 7 (3) of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
13	To pay compensation for injury done to mines	Section 9 of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
14	To pay compensation for injury done to surface lands overlying mines, caused by the making of any air-way, or other work.	Section 10 of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
15	To take measures for the safety of surface land over mines... ...	Section 13 of the Land Acquisition (Mines) Act, XVIII of 1885.	Ditto ...	Ditto.
16	To authorise a Special Land Acquisition Officer to make payments by cheques.	(*a*) Board's Instruction 49, page 61 of the Land Acquisition Manual, 1902. (*b*) Paragraph 10 of the Resolution of the Government of India in the Finance and Commerce Department, No. 2209A., dated the 10th May 1895, at page 94 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.
17	To direct the pre-payment of costs to be made and audited as if the land were being acquired for Government in any case in which land is acquired for a municipality or other body financially independent of Government.	(*a*) Board's Instructions 53 and 58, pages 62 and 64 of the Land Acquisition Manual, 1902. (*b*) Paragraph 21 of the Resolution of the Government of India in the Finance and Commerce Department, No. 2209A., dated the 10th May 1895, at pages 96-97 of the Land Acquisition Manual, 1902.	Ditto ...	Ditto.
18	To declare that land in the vicinity of works of defence, or any site intended to be used for that purpose, should be kept free from buildings and other obstructions, and to publish a declaration to that effect.	Section 3 of the Indian Works of Defence Act, VII of 1903. (Appendix G to the Land Acquisition Manual, 1902.)	Ditto ...	Ditto.

Subject VIII.—Waste Lands (Eastern Bengal).

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To direct a suit to be brought to try the claim of any claimant of waste land, or the objection of any objector, within twelve months after the objection or claim has been admitted by the Collector, in a Court constituted under the provisions of Act XXIII of 1863.	Section 6 of Act XXIII of 1863 (Waste Lands) ...	Local Government..	Board of Revenue.
2	To constitute a special Court to try claims to waste lands	Section 7 of ditto ...	Ditto ...	Ditto.
3	To appoint any officer, other than the Collector to appear on behalf of the Local Government as defendant or plaintiff in suits under sections 5 and 6 of Act XXII of 1863.	Section 10 of ditto ...	Ditto ...	Ditto.
4	To award compensation for land absolutely sold, though claim be not preferred in time.	Section 22 of ditto ...	Ditto ...	Ditto.
5	To award compensation for land sold subject to any condition or reservation, if claim is proved, though such claim be not preferred in time.	Section 23 of ditto ...	Ditto ...	Ditto.
6	To confirm, modify or reverse the order of a Collector rejecting the claim or objection to settlement of waste land.	Section 5 of ditto ...	Board of Revenue...	Commissioner of Division.

Subject IX.—Sales (Eastern Bengal).

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To annul sale under section 26 of Act XI (B.C.) of 1859, on ground of hardship or injustice.	Section 26 of Act XI (B.C.) of 1859 (Sales) ...	Local Government	Board of Revenue.	
2	To revise proceedings of Revenue authorities in registration of tenures.	Section 49 of ditto ...	Ditto ...	Ditto.	
3	To prescribe a place for holding sales other than the land revenue office at the sadr station of the district.	Section 19 of ditto ...	Board of Revenue	Commissioner of Division.	
4	To sanction amicable settlement with the auction-purchaser in case of sales which have become final by law.	Rule 8, Section VIII, Part III, page 105 of the Sale Law Manual, 1902.	Ditto ...	Ditto.	

Subject X.—Practice and Procedure.

	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To appoint Examiners for the examination of Revenue Agents, and to make rules for the conduct of such examination.	Section 37 of the Legal Practitioners' Act, XVIII of 1879.	Local Government	Board of Revenue.	
2	To appoint a person (1) to sign a certificate to be issued to a Revenue Agent authorising the latter to practice, (2) to renew such certificate, and (3) to enrol the Revenue Agent.	Sections 18 and 19 of ditto ...	Board of Revenue	Commissioner of Division.	

Subject XI.—Certificates.

	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To appoint an officer to perform the functions of a Certificate Officer under the Public Demands Recovery Act.	(*a*) Section 4 (2) (*b*) of the Public Demands Recovery Act, I (B.C.) of 1895. (*b*) Board's Instruction 2, page 19 of the Certificate Manual, 1904.	Commissioner ...	Collector.	

Subject XII.—Co-operative Credit Societies.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To prescribe the liabilities of each member of a rural society for the debts of the society.	Section 7 (*a*) of the Co-operative Credit Societies Act, X of 1904.	Local Government	Board of Revenue.	
2	To prohibit or restrict the lending of money on mortgage of any immovable property by any society.	Section 10 (3) of ditto ...	Ditto ...	Ditto.	
3	To dispose of appeals from the orders of the Registrar, Co-operative Credit Societies, in regard to dissolution of societies.	Section 23 (2) of ditto ...	Ditto ...	Ditto.	
4	To confirm the orders of the Registrar, Co-operative Credit Societies, in regard to the dissolution of societies.	Section 23 (3) of ditto ...	Ditto ...	Ditto.	
5	To make rules to carry out the purposes of the Co-operative Credit Societies Act, 1904.	Section 27 of ditto ...	Ditto ...	Ditto.	
6	To permit any association to be registered as a rural or an urban society and to exempt such society from any of the provisions of the Co-operative Credit Societies Act.	Section 29 of ditto ...	Ditto ...	Ditto.	

Subject XIII.—Loans.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	To empower an officer to grant loans under the Land Improvement Loans Act.	Section 4 (1) of the Land Improvement Loans Act, XIX of 1883.	Local Government	Board of Revenue.	
2	To declare by notification what work should be regarded as improvements for the purposes of the Land Improvement Loans Act.	Section 4 (2) (*f*) of ditto ...	Ditto ...	Ditto.	
3	To make rules fixing the period up to which the increase in value derived from the improvement of waste or unirrigated land should not be taken into account.	Section 11 of ditto ...	Ditto ...	Ditto.	
4	To sanction loans under the Land Improvement Loans Act, exceeding Rs. 5,000 in the Assam Valley and exceeding Rs. 1,000 in the Surma Valley.	Rule 1 of the rules published with Assam Administration Notification No. 4082R., dated the 6th November 1891, in the *Assam Gazette* of the 7th idem.	Ditto ...	Ditto.	
5	To extend, in special cases, the time for repayment of loans under the Land Improvement Loans Act, to 20 years.	Rule 7 of ditto ...	Ditto ...	Ditto.	
6	To suspend instalments for repayment of Loans granted under the Land Improvement Loans Act.	Rule 14 of ditto ...	Board of Revenue	Commissioner of Division ...	Up to Rs. 1,000.
7	To remit Loans granted under the Land Improvement Loans Act, or irrecoverable balances of such loans.	Rule 15 of ditto ...	Ditto ...	Ditto.	
8	To authorise an officer to make loans under the Agriculturists' Loans Act.	Rule 2 of the rules published with Assam Administration Notification No. 776R., dated the 24th February 1898, in the *Assam Gazette* of the 26th idem.	Ditto ...	Ditto.	
9	To sanction Loans under the Agriculturists' Loans Act exceeding Rs. 300 in the Surma Valley and Hill Districts.	Rule 5 of ditto ...	Ditto ...	Ditto.	
10	To sanction Loans under the Land Improvement Loans Act exceeding Rs. 5,000.	Rule 2, page 158 of the Board's Rules 1902 ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
11	To extend, in special cases, the period of repayment of Loans under the Land Improvement Loans Act to 20 years.	Rule 8, page 159 of the Board's Rules 1902 ...	Board of Revenue	Commissioner of Division.	
12	To sanction Loans exceeding Rs. 5,000, under the Agriculturists' Loans Act.	Rule 1, page 167 of ditto ...	Ditto ...	Ditto.	
13	To sanction, in special cases, the term of repayment of loans under the Agriculturists' Loans Act to 10 years.	Rule 7, page 168 of ditto ...	Ditto ...	Ditto.	
		Subject XIV.—Famine			
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To pass orders on divisional programme of village works	Section 23 of the Bengal Famine Code, 1905 ...	Local Government	Commissioner of Division.	
2	To direct that every facility should be afforded to persons seeking in Government forest reserve such forest produce as can be utilized as human food.	Section 79 of ditto ...	Ditto ...	Ditto.	
3	To afford facilities to private trade	Section 80 (*b*) of ditto ...	Ditto ...	Ditto.	
4	To control the closure of relief works	Section 219 (*b*) of ditto ...	Ditto ...	Ditto.	
5	To regulate the disposal of orphans	Section 227 (*c*) of ditto ...	Ditto ...	Ditto.	
6	To fix wage scale of aboriginal tribes	Section 243 (*a*) of ditto ...	Ditto ...	Ditto.	
7	To fix gratuitous allowances of aboriginal tribes	Section 244 (*a*) of ditto ...	Ditto ...	Ditto.	
		Subject XV.—Mines and minerals.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To direct as to the officer, other than the Collector, to whom an application for a prospecting license shall be made.	Rule 218, page 214 of the Assam Land Revenue Manual, 1905. [See similar rules in Section VIII, page 43 of the Waste Lands Manual, 1898.	Local Government	Commissioner of Divisions.	
2	To deal with the report as to the grant of a prospecting license from the Collector.	Rule 222 (2) *ibid*	Ditto ...	Ditto.	
3	To require a deposit not exceeding Rs. 500 to be made by an applicant for a mining lease in any case or class of cases before the application is taken into consideration.	Rule 224 (1) *ibid*	Ditto ...	Ditto.	

Subject XVI.—Ancient Monuments.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*			
1	To declare by notification an ancient monument to be a protected monument.	Section 3 (1) of the Ancient Monuments Preservation Act. VII of 1904.	Local Government	Commissioner of Division.
2	To confirm or withdraw the notification under section 3 (1) of the Ancient Monuments Act after considering objections, if any.	Section 3 (3) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
3	To sanction acceptance by Collector of a gift or bequest of any protected monument.	Section 4 (2) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
4	To authorize Commissioner to accept guardianship of a monument	Section 4 (3) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
5	To authorise Collector to propose to the owner to enter into an agreement with the Secretary of State for India for the preservation of any protected monument in his district.	Section 5 (1) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
6	To authorize Collector to terminate agreement under section 5 of the Ancient Monuments Preservation Act.	Section 5 (5) of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
7	To control the moving of sculptures, carvings or like objects ...	Section 18 of the Ancient Monuments Preservation Act, VII of 1904.	Ditto ...	Ditto.
8	To control excavation for the purpose of protecting or preserving any ancient monument.	Section 20 of Act VII of 1904	Ditto ...	Ditto.

Subject XVII.—Wards.

	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*			
1	To direct the discharge from guardianship of Collector appointed a guardian under Act VIII of 1890.	Section 40 of Act VIII of 1890	Local Government	Board of Revenue as Court of Wards.
2	To sanction delegation of the powers of the Court of Wards to Commissioners, Collectors or to other persons appointed by the Court of Wards for the purpose ... ... To sanction revocation of such delegation	Section 15 of Act IX (B.C.) of 1879	Ditto ...	Ditto.
3	To sanction adoption by a ward	Section 61 of ditto	Ditto ...	Ditto.
4	To levy general rate, not exceeding 5 per cent. on gross income of all private estates under Government management, to meet cost of Government Establishment and contingent expenditure incurred by Government for supervision and management of such estates ... ... To vary, reduce or remit such rates	Section 3 of Act X of 1892	Ditto ...	Ditto.
5	To direct a special charge to be made against an estate, if it is necessary to employ an officer of Government to give legal advice or audit accounts on behalf of the estate.	Section 4 of ditto	Ditto ...	Ditto.
6	To make rules and issue orders under Act X of 1892...	Section 7 of ditto	Ditto ...	Ditto.

Serial No.	Nature of power.	Existing authority of rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	To appoint, on the occurrence of every second vacancy in Class VII or upwards of the Provincial Educational Service, men of certain class.	Bengal Government order No. 904T.G., dated the 6th July 1900. See page 311 of the Rules and Orders of the Bengal Education Department, 1903. [Class VII of this province corresponds to Class VI of Bengal.]	Local Government..	Director of Public Instruction.	
2	To decide, in cases of doubt, who should be regarded as a European for the purposes of the Code regulating the education of Europeans in India.	Rule 2 of the revised draft Code of Regulations for European Schools in India and Burma, 1905, received with letter from the Government of India, Home Department, No. 544 (Edn.), dated the 14th August 1905.	Ditto ...	Ditto.	
3	To declare in special cases that the term "ordinary attendance" should mean the average daily attendance during the school year.	Rule 36 of ditto ...	Ditto ...	Ditto.	
4	To determine the conditions on which grants fixed in amount for a term of years should be given to schools.	Rule 39 of ditto ...	Ditto ...	Ditto.	
5	To approve of subjects for the teaching of which appliances and materials are to be purchased.	Rule 44 (*d*) of ditto ...	Ditto ...	Ditto.	
6	To make arrangements for holding Primary Scholarship Examinations.	Rule 90 of ditto ...	Ditto ...	Ditto.	
7	To sanction in special cases payment of boarding fees of students who have been educated in orphanages or free schools.	Rule 122 of ditto ...	Ditto ...	Ditto.	
8	To arrange for the conduct of the examination of officers of the Education Department in minor vernaculars (tribal language).	Rule 2 of the Rules for the examination of officers of the Education Department in Eastern Bengal and Assam published with this Government Notification No. 12558C., dated the 6th December 1906, in the *Eastern Bengal and Assam Gazette* of the 8th idem.	Ditto ...	Ditto.	
9	To appoint, transfer, promote, depute, suspend, dismiss, and grant leave and extension of service (*a*) to officers in classes I and II of the Bengal Subordinate Educational Service, and (*b*) to officers of the Assam Subordinate Service, appointed before 1st July 1906.	(1) Articles 76, 78, 139, 161, 167, 168, 189, 193, 220, 271, 279, 336, 337, 338, 339, 340, 462, of the Civil Service Regulations. (2) Rule 1, page 121 of the Rules and Orders of the Bengal Education Department, 1903. (3) This Government Order No. 8314C., dated the 18th August 1906. (4) Rule 2 of the Rules for the appointment of Deputy Inspectors and Assistant Inspectors of Schools in Eastern Bengal and Assam, published with Government Notification No. 10790, dated the 19th October 1906 in the *Eastern Bengal and Assam Gazette* of the 20th idem.	Ditto ...	Ditto.	

	(a) Powers proposed to be delegated to the Local Government.				
1	To create any new permanent appointment, other than an appointment which would ordinarily be held by a gazetted officer appointed in England, of which the salary or maximum salary exceeds Rs. 250, but does not exceed Rs. 500 a month.	Government of India, Finance Department, Resolution No. 6660 Ex., dated the 1st November 1907.	Government of India.	Local Government	So far as provincial charges or charges debitable to divided heads are concerned, the Lieutenant-Governor recommends that powers of the Local Government might be made equal to those of the Government of India. The Resolution of the Government of India of November 1907 shows that their powers have been considerably enlarged, but the extended powers have not been delegated to Local Governments.
2	To raise the salary of an officer or of a sanctioned appointment to an amount exceeding Rs. 250, but not exceeding Rs. 750 a month.	Ditto ditto ...	Ditto ...	Ditto ...	
3	To revise establishments involving an additional expenditure of more than Rs. 25,000, but not exceeding Rs. 50,000 a year.	Ditto ditto ...	Ditto ...	Ditto ...	
4	To remit the payment of interest on loans falling due in ordinary course.	Article 130A (1), Civil Account Code	Ditto ...	Ditto.	
5	To sanction expenditure which would cause any excess over the budget grant for a major head which is wholly imperial.	Article 295, Civil Account Code	Ditto ...	Ditto ...	As a matter of convenience, and to avoid correspondence, the Local Government might be authorised to incur expenditure up to a limit of Rs. 5,000 in any year under an Imperial head, subject (*a*) to the sanction not binding Government beyond a single payment where the expenditure exceeds Rs. 50 a month, and (*b*) to adjustment before the close of the year.
6	To sanction expenditure in excess of the budget grant under any provincial or local major or minor head, when the increase causes the aggregate grant for provincial or local expenditure, respectively, to be exceeded.	Article 295 (*a*), Civil Account Code ... ... Government of India, Finance Department, Resolution No. 5306A., dated the 27th September 1906.	Ditto ...	Ditto ...	The Lieutenant-Governor recommends that the Local Government might be permitted to incur expenditure which would have the effect of exceeding the aggregate provincial grant, if the Accountant-General certified that the Provincial revenues of the year would probably expand sufficiently to balance the excess. The exclusion of district and Local Boards' Funds render any delegation, so far as local expenditure is concerned, unnecessary.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
7	To grant an honorarium over Rs. 500, but not exceeding Rs. 1,000, to an officer for doing any special work. When the charge falls on imperial, Government of India's sanction is required when the amount exceeds Rs. 200.	Article 72 (*b*), Civil Service Regulations	Government of India.	Local Government	Where the charge falls upon provincial revenues or on a divided head, the powers enjoyed by the Local Government might be made equal to those of the Government of India.
8	To permit any officer to accept a fee exceeding Rs. 500, from a private person or private or public body, for work done for it.	Article 74 (*c*), ditto ...	Ditto ...	Ditto ...	
9	To create temporary appointments and deputations (*a*) for periods exceeding six months when the salary or salary and deputation allowance exceed Rs. 250, but do not exceed Rs. 500; (*b*) for not more than two years when the salary or salary and deputation allowance exceed Rs. 500 a month.	Articles 78 and 79, ditto ... and Finance Department Resolution, No. 6660 Ex., dated the 1st November 1907.	Ditto ...	Ditto ...	See against 1—3. The principle is the same, and the Lieutenant-Governor recommends that the powers of the Local Government in respect of charges falling on provincial or divided heads should be equal to those of the Government of India.
10	To grant to officers, who, through no fault of their own, overstay the period of their furlough on medical certificate or leave on medical certificate out of India, extensions of such leave not exceeding a week.	Note to Article 229 of the Civil Service Regulations.	Ditto ...	Ditto.	
11	To grant a pension to an officer whose pay exceeds Rs. 10, but who bears an inferior designation, when his regular duties have been such as are ordinarily performed by a superior servant.	Article 402 (*a*), Civil Service Regulation	Ditto ...	Ditto ...	Where the pension is a provincial charge, the Lieutenant-Governor recommends that the Local Government should exercise the same powers as the Government of India.
12	To condone interruptions in service exceeding three months, but not exceeding twelve months in all, if the proposed pension exceeds Rs. 50 a month.	Article 422 (*i*)	Ditto ...	Ditto ...	
13	To condone interruptions in service exceeding twelve months in all, if the proposed pension is an Imperial charge not exceeding Rs. 50 a month.	Article 422 (*ii*)...	Ditto ...	Ditto ...	
14	To condone deficiencies in qualifying service exceeding one month (but not exceeding three months in all), if the pension is an imperial charge.	Article 423 (1)	Ditto ...	Ditto ...	
15	To discharge an officer in consequence of a change in the nature of the duties of his office.	Article 434	Ditto ...	Ditto.	
16	If of two appointments held by one officer, one is abolished and the other retained, the case should be specially submitted to the Government of India.	Article 435	Ditto ...	Ditto.	
17	To grant a wound or extraordinary gratuity exceeding Rs. 600, but not exceeding six months' pay or Rs. 1,000, whichever is greater.	Article 739	Ditto ...	Ditto ...	Ditto.
18	To grant a wound or extraordinary pension exceeding Rs. 10, but not exceeding Rs. 25 a month.	Article 740	Ditto ...	Dtito ...	Ditto

19	Where no pension or gratuity is admissible under the rules, to grant— (*a*) a gratuity not exceeding Rs. 1,000; (*b*) when injury or death is due to devotion to duty, a pension not exceeding Rs. 25 a month or a gratuity of an equivalent amount.	Article 743	Ditto ...	Ditto ...	Ditto.
20	To authorise the grant of a pension up to a limit of Rs. 10 a month, or of a gratuity not exceeding the equivalent value of that amount, in any case where no pension or gratuity is admissible under the rules.	Article 924 (*b*)	Ditto ...	Ditto ...	Ditto.
21	To add to the list of officers (Appendix 22, Civil Service Regulations), drawing permanent monthly travelling allowances.	Article 1048	Ditto ...	Ditto ...	When the charges are provincial or debitable to a divided head, the Lieutenant-Governor recommends that these powers should be delegated to Local Governments.
22	To add to the list of officers (Appendix 26, Civil Service Regulations), entitled to a permanent conveyance or horse allowance.	Article 1075	Ditto ...	Ditto ...	
23	To increase the ordinary rate of daily allowance or mileage or both for all persons travelling in any specified district or locality, in which travelling is specially expensive.	Article 1139, Civil Service Regulations	Ditto ...	Ditto ...	
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
24	To investigate claims of officers to arrears of pay or allowances, which have been allowed to remain in abeyance for over two years.	Article 5 (*a*), Civil Account Code	Local Government	Commissioners of Divisions and Heads of Departments.	
25	To change the date of birth of an officer, as entered in the detailed list of establishment.	Article 55 (1) (*b*), ditto ...	Ditto ...	Ditto.	
26	To sanction hot-weather establishments...	Article 98 (*b*), ditto ...	Ditto ...	The Board of Revenue, Commissioners and Heads of Departments.	
27	To purchase articles of European manufacture in the local market when the value exceeds Rs. 50.	Article 98 (*k*), ditto ...	Ditto ...	The Board of Revenue, Commissioners, Heads of Departments, District Officers and District Judges.	The limit of Rs. 50 may be raised to Rs. 100.
28	To incur fixed recurring contingent charges	Article 98 (*m*), ditto ...	Ditto ...	The Board of Revenue, Heads of Departments and Commissioners of Divisions.	Up to a limit of Rs. 250 per annum in each case.
29	To write off irrecoverable balances of loans or advances, and to delegate the powers to write off.	Article 134 (*a*), ditto ...	Ditto ...	Commissioners of Divisions.	
30	To write off finally the irrecoverable value of stores or public money lost by fraud or negligence or other cause, provided the amount does not exceed Rs. 1,000, and does not fall on Imperial, or does not indicate any defect of system requiring amendment.	Article 279, ditto ...	Ditto ...	The Board of Revenue, Commissioners and Heads of Departments.	In respect of the Board of Revenue up to a limit of Rs. 1,000, and of the other authorities up to a limit of Rs. 200 in each case.
31	To transfer budget grants from one major head (wholly Provincial or divided) to another.	Article 295, ditto ...	Ditto ...	Legal Remembrancer ...	In respect of budget grants under his control between 19A—Law and Justice and 18—General Administration.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
32	To authorise any officer to proceed on duty beyond his jurisdiction to any part of British India or to any Foreign State or Settlement adjoining the Local Government's jurisdiction.	Article 57, Civil Service Regulations	Local Government	The Board of Revenue, Commissioners of Divisions and Heads of Departments.	The Lieutenant-Governor recommends that this power should be delegated to Commissioners of Divisions and Heads of Departments in respect of their subordinates, but not for themselves, and to the Board of Revenue in respect of Commissioners of Divisions.
33	To permit an officer who has been reduced for misconduct or inefficiency to count for increments previous service in the grade or appointment from which he was reduced.	Article 154, ditto	Ditto ...	Commissioners of Divisions and Heads of Departments.	If the Commissioner or Head of Department has dealt finally with the original case.
34	To permit an officer, on transfer as a penalty from a higher to a lower appointment on a progressive pay, to draw any salary not exceeding the maximum of such appointment.	Article 157B, ditto	Ditto ...	Ditto ...	If the Commissioner or Head of Department has ordered the transfer.
35	To extend joining time ordinarily admissible within the maximum of thirty days.	Article 180 (*a*), ditto	Ditto ...	Ditto.	
36	To allow an officer without a substantive appointment, but officiating in an office, to draw transit pay.	Article 188, ditto	Ditto ...	Ditto ...	In respect of ministerial officers and other officers on less than Rs. 100 a month.
37	To sanction payment of salary to suspended officers subordinate to the Board of Revenue, when the extra cost involved exceeds Rs. 250.	(*a*) Rule 21, page 71 of the Board's Rules, 1902 ... (*b*) Rule 3, page 222 of the Board's Rules, 1902. (*c*) Article 193 (*b*) of the Civil Service Regulations.	Ditto ...	Commissioners of Divisions.	
38	To allow an officer leave of absence to enable him to attend at a compulsory departmental examination.	Article 285, Civil Service Regulations	Ditto ...	Commissioners of Divisions and Heads of Departments.	
39	To make any reduction in the amount of pension admissible under the rules, in cases in which service has not been thoroughly satisfactory.	Article 470 (*b*), ditto	Ditto ...	Ditto ...	*Vide* note against No. 44.
40	To allow gratuities or pensions to be calculated on the basis of average emoluments instead of emoluments, if the emoluments of an officer have been reduced during the last three years of his service otherwise than as a penalty.	Articles 474 (*a*) and 482, ditto	Ditto ...	Ditto ...	Ditto.
41	To permit an officer who has retired on a compensation pension to exercise more than three months after his re-employment, his option of retaining his pension and forfeiting his previous service or to cease to draw his pension and count his previous service.	Article 516, ditto	Ditto ...	Ditto ...	Ditto.
42	To allow a pensioner to be re-employed without loss of pension, temporarily, for a period not exceeding a year.	Article 524, ditto	Ditto ...	Commissioners of Divisions, Heads of Departments, and the Board of Revenue.	In the case of pensioners not drawing more than Rs. 20 per mensem.
43	To accept a medical certificate bearing a date later than that of an officer's application for retirement on invalid pension, where the applicant is less than sixty years old.	Article 911 (*c*), ditto	Ditto ...	Commissioners of Divisions and Heads of Departments.	*Vide* note against No. 44.

44	To grant pension to officers other than police officers on pay not exceeding Rs. 20.	Articles 918 and 921, ditto	Ditto ...	Ditto ...	The Lieutenant-Governor recommends that powers should be delegated in respect of officers drawing Rs. 50 or less subject to the Accountant-General's certificate of admissibility.
45	To specially exempt a pensioner from personal appearance to receive his pension.	Article 945, ditto	Ditto ...	District Officers	Subject to suitable precautions as to life certificates.
46	To permit travelling allowance by other than the shortest or cheapest route to be drawn.	Article 997, ditto	Ditto ...	Commissioners of Divisions and Heads of Departments.	
47	To exempt an officer from the operation of the rule under which a daily allowance may not be drawn for more than ten days of a halt at one place.	Article 1056, ditto	Ditto ...	Ditto ...	Subject to a maximum of twenty days.
48	To permit any officer or class of officers to draw, during a halt at headquarters, the actual expense of keeping up camp equipage during a halt.	Article 1059 (*a*), ditto	Ditto ...	Ditto.	
49	To grant passage money for the families of officers of the second and third classes drawing less than Rs. 200, when their families cannot, for sufficient reasons, travel with them, but follow them within six months or precede them by not more than one month.	Article 1097 (*b*), ditto	Ditto ...	Ditto.	
50	To permit an officer transferred for misconduct to draw travelling allowance.	Article 1100, ditto	Ditto ...	Ditto.	
51	To grant travelling allowance for journeys on transfer to an inferior servant.	Article 1107, ditto	Ditto ...	Ditto.	
52	To grant deputation allowances to licensed vaccinators	.....	Ditto ...	Sanitary Commissioner.	
53	To grant hill allowance to the vaccine inspecting staff for proficiency in local languages.	.....	Ditto ...	Ditto.	
54	To grant special fees or rewards to Government Pleaders in civil suits.	.....	Ditto ...	Legal Remembrancer ...	Up to a limit of Rs. 500 in any one case.
55	To dispose of unserviceable and spare padlocks and keys of treasuries.	Article 305A., Civil Account Code	Board of Revenue...	District Officers.	
56	To make an exception to the general rule that all money should be paid direct into the treasury by the person from whom it is due.	Rule 1, page 195 of the Board's Rules, 1902 ...	Ditto ...	Commissioners of Divisions.	

Subject XX.—Income Tax.

	(*a*) *Powers proposed to be delegated to the Local Government.*				
1	To declare the principal place of residence of a person having several places of residence in territories subject to different Local Governments.	Section 17 (3) of the Income-tax Act, II of 1886...	Government of India.	Board of Revenue	In doubtful cases a reference might be made to the Government of India through the Local Government.
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
2	To prescribe the manner in which the list of assessees under Part IV whose annual income does not amount to Rs. 2,000 should be published.	Section 16 (5), ditto ...	Local Government..	Ditto.	
3	To make rules authorising the Collector to modify the ordinary procedure of assessment under Part IV in special cases.	Ditto 18, ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
4	To direct by what authority any powers or duties incident to the enforcement of any process for the recovery of a municipal tax or local rate shall be exercised or performed when that process is employed for the recovery of income-tax.	Section 30 (2) of the Income-tax Act, II of 1886...	Local Government	Board of Revenue.	
5	To direct with respect to any specified area, that income-tax should be recovered with and as an addition to any municipal tax or local rate in the same way as the latter.	„ 30 (4), ditto ...	Ditto ...	Ditto.	
6	To prosecute a person for breach of rules for preventing the disclosure of particulars contained in documents delivered or produced with respect to assessments.	„ 38 (3), ditto ...	Ditto ...	Ditto.	
7	To delegate the powers and duties of Collectors and Commissioners under the Act to any other officer or person.	„ 40, ditto ...	Ditto ...	Ditto.	
8	To declare the principal place of business of a company or firm having several places of business in territories subject to different Local Governments.	„ 47 (1), ditto ... [Paragraph 4 of the note under section 47 of the Act, page 46 of the Bengal Income-tax Manual.]	Ditto ...	Ditto ...	In doubtful cases a reference might be made to the Government of India through the Local Government.
9	To revise the assessment of income-tax made by the Collector on the petition of any person deeming himself aggrieved.	Section 27 of the Income-Tax Act, II of 1886 ...	Commissioners of Divisions.	District Officers	When the assessment does not exceed Rs. 250.
10	To remit any fine imposed on any person who fails to make payments or deliver returns or statements.	„ 34 (2), ditto ...	Ditto ...	Ditto.	

Subject XXI.—Stamps.

	(*a*) *Powers proposed to be delegated to the Local Government.*				
	Nil.				
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
1	To frame rules for the guidance of Collectors in the exercise of the powers conferred by section 19-H (3) as to inspection, etc., of records of cases and amendment of valuation of property.	Section 19-H (8), Act VII of 1870	Local Government	Board of Revenue.	
2	To frame rules regarding the supply, number, renewal and keeping of accounts of stamps.	„ 27, ditto ...	Ditto ...	Ditto.	
3	To frame rules for regulating the sale of stamps to be used under the Act, the persons by whom alone such sale is to be conducted, and the duties and remuneration of such persons.	„ 34 (1), ditto ...	Ditto ...	Ditto.	
4	To determine who shall be deemed to be persons in charge of public offices authorised to examine and impound instruments not duly stamped.	„ 33 (3) (*b*), Act II of 1899	Ditto ...	Ditto.	
5	To authorise officers to institute prosecutions under the Stamp Act	„ 70 (1), ditto ...	Ditto ...	Ditto.	

6	To establish local depôts where there are no treasuries	Rule 8 of the Government of India's rules under the Indian Stamp Act, 1899. Government of India, Finance Department Resolution No. 3715Exc., dated the 30th June 1905.	Ditto ...	Ditto.	
7	To empower any principal assistant of the "proper officer" to discharge the functions of the latter.	Rule 10 (3) of the Government of India's rules under the Indian Stamp Act, 1899. (Page 142, Bengal Stamp Manual.)	Ditto ...	Ditto.	
8	To fix limit within which Collector may grant rewards to persons assisting in the conviction of any offender.	Rule 19 of the Government of India's rules under the Indian Stamp Act, 1899. (Page 144, Bengal Stamp Manual.)	Ditto ...	Ditto.	
9	To supply stamps on credit to a lincensed vendor	Rule 8 of the rules issued by the Bengal Government under the Indian Stamp Act, 1899. (Page 147, Bengal Stamp Manual.)	Ditto ...	Ditto.	
10	To grant authority to officers to inspect stamp accounts of vendors	Rule 15 of the rules issued by the Bengal Government under the Indian Stamp Act, 1899. (Page 148, Bengal Stamp Manual.)	Ditto ...	Ditto.	
11	To grant authority to officers to recall stamps from vendors ...	Rule 16 of the rules issued by the Bengal Government under the Indian Stamp Act, 1899. (Page 149, Bengal Stamp Manual.)	Ditto ...	Ditto.	
12	To prescribe what supply of stamps shall be maintained in local depôts.	Rule 9 of the Government of India, Finance Department, Resolution No. 3715Exc., dated the 30th June 1905.	Ditto ...	Ditto.	
13	To receive reports as to deficiency or failure of stock in local depôts, or to designate authority to whom such reports shall be made.	Rule 11 ditto ...	Ditto ...	Ditto ...	The report may be made to the Board or to such other authority as may be designated by the Board.
14	To issue orders as to detailed counting of stamps	„ 13 ditto ...	Ditto ...	Ditto.	
15	To appoint an officer, other than the treasurer, to be *ex-officio* vendor of stamps in a local depôt.	„ 16 ditto ...	Ditto ...	Ditto.	
16	To reduce the period within which stock must be replenished ...	„ 17 ditto ...	Ditto ...	Ditto.	
17	To prescribe the language in which stamp registers shall be kept by *ex-officio* vendors.	„ 18 ditto ...	Ditto ...	Ditto.	
18	To prescribe rules regarding rates of discount and granting of licenses.	„ 20 ditto ...	Ditto ...	Ditto.	
19	To prescribe limits as to denominations of stamps to be sold by *ex-officio* vendors.	„ 21 ditto ...	Ditto ...	Ditto.	
20	To direct closing of branch depôts	„ 29 ditto ...	Ditto ...	Ditto.	
21	To nominate an officer other than the sub-treasurer to be *ex-officio* vendor of stamps at a branch depôt.	„ 30 ditto ...	Ditto ...	Ditto.	
22	To empower the Board of Revenue or other superior revenue authority to sanction the despatch of stamps direct from the central depôt to a branch depôt.	„ 31 ditto ...	Ditto ...	Ditto.	
23	To fix what supply of stamps is to be kept in branch depôts ...	Rules 32 and 33 of ditto ...	Ditto ...	Ditto.	
24	To fix what amount of stamps is to be kept under single lock by the *ex-officio* vendor.	Rule 34 ditto ...	Ditto ...	Ditto.	
25	To grant relief where too high a court-fee has been paid on probates of wills or letters of administration.	Section 19-A, Act VII, 1870 ...	Board of Revenue...	Commissioners of Divisions.	
26	To grant relief where debts due from a deceased person have been paid out of his estate.	„ 19-B, ditto ...	Ditto ...	Ditto.	
27	To cause due stamping of probate or letters of administration in cases where too low a court-fee has been paid.	„ 19-E. and G, ditto ...	Ditto ...	Ditto.	
28	To sanction remission of penalties due on account of too low a court-fee being paid.	„ 19-E, ditto ...	Ditto ...	Ditto.	
29	To remit penalties, etc.	19-J (2) ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
30	To sanction refund of penalties or excess duty in certain cases, upon application made within one year and within three months, respectively.	Section 45 (1) and (2), Act II of 1899 ...	Board of Revenue...	Commissioners of Divisions.	
31	To make allowance for stamped papers used for printed forms when no longer required by corporations.	Ditto 51, ditto ...	Ditto ...	Ditto	
32	To authorise officers to stay prosecutions or to compound offences under the Stamp Act.	Ditto 70 (2), ditto ...	Ditto ...	Ditto.	
33	To exercise control over powers exercisable by a Collector, under Chapters IV and V of Act II of 1899.	Ditto 56 (1), ditto ...	Ditto ...	Ditto.	
		Subject XXII.—Excise.			
	(*a*) *Powers proposed to be delegated to the Local Government.*				
	Nil.				
	(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*				
1	To declare any place to be a warehouse for opium legally imported and to cancel any such declaration.	Section 7 (*c*) of the Opium Act, I of 1878 ...	Local Government..	Board of Revenue.	
2	To authorise officers other than the Collector of a district or Deputy Commissioner to order confiscation in cases of offences under the Opium Act, where the offender is not known or cannot be found or when opium not in the possession of any person cannot be satisfactorily accounted for.	Ditto 12 ditto ...	Ditto ...	Ditto.	
3	To authorise officers of the Excise, Police, Customs, Salt, Opium or Revenue Departments superior in rank to a peon or constable, to enter, arrest, search or seize on information that opium is unlawfully kept in any enclosed place.	Ditto 14 ditto ...	Ditto ...	Ditto.	
4	To authorise any officer other than the Collector of the district or Deputy Commissioner to issue a warrant for the arrest of any person suspected of having committed an offence under the Act or for the search of any place where opium liable to confiscation is believed to be concealed.	Ditto 19 ditto ...	Ditto ...	Ditto.	
5	To authorise any officer superior in rank to a peon or constable to attach the crop in case of alleged illegal cultivation of the poppy, and to require the cultivator to give bail.	Ditto 22 ditto ...	Ditto ...	Ditto.	
6	To authorise an officer other than the Collector of a district or Deputy Commissioner to recover on behalf of the farmer any amount due to a farmer of opium revenue from his licensee.	Ditto 24 ditto ...	Ditto ...	Ditto.	
7	To appoint warehouses for receiving spirit removed from a distillery without prepayment of duty for exportation.	Section 144 (*b*) of Act VIII of 1878 as amended by Acts IX of 1885 and II of 1887, page 36 of Bengal Excise Manual.	Ditto ...	Ditto.	

8	To prescribe the rates of ullage and wastage for spirit for exportation, under bond.	Section 147 of Act VIII of 1878 as amended by Acts IX of 1885 and II of 1887, page 36 of Bengal Excise Manual.	Ditto ...	Ditto.	
9	To authorise the import of spirit without prepayment of duty when the spirit is to be delivered into a bonded warehouse.	Section 148 of ditto ...	Ditto ...	Ditto.	
10	To cancel any lease or to impose any restriction on the farmer within the period of the lease.	Section 24 of the Bengal Excise Act, VII of 1878..	Board of Revenue...	Commissioner of Excise.	
11	To grant compensation for any loss a farmer may sustain by the cancellation of his lease for any other cause than a breach on his part of the conditions of the lease, or by any fresh reservation or restriction imposed.	Ditto 24 ditto ...	Ditto ...	Ditto.	
12	To direct the transfer of a lease by the licensee or its continuance for a longer term than one year.	Ditto 27 ditto ...	Ditto ...	Ditto.	
13	To permit the employment of any woman in public rooms of licensed premises.	Ditto 27A ditto ...	Ditto ...	Ditto.	
14	To grant rewards not exceeding Rs. 200 before or after the adjudication of a case to any person or persons instrumental in the detection of an offence or the capture of an offender.	Ditto 78 ditto ...	Ditto ...	Ditto.	
15	To appropriate any portion not exceeding one-half of fines levied under the Act, the disposal of which is not specially provided for, for rewarding informers or compensating individuals subjected to annoyance or injury by any proceedings.	Ditto 79 ditto ...	Ditto ...	Ditto.	
16	To revise the proceedings of Collectors	Section 31, Act VII (B.C.) of 1878, read with section 33.	Commissioner of Excise.	.....	The Lieutenant-Governor considers that it would be desirable to adopt for Excise cases Rule 20 (3) of the Opium Rules, Eastern Bengal and Assam Financial Notification No. 4729F., dated the 19th April 1907, and permit the Board of Revenue to receive, in their discretion, appeals direct.
17	To hear appeals from Collector's orders	Ditto 83, ditto ...	Ditto ...	.....	

The Lieutenant-Governor proposes that in the case of the Board of Revenue the limit be raised to Rs. 500, and he would authorise the Board of Revenue to incur expenditure up to Rs. 500 in each case for the employment of informers or any other purpose in connection with the prevention of an offence or detection of offenders under the Excise Act. He would also empower the Excise Commissioner to grant rewards up to Rs. 250 and to incur similar expenditure up to the same limit. He would further recommend that Collectors be authorised to grant rewards and incur expenditure up to Rs. 100.

Subject XXIII.—Salt.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To empower Salt Revenue Officers to enter and search places ...	Section 15, Act XII of 1882	Local Government	Board of Revenue.	
2	To invest persons with the powers of an Assistant Commissioner under the Act, or with all or any of the powers conferred by it on Salt Revenue Officers.	Ditto 30, ditto	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
3	To frame rules regulating the manufacture, deposit, and transport of salt, and for securing the payment of duty thereon.	Section 11, Act VII (B.C.) of 1864	Local Government...	Board of Revenue	
4	To fix penalties for the infringement of such rules				
5	To define limits in connection with the possession and transport of salt.	Ditto 12, ditto	Ditto ...	Ditto.	
6	To appoint a public or to license a private warehouse at any place which is not a warehousing port, and to cancel such appointment or license.	Ditto 4 (1), Act VIII of 1896	Ditto ...	Ditto.	
7	To grant (and refuse) licenses to manufacture salt	Section 7, Act VII (B.C.) of 1864 (Rules 1 and 2, page 54, Bengal Salt Manual).	Board of Revenue...	Commissioners of Divisions.	
8	To decide as to the suitability of warehouse provided by a licensed manufacturer.	Section 10, Act VII (B.C.) of 1864 (Rule 13, page 57, Bengal Salt Manual).	Ditto ...	Ditto.	
9	To grant *rawanas*	Section 13, ditto ...	Ditto ...	Ditto.	
10	To mitigate penalties	Section 39, Act VII (B.C.) of 1864	Ditto ...	Ditto.	
11	To appoint a preventive guard with a view to prevent smuggling and to protect the revenue.	Rule 4, page 54, Bengal Salt Manual	Ditto ...	Ditto.	
12	To fix security to be furnished by Pass Officer of Excise establishment.	Ditto ditto	Ditto ...	Ditto.	
13	To appoint Collector of district or other officer to exercise a general control and supervision over all warehouses provided by manufacturers of salt.	Ditto 11, page 56, ditto	Ditto ...	Ditto.	
14	To fix security to be furnished by daroga of warehouse establishment	Ditto 11, page 56, ditto	Ditto ...	Ditto.	
15	To receive reports as to salt tampered with in transit, and direct its confiscation and cancel manufacturer's license.	Ditto 21, page 59, ditto	Ditto ...	Ditto.	
16	To make renewal of bonds for payment of duty and other charges on warehoused salt.	Ditto 25, ditto	Ditto ...	Ditto.	
17	To confiscate articles in respect of which an offence has been committed, which exceeds five seers in weight, or to impose a penalty in lieu of confiscation.	Section 12, Act XII of 1882	Commissioners of Divisions	Collectors.	
18	To appoint excise establishment for the purpose of supervising the weighment of salt prior to removal to the warehouse.	Rule 4, page 54, Bengal Salt Manual	Ditto ...	Ditto.	
19	To require manufacturer to repair warehouse, or otherwise render it fit for storage of salt.	Ditto 13, page 57, ditto	Ditto ...	Ditto.	
20	To cancel license in default	Ditto 13, ditto	Ditto ...	Ditto.	
21	To adjudge duty on account of any excess or penalty duty in consequence of any deficiency (beyond the usual allowance) of salt found in the warehouse at the time of clearance.	Ditto 24, page 59, ditto	Ditto ...	Ditto.	

The Lieutenant-Governor also recommends large devolutions to the Commissioner of Excise

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	(a) Powers proposed to be delegated to the Local Government.					
	Nil.					
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.					
1	To make rules *re* powers of Customs Officers and generally for carrying out the provisions of the Act.	Section 9 of the Sea Customs Act, VIII of 1878...			Local Government	Board of Revenue.
2	(*a*) To declare places to be ports for the shipment and landing of goods.	Ditto 11	ditto	...	Ditto ...	Ditto.
	(*b*) To declare limits of such ports	Ditto	ditto	...	Ditto ...	Ditto.
	(*c*) To appoint proper places therein to be wharves for the landing and shipping of goods or of any particular classes of goods.	Ditto	ditto	...	Ditto ...	Ditto.
	(*d*) To declare the limits of such wharves	Ditto	ditto	...	Ditto ...	Ditto.
	(*e*) To alter the name of any such port or wharf	Ditto	ditto	...	Ditto ...	Ditto.
	(*f*) To declare what stall for the purposes of the Act be deemed to be a Customs house and the limits thereof.	Ditto	ditto	...	Ditto ...	Ditto.
3	To declare places to be ports for the carrying on of coasting trade with Customs ports or with any specified Customs port and for no other purpose.	Ditto 12	ditto	...	Ditto ...	Ditto.
4	To appoint officers to supervise detention and confiscation of prohibited goods.	Ditto 19A	ditto	...	Ditto ...	Ditto.
5	To fix places beyond which inward bound vessels are not to proceed until manifest is delivered.	Ditto 53	ditto	...	Ditto ...	Ditto.
6	To prescribe landing fees for passengers' baggage or parcels ...	Ditto 75	ditto	...	Ditto ...	Ditto.
7	To suspend the operation of section 76 of the Act regarding the use of boat notes.	Ditto 76	ditto	...	Ditto ...	Ditto.
8	To prohibit the plying of unlicensed cargo boats	Ditto 79	ditto	...	Ditto ...	Ditto.
9	To prescribe rules and fees for the issue of licenses and registration of cargo boats.	Ditto 79	ditto	...	Ditto ...	Ditto.
10	To prescribe period within which to land cargo after entry of vessel.	Ditto 83	ditto	...	Ditto ...	Ditto.
11	To authorise import of spirit exported under a bond from one Indian port to another without payment of excise duty in certain cases.	Ditto 148	ditto	...	Ditto ...	Ditto.
12	To empower subordinate officers of Customs to adjudicate in respect of confiscations and penalties and to limit the powers of the Customs Collector in certain cases.	Ditto 182	ditto	...	Ditto ...	Ditto.
13	To appoint public warehouses at warehousing ports	Ditto 15	ditto	...	Board of Revenue	Chief Customs Officer.
14	To appoint stations for Customs Officers to board and land	Ditto 17	ditto	...	Ditto ...	Ditto.
15	To order exemption from payment of excise duty on importation of certain country goods.	Ditto 26	ditto	...	Ditto ...	Ditto.
16	To fix rates of rents and warehouse dues	Ditto 101	ditto	...	Ditto ...	Ditto.
17	To permit a general bond to be entered into for removal of warehoused goods.	Ditto 107	ditto	...	Ditto ...	Ditto.
18	To make special allowance for a rate of ullage or wastage exceeding that contemplated in section 116.	Ditto 117	ditto	...	Ditto ...	Ditto.
19	To remit duties on warehoused goods lost or destroyed	Ditto 122	ditto	...	Ditto ...	Ditto.
20	To decide where goods may be deposited in public warehouses and on what terms.	Ditto 125	ditto	...	Ditto ...	Ditto.
21	To control discharge of cargo from coasting vessels	Ditto 162	ditto	...	Ditto ...	Ditto.

Serial No.	Nature of power	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
22	To authorise grant and revocation of general passes for lading and clearance and for entry and unlading of coasting steam vessels.	Section 164 of the Sea Customs Act, VIII of 1878	Board of Revenue	Chief Customs Officer.	
23	To appoint a place for the deposit of things seized as liable to confiscation.	Ditto 179 ditto ...	Ditto ...	Ditto.	
24	To fix wharfage fees	Ditto 199 ditto ...	Ditto ...	Ditto.	
25	To sanction compensation to owners for damage by Customs Officers to warehoused goods.	Ditto 206 ditto ...	Ditto ...	Ditto.	
26	To grant licenses for warehouses for storage of salt under time-bond and to appoint officers for inspecting such warehouses.	Rules 1 and 2, page 90 of the Sea Customs Rules, 1906. Notification No. 1440S.R., dated the 1st March 1897.	Ditto ...	Ditto.	
27	To cancel bond in case salt has been tampered with	Ditto 9, ditto ...	Ditto ...	Ditto.	
28	To withdraw a license for a warehouse in certain circumstances ...	Ditto 12 and 13, ditto ...	Ditto ...	Ditto.	
29	To require alteration or improvement in a warehouse building ..	Ditto 14, ditto ...	Ditto ...	Ditto.	

Subject XXV.—Cesses and Local rates.

(a) Powers proposed to be delegated to the Local Government.

Nil.

(b) Powers proposed to be delegated to authorities subordinate to the Local Government.

1	To direct special publication of proclamation to make return of lands, when valuation or revaluation has been ordered.	Section 14 of Act IX (B.C.) of 1880	Local Government	Board of Revenue.
2	To permit the maintenance by Collector of separate account of cesses payable by registered holders of revenue-free estates.	Ditto 46 of ditto ...	Ditto ...	Ditto.
3	To prescribe date of payment of instalment of cesses by holders of rent-free lands.	Ditto 57 of ditto ...	Ditto ...	Ditto.
4	To sanction reduction in valuation of any estate or tenure	Ditto 37 of ditto ...	Board of Revenue	Commissioners of Divisions.
5	To value and assess any estate or tenure omitted from the valuation and assessment for the time being in force or which was not in existence when such valuation or assessment was made.	Ditto ditto ...	Ditto ...	Ditto.
6	To order the closing of separate accounts of cesses of revenue-free estates.	Ditto 46 ditto ...	Ditto ...	Ditto.
7	To control direct assessment of rent-free lands	Rule 16 (iii), Section IIIB—Procedure, pages 69-70 of Cess Manual.	Ditto ...	Ditto.
8	To sanction closing of separate accounts in special cases	Rule 11, Section V—C, page 84 of Cess Manual ...	Ditto ...	Ditto.
9	To sanction remission and abatement of cesses in certain cases ...	Rule 3, Section VII, page 87, ditto ...	Ditto ...	Ditto.
10	To sanction delegation by Collector of his powers and functions to subordinate officers.	Section 101, Act IX (B.C.) of 1880	Commissioners of Divisions.	Collectors.
11	To direct special distribution of cesses among parts of a valued estate for which separate accounts have been opened.	Rule 2, Section V—B, page 83 of Cess Manual ...	Ditto ...	Ditto.
12	To sanction remissions and abatements of cesses	Ditto 1, Section VII, page 86, ditto ...	Ditto ...	Ditto.

Subject XXVI.—Chittagong Port.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To provide bathing or landing places	Section 20 of Bengal Act IV of 1887	Local Government	Chittagong Port Commissioners.	
2	To compel vessels to use wharves, etc., made by the Commissioners and to grant exemption therefrom.	Sections 22, 23, 24, and 26 of ditto ...	Ditto ...	Ditto.	
3	To sanction contracts involving payments of upwards of ten thousand rupees.	Ditto 65 of ditto ...	Ditto ...	Ditto.	
4	To sanction estimates for works costing over Rs. 5,000	Ditto 66 of ditto ...	Ditto ...	Ditto	The Lieutenant Governor recommends that the limit of sanction in the case of the Port Commissioners and of the Local Government should be increased.

The Lieutenant-Governor recommends the above delegation, or at least that the powers of the Commissioners of the Port of Chittagong be increased.

Subject XXVII.—Sanitation.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To grant licenses to private vaccinators to perform vaccination or to suspend or cancel such licenses.	Act XIII of 1880, section 8	Local Government	Commissioners of Divisions.	
2	To direct how fees for vaccinations performed elsewhere than at a public vaccine station shall be appropriated.	Act V (B.C.) of 1880, section 9	Ditto ...	Ditto.	

Subject XXVIII.—District and Local Boards.

	(a) Powers proposed to be delegated to the Local Government.				
	Nil.				
	(b) Powers proposed to be delegated to authorities subordinate to the Local Government.				
1	To appoint remaining members of a Local Board if the full proportion to be elected is not elected.	Section 10 of Act III (B.C.) of 1885	Local Government	Commissioners of Divisions.	
2	To appoint Local Board members	Sections 11, 15 and 19 of ditto ...	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	
3	To accept resignations of District Board members	Section 17 of Act III (B.C.) of 1885	Local Government	Commissioners of Divisions.	
4	To remove District and Local Board members	Ditto 18 of ditto ...	Ditto ...	Ditto.	
5	To fill by appointment casual vacancies in District and Local Boards.	Ditto 19 of ditto ...	Ditto ...	Ditto.	
6	To appoint the Chairman of a District Board	Sections 22 and 29 of ditto ...	Ditto ...	Ditto.	
7	To appoint or to direct the election of the Chairman of a Local Board in certain cases.	Ditto 25 and 29 of ditto ...	Ditto ...	Ditto.	
8	To accept the resignation of the Chairman of a District or Local Board.	Section 27 of ditto ...	Ditto ...	Ditto.	
9	To remove the chairman of a District or Local Board	Ditto 28 of ditto ...	Ditto ...	Ditto.	
10	To make contribution to District Boards	Ditto 52 of ditto ...	Ditto ...	Ditto ...	Allotments should be made by divisions and distributed by Commissioners. This is the present practice, but the Act contemplates direct distribution to Boards by the Local Government.
11	To transfer matter under the control and administration of a District Board to a Local Board.	Ditto 101 of ditto ...	Ditto ...	Ditto.	
12	To exercise control over ferries managed by District Boards ...	Sections 17, 19, 21, and 22 of Act I (B.C.) of 1885	Commissioners of Divisions.	District Magistrates ...	The Lieutenant-Governor recommends that under section 17 of Act I (B.C.) of 1885, powers to grant compensation up to Rs. 500 should be delegated to the District Magistrate.

N.B.—The Lieutenant-Governor considers that in addition to the specific delegations enumerated the Act should be amended so as to give the Local Government authority to delegate its powers largely to Commissioners, subject to control.

Subject XXIX.—Municipalities.

(*a*) *Powers proposed to be delegated to the Local Government.*

Nil.

(*b*) *Powers proposed to be delegated to authorities subordinate to the Local Government.*

(i) *Municipalities under Act III (B.C.) of* 1884.

1	To appoint Commissioners...	Section 14 of Act III (B.C.) of 1884	Local Government	Commissioners of Divisions	
2	To fix the date of first election	Ditto 16 of ditto ...	Ditto ...	Ditto.	
3	To appoint Commissioners on failure of an election	Ditto 16 of ditto ...	Ditto ...	Ditto.	

4	To appoint Commissioners of municipalities excluded from the elective system.	Ditto 17 of ditto ...	Ditto ...	Ditto.	
5	To remove Commissioners in certain circumstances	Ditto 19 of ditto ...	Ditto ...	Ditto.	
6	To appoint a Chairman	Ditto 23 of ditto ...	Ditto ...	Ditto.	
7	To accept the resignation of a Chairman	Ditto 27A of ditto ...	Ditto ...	Ditto.	
8	To transfer sums to municipalities	Ditto 67 of ditto ...	Ditto ...	Ditto ...	The distribution of lump grants might be made by Divisional Commissioners, if necessary.
9	To exempt charitable holdings from assessment of the rate on the value of holdings.	Ditto 98 of ditto ...	Ditto ...	Ditto.	
10	To appoint assessors of municipal taxes in certain circumstances ...	Ditto 111A of ditto ...	Ditto ...	Ditto.	
11	To apportion fees on carts among municipalities in certain cases ...	Ditto 147A of ditto ...	Ditto ...	Ditto.	
12	To transfer certain public ferries for management by municipalities	Ditto 148 of ditto ...	Ditto ...	Ditto.	
13	To declare ferries other than public to be municipal ferries... ...	Ditto 149 of ditto ...	Ditto ...	Ditto ...	In respect of ferries entirely within municipal limits.
14	To extend Parts VI, VII, VIII, IX and X	Sections 220 and 221 of ditto ...	Ditto ...	Ditto.	
15	To cancel or modify an order of extension of Parts VI—X	Section 223 of ditto ...	Ditto ...	Ditto.	
16	To direct that uncertificated persons shall not dispense drugs in certain municipalities.	Sections 252 and 276	Ditto ...	Ditto.	
17	To exercise control over pounds established by municipalities ...	Sections 4 and 12 of Act I of 1871	Ditto ...	Ditto.	
18	To exercise control in the matter of the survey of lands within municipal limits.	Section 223A of Act III (B.C.) of 1884, and sections 3, 11, 20 and 21 of Act I (B.C.) of 1887, the Calcutta Survey Act (*a*).	Ditto ...	Ditto.	
19	To exercise control over vaccination in municipal areas	Sections 1, 9, 14, 16, 17, 24, 25, 30, 32 and 33 of Act V (B.C.) of 1880 (*a*).	Ditto ...	Ditto.	
20	To exercise control relative to hackney carriages in municipalities	Sections 32, 45 and 49 read with section 61 (2) of the Calcutta Hackney Carriage Act, II of 1891 (*a*).	Ditto ...	Ditto ...	(*a*) Applicable to Eastern Bengal Municipalities.
21	To exercise control over certain appointments of subordinate officers.	Section 61 of Act III (B.C.) of 1884	Commissioners of Divisions.	Magistrates	The Lieutenant-Governor recommends that appointments and dismissals should be subject to sanction according to the following scale :— Of the Local Government—when the salary of the office exceeds Rs. 400. Of the Divisional Commissioner—when the salary of the office exceeds Rs. 200, but does not exceed Rs. 400. Of the District Magistrate—when the salary of the office exceeds Rs. 100, but does not exceed Rs. 200.
	(ii) *Municipalities and municipal institutions under Act V (B.C.) of 1876.*				
22	To appoint Commissioners	Section 15 of Act V (B.C.) of 1876	Local Government	Commissioners of Divisions.	
23	To appoint *ex-officio* Commissioners	Ditto 17 of ditto	Ditto ...	Ditto.	
24	To accept the resignition of Commissioners	Ditto 20 of ditto	Ditto ...	Ditto.	
25	To remove Commissioners	Ditto 21 of ditto	Ditto ...	Ditto.	

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation. From whom.	Proposed delegation. To whom.	Remarks
1	2	3	4	5	6
26	To transfer sums to municipalities and municipal institutions ...	Section 57 of Act V (B.C.) of 1876	Local Government	Commissioners of Divisions.	*Vide* remark against No. 8, *supra*.
27	To exercise control over works costing more than Rs. 3,000 ...	Ditto 70 of ditto	Ditto ...	Ditto ...	The limit may be raised to Rs. 5,000.
28	To transfer certain public ferries for management by municipalities	Ditto 139 of ditto	Ditto ...	Ditto.	
29	To declare ferries other than public to be municipal ferries ...	Ditto 140 of ditto	Ditto ...	Ditto ...	In respect of ferries entirely within municipal limits.
30	To sanction rate of tolls on municipal ferries	Ditto 142 of ditto	Ditto ...	Ditto.	
31	To sanction rate of tolls leviable by a municipality on a bridge or metalled road.	Ditto 151 of ditto	Ditto ...	Ditto.	
32	To extend Parts VII and IX	Sections 233, 234 and 299 of ditto	Ditto ...	Ditto.	
33	To exercise control over new or disused burning or burial places ...	Ditto 279 and 283 of ditto	Ditto ...	Ditto.	
34	To establish municipal markets and to levy rents, etc., therein ...	Ditto 300 and 302 of ditto	Ditto ...	Ditto.	
35	To appoint Commissioners of Stations	Section 356 of ditto	Ditto ...	Ditto.	
36	To exercise control over certain appointments of subordinate officers	Ditto 48 of ditto	Commissioners of Divisions.	Magistrates	*Vide* remarks against No. 21, *supra*.
	Subject XXX.—The Court Fees Act, VII of 1870.				
	(*a*) *Powers to be given to Local Government.*				
1	Power to reduce or remit fees mentioned in the 1st and 2nd schedules to the Court Fees Act, VII of 1870, in respect of districts outside the jurisdiction of the High Court.	Section 35 of the Court Fees Act, VII of 1870 ...	Government of India	Local Government.	
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
	Nil.				
	Subject XXXI.—The obstructions in Fairways Act, XVI of 1881.				
	(*a*) *Powers to be given to Local Government.*				
1	Power to make rules to regulate and prohibit the placing of obstruction in fairways.	Section 8 of obstructions in Fairways Act, XVI of 1881.	Government of India.	Local Government.	
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
	Nil.				

Subject XXXII.—Act V of 1861 *(Police).*

	(a) Powers to be given to Local Government. Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to depute additional force in the neighbourhood of railway or other works.	Section 14 of the Act	Local Government..	Inspector-General of Police.

Subject XXXIII.—The Cattle Trespass Act, I of 1871.

	(a) Powers to be given to Local Government. Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to direct the levy of increased rate of fine by pound-keeper in any local area.	Section 12 of the Act	Local Government..	District Magistrates.
2	Power to direct the extension of provision as to pigs to other kinds of cattle.	Section 26 (1) of the Act	Ditto ...	Ditto.

Subject XXXIV.—The Arms Act, XI of 1878.

	(a) Powers to be given to Local Government. Nil.			
	(b) Powers to be delegated to authorities subordinate to Local Government.			
1	Power to grant licenses in Assam for the possession of breech-loading and balled rifle ammunition for the purposes of sport, of protection and display for journey, and for the destruction of wild animals.	Government of India, Home Department, Notification No. 518, dated the 6th March 1879, paragraph VI, clauses 13, 14, and 16 (page 470 of General Statutory, Rules and Orders, Volume I).	Local Government..	Divisional Commissioners.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	2	3	4	5	6
	Subject XXXV.—The Kazis Act, XII of 1880.				
	(*a*) *Powers to be given to Local Government.*				
	Nil.				
	(*b*) *Power to be delegated to authorities subordinate to the Local Government.*				
	Powers to appoint Kazis for any local area	Section 2 of the Kazis Act, XII of 1880	Local Government..	Inspector-General of Registration.	
	Subject XXXVI.—The Criminal Procedure Code—Act V of 1898.				
	(*a*) *Powers to be given to Local Government.*				
	Nil.				
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	Power of appointing Honorary Magistrates	Section 15 of the Code	Local Government	Commissioners of Divisions.	
2	Power to sanction temporarily the remission or suspension of sentence of a prisoner in jails selected to be an approver in a criminal case.	Section 401 ditto	Ditto ...	Inspector-General of Police.	
	Subject XXXVII.—The Petroleum Act, VIII of 1899.				
	(*a*) *Powers to be given to Local Government.*				
	Nil.				
	(*b*) *Powers to be delegated to authorities subordinate to the Local Government.*				
1	Power to grant license to possess petroleum in bulk	Rule 24 of Bengal and Rule 23 of Assam Petroleum Rules issued under Notifications Nos. 111–Marine, and 3425–M., dated the 1st September 1903 and 22nd July 1903, respectively.	Local Government..	District Magistrates... ...	The Local Government has power to make rules, but a uniform set of rules for all India is under the consideration of the Supreme Government.
2	Power to grant license to possess or transport dangerous petroleum in quantities exceeding 40 gallons.	Section 5, Act VIII of 1889	Ditto ...	Ditto.	

Subject XXXVIII.—The Bengal Chaukidari Act, VI of 1870, *as amended by Acts, I of* 1871, 1886 *and* 1892.

	(a) Powers to be given to Local Government.			
	Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to sanction the delegation of powers by District Magistrate either wholly or in part to any Magistrate of the first class subordinate to him or to any Magistrate in charge of a subdivision or to the Superintendent of Police and the power to withdraw such delegated power.	Section 3A of the Bengal Chaukidari Act, VI of 1870 (page 138 of Bengal Code, Volume IV).	Commissioners of Divisions.	District Magistrates.
2	Power to prescribe the rates at and the manner in which an extra tahsildar appointed under section 46A of the Act for realization of arrear Chaukidari Tax should be paid.	Section 16B of the Bengal Chaukidari Act, VI of 1870 (page 149 of Bengal Code, Volume IV).	Ditto ...	Ditto.
3	Power to sanction an extra chaukidar	Section 11 of the Bengal Chaukidari Act, VI of 1870 (page 140 of Bengal Code, Volume IV).	Ditto ...	Ditto.

Subject XXXIX.—The Bengal Muhammadan Marriages and Divorces Registration Act, I of 1876.

	(a) Powers to be given to Local Government.			
	Nil.			
	(b) Powers to be delegated to authorities subordinate to the Local Government.			
1	Power to order the opening of Muhammadan Marriage Registration offices, to fix jurisdiction of those offices, and to appoint Marriage Registrars.	Section 3 of the Act	Local Government	Inspector-General of Registration.

Subject XL.—Miscellaneous.—(A) Chief Secretary's Department.

	(a) Powers to be given to Local Government.			
1	To permit in special cases acceptance by Government servants of presents from Native Chiefs and others.	(*a*) Rule 10 (*f*), pages 34-35 of the Board's Rules, 1902. (*b*) Rule 2, page 1 of the Government Servants' Conduct Rules, 1904.	Government of India.	Local Government.
2	To permit in special cases acceptance by Government officers of complimentary addresses, testimonials, etc.	(*a*) Rule 11 (3), page 35 of the Board's Rules, 1902. (*b*) Rule 3, page 2 of the Government Servants' Conduct Rules, 1904.	Ditto ...	Ditto.

Subject XL.—Miscellaneous (B) General and Judicial Department.

Serial No.	Nature of power.	Existing authority or rule governing its exercise.	Proposed delegation.		Remarks.
			From whom.	To whom.	
1	1	3	4	5	6
	(a) Powers to be given to Local Government. Nil.				
	(b) Powers to be delegated to authorities subordinate to the Local Government.				
1	Power to refer direct to the Advocate General cases requiring legal advice.	Government of India, Home Department, letter No. 1558, dated the 11th October 1907.	Local Government	District Magistrates.	
2	Power to sanction the supply of furniture or articles of service to churches.	Part IV, Rule XXIV (2) of the Ecclesiastical Rules published with the Government of India, Home Department, Notification No. 178, dated the 21st May 1897.	Ditto ...	Commissioners of Divisions.	
3	Power to sanction the entertainment of cemetery establishment and wages to be given to each servant.	Paragraph 2 of the Government of India, Home Department, Resolution No. 6370–382, dated the 9th November 1876.	Ditto ...	Ditto.	
4	Power to sanction the use of circuit-houses by officers who are stationed at places where there are such bungalows.	Paragraph 5 of the Government of India, Public Works Department, letter No. 555C.W.B., dated the 27th April 1903.	Ditto ...	Ditto.	
5	Power to sanction withdrawal from deposit in Police Officer's Provident Fund any time before quitting service or death.	Rule 12 of the Rules issued with the Government of India, Finance and Commerce, Department Resolution No. 3824P., dated the 18th August 1899.	Ditto ...	Inspector-General of Police.	
6	Power to sanction construction departmentally of police buildings the cost of which exceeds Rs. 2,500.	Government of India, Home Department, memorandum No. 122, dated the 2nd February 1905.	Ditto ...	Ditto ...	To incur expenditure within budget limit.
7	Power to sanction grant of free quarters to Police Officers above the rank of Sub-Inspectors.	Government of India, Home Department, Resolution No. 322–34, dated the 27th March 1907.	Ditto ...	Ditto ...	Ditto.
8	Power to permit Assistant Surgeons to appear in a Septennial Examination before the full period of seven years' service in a grade.	Government of India, Home Department, Resolution No. 2182–91, dated the 29th December 1899.	Ditto ...	Inspector-General of Civil Hospitals.	
9	Power to approve recommendation of Local Administrative Medical Officer regarding the deputation of medical subordinates for a course of training in the Xray Institute, Dehra Dun.	Government of India, Home Department, Resolution No. 209–228, dated the 9th March 1906.	Ditto ...	Ditto.	
10	Power to grant compensation for wear and tear of uniform and boots to members of the Assam Military Police performing approved service on expedition or other occasions beyond the frontier.	Rule 18A, Chapter XIX, page 436 of Assam Police Manual, based on Government of India, Home Department, No. 676, dated the 30th September 1889.	Ditto ...	Inspector-General of Police.	
11	Power of receiving indent for law books and official publications from Inspector-General of Registration.	Government of India Legislative Department, letter No. 762, dated the 6th July 1882. (Home, A, April 1897, Nos. 27–28.)	Ditto ...	Inspector-General of Registration.	

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN THE

CENTRAL PROVINCES.

VOLUME VI.

Presented to both Houses of Parliament by Command of His Majesty.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

THIRTY-NINTH DAY.

NAGPUR, *Wednesday, 5th February*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E., I.C.S.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. F. S. A. SLOCOCK was called and examined.

Mr. F. S. A. Slocock.

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24756. (*Chairman.*) You are the Chief Secretary to the Chief Commissioner of the Central Provinces? —Yes.

No change in the general financial system is suggested, but there are some matters of detail in which a change might be made. There is no reason, now that the provinces have a regular financial settlement of their own, why the provincial budget should be subject to detailed criticism and alteration by the Finance Department of the Government of India. The Chief Commissioner should be allowed to pass his own provincial budget. The chief object of the divided heads in the financial settlement is understood to be the necessity of giving the Government of India an equal interest with the provincial Government in certain growing revenues, and not any idea of administrative necessity. The system of divided heads, where the expenditure as well as the revenue is divided, results in inconvenience whenever any unlooked-for expenditure is necessary, as it is difficult to find any other imperial head from which re-appropriation can be made. It is therefore suggested that even where the revenue has to be divided, the expenditure should remain wholly provincial, either as in the case of land revenue at present, or, if that is likely to throw an unfair burden on the provincial share of revenues, by dividing the net revenue only, *i.e.*, the revenue left after charging the whole expenditure to provincial. This would simplify matters from an account point of view.

It is not suggested that the Local Government should have borrowing powers; the present system is good enough and cheaper.

The rules of the Civil Account Code might be relaxed in regard to criticism and objection by the provincial Accountant-General or Comptroller of the actions of the Local Government. The same stringency should not be applied in audit of sanctions by the Local Government as of those passed by subordinate officers. The rules at present, as interpreted by some Accounts Officers, give them undue power of interference with the Local Government.

In administrative matters no change in system is advocated. The Government of India's sphere is that of general control, of prescription of general principles, leaving Local Governments to work out details, and it generally confines itself to that sphere. In some matters it seems to go outside them and to reserve to itself powers which might well be delegated to the Local Government. For, instance, the Chief Commissioner has to report for India's sanction the appointment of an officer as Commissioner or as his Chief Secretary, or the supersession of any officer in the Commission. He should be allowed to do this without report. Any officer who considers himself aggrieved has a right of appeal to India, and that is enough. The appointment of Judicial Commissioner and Financial Commissioner, if we get one, should remain subject to India's sanction. The Chief Commissioner should be able to appoint any Head of a Department except the Inspector-General of Civil Hospitals and the Chief Conservator of Forests, without reference to India. Again, certain posts in the Commission are listed for officers of the Provincial Civil Service, but sanction has to be obtained for appointment of any Provincial Civil Service officer to such a post. This should be unnecessary, but a change would mean legislation in Parliament.

Where any delegation of powers necessitates legislation the changes should be made by special legislation and not by a general Act.

No administrative financial control should be delegated to any officer; it is not that individual officers cannot be trusted to exercise such control, but they have not the same advice at hand as the Local Government has with its provincial Accounts Officers and its expert Finance Department in the Secretariat. Budgets must all be passed by the Local Government and the decision must rest in all financial administration with the Local Government, or there would be great confusion. But greater executive powers may well be delegated, more especially in regard to supplies, services, and contingencies, *vide* Chapter 6 of the Civil Account Code, and specially Article 98. But all powers given to subordinate authorities should be for exercise only within budget limits, and no original power of sanction of new posts should be given them.

Subject to the above remarks, the power of Commissioners, Deputy Commissioners, and Heads of Departments in regard to petty sanctions can be usefully extended in many ways. The general lines on which the Administration runs and on which any changes should proceed are indicated in Chief Commissioner's note, viz. :—(1) Maintain and strengthen the Commissioner; (2) delegate powers to the Deputy Commissioner through the Commissioner, *i.e.*, allow the Commissioner to delegate them to any Deputy Commissioner whom he considers fit; (3) maintain and strengthen the position of the Deputy Commissioner as the chief Administrative and Executive Officer of the district in all branches of the Administration.

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Mr. F. S. A. Slocock.

5 *Feb.*, 1908.

Similarly, the Chief Commissioner has expressed a general opinion on the subject of local self-government. I however give some instances in which I think a change is needed:—

In semi-Judicial cases the Deputy Commissioner should be made the highest Court of Original Jurisdiction. This would mean his disposing of such cases as partitions, sales of land in execution of decree, transfer of *sir*, which now go up to Commissioners or Chief Commissioner.

The Deputy Commissioner should hear appeals from his Assistant Commissioners and Extra-Assistant Commissioners exercising the powers of a Deputy Commissioner, which at present go to the Commissioner. This is an obvious and most necessary reform. I would also except from the general rule that second appeals should lie in all cases in which the Commissioner confirms on appeal the order of a Deputy Commissioner. (The rare cases in which an order confirmed by both Deputy Commissioner and Commissioner would need revision could be dealt with under revisional powers of Chief Commissioner.)

The Local Executive Officer of the Public Works Department should be made subordinate to the Deputy Commissioner in the same way as the Forest Officer and Civil Surgeon are already. In regard to the Public Works Department, a change is needed not merely as regards the relations of the local officer to the Deputy Commissioner, but also in the higher grades. I am inclined to think that the elimination of the Public Works Department Secretariat as such and the restriction of the functions of the Chief Engineer (Secretary, Public Works Department) to the Head of the Department only would be beneficial. The Secretariat business relating to the Public Works Department would then come to the Civil Secretariat first, as that of all other departments does.

The connection between Deputy Commissioners and District Boards should be made closer; the Deputy Commissioner should be in all cases *ex-officio* Chairman. I consider this better than leaving him to exercise his influence from outside. The functions of the Local Boards can be widened most usefully by giving them more funds for all purposes. I would transfer all roads to Local Boards and abolish the connection of provincial funds with roads. To enable this funds would have to be given freely from provincial revenues to local. Official interference with Municipal Committees should be decreased as far as possible and there should be the minimum of official representation on Committees. The financial powers of Local Boards and Municipal Committees should be as full as possible; general control should be left to Commissioners and Chief Commissioner, but they should have as little voice in details as is consistent with such control.

The knowledge of the vernaculars among Executive Officers is far too small. A very intimate knowledge of the vernacular should be insisted on. Our system of Departmental Examinations is quite at fault. We might eliminate the law and make the language far harder.

24757. You were transferred to the Central Provinces from Madras in 1898? Is there any rule regarding the transfer of officers from another province?—By your covenant you are bound to go wherever you are required to go. Such transfers are very rare.

24758. On being transferred from Madras, you found a difference between the system of working through a Board of Revenue and that of working through Commissioners. Which, on the whole, of these two systems works the better?—In Madras I had not much experience, because I was only an Assistant Collector. I should say that, generally speaking, the system of Commissioners is preferable in the matter of keeping the men together. The Commissioner sees a great deal more of the men in his division than any member of the Board of Revenue could possibly see of all the men in the whole of the province. There is also the advantage of the personal, as opposed to the impersonal, administration of a Board.

24759. Generally speaking, does the position of the Collector in Madras correspond to the position of a Commissioner here?—I should say, in Madras, the Collector is something between a Commissioner and a Deputy Commissioner in the Central Provinces.

24760. He would keep his men in his district together as a Commissioner would do in his division?—Undoubtedly in his district, but a Collector has perhaps only half a dozen men under him, whereas a Commissioner has half a dozen men in each of his four or five districts. The Madras Collector stands midway between the Commissioner and the Deputy Commissioner both in power and position. The powers of a Commissioner are not as strong as those of a Board of Revenue, at least not in these provinces.

24761. You prefer the system of Commissioners here?—Yes.

24762. We are told that there has been a tendency to send men, who are not considered fit for posts in the larger provinces, to the Central Provinces. Without mentioning any names, would you, as Chief Secretary, tell us whether there is a certain proportion of men in the province with whom, if the system of selection was rigidly applied, you would be desirous of dispensing?—I am afraid I could not say that myself. I understand that the criticism refers only to the Heads of Departments like the Medical Department or the Education Department.

24763. Supposing the system of selection was rigidly applied here, both in the past and in the present, are there certain officers whose services could be advantageously dispensed with?—I believe it is a fact that men who have reached near the top of the tree have been thought good enough to be sent as Heads of Departments to these provinces, although they would not have been selected for a bigger province; it has been thought that it was worth while to give them something at the end of their service.

24764. Is the work easier here than in other provinces?—Undoubtedly it must be a great deal lighter. It is increasing enormously in volume and complexity. The question you were just putting could be best answered by the Government of India, who makes the selection of these officers. I should not say that it applied to the Forest Department; they would send men as carefully for the Forest Department in these provinces as they would in any other part of India.

24765. Is the Forest Service in the Central Provinces an important one?—Yes; we used to be joined with the Punjab, being both on one list, but they have separated them now under a new scheme recently sanctioned.

24766. In this province annual conferences are held of Commissioners. Who presides on those occasions?—The senior Commissioner.

24767. How long do conferences last?—Commissioners come up about the end of May, at the end of the season at Pachmarhi, and stay for a month; they have more or less formal conference for about ten days; the rest of the time is spent in generally talking about various matters informally with them. Any important questions, about which their advice is wanted, are generally shunted until the end of the Pachmarhi season, when you either consult the Commissioners formally at their conferences, or separately.

24768. Has that annual conference had any practical result?—I do not know that I could point to any definite result.

24769. Does it save a great deal of correspondence that would otherwise take place?—Yes; you put cases aside which you would otherwise have to circulate and wait for letters in reply.

24770. Is it easier to decide on questions of policy subsequently on account of that expression of opinion on the part of the Commissioners?—Undoubtedly; very often before sending out a case for opinion you put it before the Commissioners and get their ideas of the lines upon which you should address them; then, again, the Conservators

of Forests come up, and they discuss forest questions with the Commissioners.

24771. Is it necessary first of all to hold a formal conference of Commissioners on a subject, and then to address them equally formally as to what their opinions are?—It is generally a good thing. You can discuss general lines personally and then you may have to send them to the Commissioners to consult with subordinate officers on various details.

24772. Might it save time if you gave the Commissioners a sort of agenda of what you were going to discuss and got them to obtain beforehand the opinions of their District Officers?—In some cases that is done.

24773. Otherwise your conference, which is meant to save time, may merely lead to a duplication of work?—It might in a way, but on the whole the advantage of personal discussion is that you are able to prune down the excrescences of a case; you can fine down the issues you are going to put; and the personal advice of senior officers is always an advantage.

24774. Would it not save the subsequent circulation of papers for opinion if you gave the Commissioners the opportunity of consulting their District Officers before they came for the conference?—It is difficult to go on general lines. In one case one course might be the better, in another case another.

24775. Do the Commissioners themselves hold conferences with their District Officers?—Yes.

24776. Is that by instruction from the Secretariat?—No, there are no instructions. Generally in the rains Commissioners ask their District Officers in to speak about matters.

24777. I understand it is the view of the Chief Commissioner that the position of the Commissioners should be not merely maintained, but strengthened. In what direction?—That the Commissioner should be more clearly recognised as the Chief Administrative Officer of the division in all departments in respect of his relations with Heads of Departments.

24778. What particular Heads of Departments?—All Heads of Departments generally. As to some the connection between the Commissioner and the District Officer is closer than it is as to others, especially in the matter of the Public Works Department.

24779. Is that what is principally in your mind—the relations of the Commissioner with the Public Works Department?—Yes.

24780. The view of the Government of the Central Provinces is that the District Officer is to be the pivot of the administration, and that every sort of department which works in the district is to be concentrated more or less around him?—Yes.

24781. He is to be kept informed at every step of the working of hospitals, and the system of working forests, and so forth?—Yes.

24782. How can any single officer be so fully acquainted with all these subjects as to practically have control over them?—He comes into contact with them in the course of his ordinary duties. He would not interfere in technical details.

24783. Then what is the kind of control which it is desired that the Deputy Commissioner should have?—You might call it mere administrative control. Take the case of forests, for instance: the control that the Deputy Commissioner would have over the forests would cover the question of opening forests to grazing; we have a system in the Central Provinces of commutation; the villagers commute for various things including grazing and minor produce, taking fuel for their houses and so on. There might be a question whether certain villagers should be admitted to this system of commutation, and what areas should be opened.

24784. Is it said that he is to be kept informed at every step; if he is to be kept informed at every step, is not that rather, not decentralization, but centralization?—It is centralization in the District Officer, undoubtedly.

24785. And that, you think, is a good thing?—Yes.

24786. It is particularly suggested that this should take place with regard to the Public Works Department. The Executive Engineer is to be the assistant of the Deputy Commissioner, and the Superintending Engineer the coadjutor of the Commissioner?—Yes.

24787. In what way is he to be coadjutor: is he to be referred to as to every scheme?—Not in details of estimates, for instance. Take the instance of opening out new roads. Even as things are at present no new roads would be actually undertaken without the advice, or at the suggestion, of the Commissioner; but we have road schemes for each district; certain roads are suggested by the District Officer and the Commissioner to the Public Works Department, and no new road is put on that scheme without their recommending it; but when once they are on the roads scheme it is not always known whether this road or that road is going to be undertaken in any particular year. The actual allocation of funds is determined by the Public Works Department, and very often it occurs that a road which is on the roads scheme, and which has been recommended to be undertaken, is actually undertaken before anybody but the Public Works Department officer knows anything of it.

24788. Are there a very large number of roads on the roads scheme?—A good many; on the average ten in every district.

24789. You wish that the Commissioner should be able to select the priority in which they should be executed?—He does select the priority, but he may be told, for instance, that next year such and such a road will be begun; next year, without his being informed, it is struck off the programme for that year.

24790. It is said that most of the chief advisers in the Public Works Department are officers who are singularly free from departmental prejudice. Surely in those circumstances, the Public Works Officers would write to the Commissioner and say, "I am going to begin with this road, or I am going to begin with that road"?—They would ordinarily, but cases have occurred in which they have not done so. They were probably exceptional cases.

24791. Then you want to make a general rule in order to meet an exceptional case?—I should say, to make a general rule which would prevent such exceptional cases arising; that is to say, not to leave it to the determination of a single officer whether he will write or not, but to make him write as a matter of course.

24792. It is said that returns are capable of further reduction. Has any attempt been made in this province to reduce returns?—We did try it on one occasion when a reference came down from the Government of India about it, in Lord Curzon's time. I do not think there has been any general attempt. Every now and then you knock off a return, just as you sometimes add one on.

24793. Can you say at all which returns are capable of reduction?—I could not say off-hand.

24794. I understand it has been the practice to put Deputy Commissioners in charge of districts when they are very junior in the service?—It has been, owing to the shortness of the service and the weakness of the *cadre*.

24795. After what service should a Deputy Commissioner take over a district?—Ordinarily he ought to be capable of working a district after about nine or ten years' service, not before.

24796. Except just for the purpose of relieving an officer for a short time?—Yes, that is another thing.

24797. Is there any general power of delegating powers which the Chief Commissioner here possesses which has not been exercised?—No, I do not think there is any general power.

24798. Is there any considerable amount of particular powers?—During the past ten years a great many delegations of power have been made in these

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provinces. One of the things that struck me when I first came up from Madras was that powers were exercised by the Chief Commissioner which in Madras would have been exercised by a District Officer.

24799. Has that state of things been remedied?—It has to a great extent; there are still some powers which might be delegated.

24800. Which the Government of the Central Provinces should delegate at its own initiative?—I could not say definitely now, but a great many of them are powers which are retained by the Chief Commissioner under rules made by him and his predecessors.

24801. Was that partly on account of the junior standing of the staff, or because the matter had not been duly considered?—Partly that, and partly the way in which the provinces have grown. These provinces have grown up from a Commissionership; the Nagpur province started as a Commissionership directly administered by the Government of India; the head of the province was only a Commissioner, and of course his powers were much more restricted. Then, when the provinces were formed into a Chief Commissionership, many powers which would have been ordinarily exercised by a Local Government or Administration were still retained by the Government of India. Those powers have been delegated gradually by the Government of India to the Chief Commissioner; but in many ways the delegations to subordinate officers have not kept pace. A good deal remains which this Government could delegate.

24802. Who comes next to the Chief Commissioner in the hierarchy of Government?—The Commissioner. There is no Financial Commissioner, but we have proposals before the Government of India to appoint one.

24803. Below the Commissioner?—There are the Deputy Commissioner, Assistant Commissioners and Extra-Assistant Commissioners. The Extra-Asistant Commissioners are of the Provincial Service, filled by natives of India; the Assistant Commissioners are Civilians. Below them are the tahsildars. The tahsildar is the bottom of the list; but there are also revenue inspectors and patwaris.

24804. The tahsildar is the lowest officer who has charge of an area?—Yes; sometimes the *tahsil* is divided between the tahsildar and the naib-tahsildar.

24805. Is the jurisdiction of the Deputy Commissioner and the tahsildar a jurisdiction by subjects or by area?—By area.

24806. Then below the tahsildar and the naib-tahsildar, are there village officers?—There are revenue inspectors; they are purely for land record work; then come the *patwaris*; they are the village accountants; they have circles of about eight villages each, and they simply keep the land records. Then there is the *malguzar*, or, when they are co-sharer *malguzars*, the *lambardar* who is generally the *mukaddam*. The representative of the co-sharers is what is called the *mukaddam*; he is charged with certain duties under the Land Revenue Act, but he is not remunerated in any way; it is simply the incidence attaching to his status as the proprietor of land. Then also in the village there is the *kotwar*, the village watchman; he is paid by fees from the villages.

24807. What is the lowest class of Government paid servant?—For administrative purposes, the tahsildar.

24808. It is proposed that the executive unit of the Divisional Commissioner should coincide with the executive unit of the Public Works division?—It does not actually coincide. The Executive Engineer generally holds a division, which is made up of two or even three districts, but at each district there is an Assistant Engineer or a Sub-Divisional Officer who is the executive officer for the district, or in some cases for half of the district; there may be more than one in one district.

24809. The suggestion that has been made is that an Executive Engineer might be directly responsible to two or three Deputy Commissioners?—Yes, if you regard the Executive Engineer as the local executive officer of the Public Works Department.

24810. Would that lead to any difficulty?—No, I do not think so.

24811. Might it not be that both these District Officers might be calling for his services at the same moment?—It might occur of course; I do not think it would lead to any difficulty; the local Assistant Engineer would be regarded as the Executive Officer of the Public Works in his division; he is under the orders of the Executive Engineer. Public works are not sufficiently important to have an Executive Engineer in every district.

24812. So that in some places it might be the Assistant Engineer and in some places the Executive Engineer?—Yes.

24813. With regard to the Settlement Officers, of whom apparently there are six, are any officers on their first arrival sent to be trained under Settlement Officers?—All Assistant Commissioners undergo a settlement training course. Sometimes they are sent at the commencement of their service, but the idea is that they should serve in a district and pick up some knowledge of land revenue procedure and land records before they are sent for their training.

24814. How long do they serve before they are sent to settlement work?—This year we have refused to send anyone of less than three years' service.

24815. Does an officer get such a good chance of learning the vernacular at a district headquarters as he would under a Settlement Officer?—I think so.

24816. Have they the same opportunities of coming in contact with the people?—Undoubtedly, if they are not kept entirely at headquarters and made to do either case-work or any kind of work which prevents them coming into contact with the people—if they are taken out on tour, for instance, by the District Officer.

24817. It is represented that that is precisely what does take place—that the young officer is tied to case-work?—For his first year he is not tied to case-work; he is given a few third class cases, but what he is chiefly tied to is reading up his law books for his departmental examinations in the law and treasury accounts and that kind of thing.

24818. So that practically he does not get that opportunity of converse with the people which leads to a complete knowledge of the vernacular?—I should say that he does not in practice; but there would be nothing to prevent an officer getting sufficient knowledge. The case-work does not keep him for more than an hour a day at the outside. Very often for days together he would not have any case-work.

24819. As a rule have officers in the province a good knowledge of the vernacular?—I do not think they have enough knowledge of the vernacular.

24820. Might that not be due to the fact that they do not start under a right system?—Quite possibly; in fact, I should say it was so.

24821. Is the present method of training the young officer on his arrival a good one?—It depends so much on the personality of the man under whom the young officer serves.

24822. But if the knowledge of the vernacular possessed by the whole of the officers is short, does that not lead to the impression that it may be due not so much to the fault of the individual as to the fault of the system?—It may be it is the fault of the system, but having regard to the periodical examinations that we have to pass in law and so on, I do not thing a sufficiently high standard in the vernacular is insisted upon. The tendency all over the world will be, once a man has passed his examination, to go on no further, except in occasional cases where you have a man who is particularly keen on finding out the habits of the people and so on. Any young officer can learn just as much as will enable him to pass his examination. In that way it is the fault of the system entirely. What I should like to do is to practically abolish the law and accounts examinations, and insist on a very high standard in the vernacular. Personally

I suffer from not knowing the vernacular, because I have come from another province, and perhaps I am not so qualified to speak up here. I started in Madras where nearly every one speaks English; you can hardly go to a village without meeting an English-knowing man. I have met a village *kotwar* in Madras who could speak English. One always heard that in other provinces the knowledge of the vernacular was not to be compared with the knowledge of the vernacular in Madras, but when I came up here it was my impression that most of the officers did not know much more of Hindustani than we did of Tamil in Madras.

24823. Is Hindi practically universal here?—In some districts in the south, in the Nagpur Division and Berar, it may not be understood at all; Marathi prevails in the Nagpur Division and Berar; Hindi will practically take you everywhere; Marathi will only carry you through those districts.

24824. Would you favour a system of training which sent the young officer out under a Settlement Officer, say, after a year at his district headquarters?—If you want him to learn settlement it is not much use sending him out after a year, but if you want him to pick up the vernacular he might possibly learn more in settlement than in ordinary work.

24825. Speaking generally, you would not favour anything of that sort?—No. I do not think it is necessary.

24826. How is the work divided among the Secretaries to Government; does it go by the officer or by the individual?—Certain sections always go to the Chief Secretary; the others are shifted about according to the particular line of the individual Secretary.

24827. But are certain departments always attached to the Chief Secretary?—The Appointments, Political, Military and Police are always attached to the Chief Secretary; as to the others, he may take some that the others have now got and they may take some that he has got. I was officiating as Chief Secretary in 1906 for some time; I took with me the departments I had been running before, and simply took over those departments—Police, Political, and Military—in addition.

24828. Is there any distinct difference of status between the various Secretaries and Under Secretaries; one is the Chief Secretary with an Under Secretary; the next is the Second Secretary with an Under Secretary; the next is the Third Secretary with an Assistant Secretary?—It is simply a name that comes from the old organisation of the Secretariat. There is no difference of status. The Assistant Secretary is not a member of the Indian Civil Service. The office was re-organised about two years ago, and the Assistant Secretary became an Under Secretary; both the Under Secretaries are Assistant Commissioners on the Central Provinces Commission, with an allowance of Rs. 100 a month.

24829. Commissioners here are appointed after sanction by the Government of India, and it is proposed that the Chief Commissioner should have the full rights of appointment?—The appointment of a Commissioner by the Government of India is a formality as a rule. I do not think the Government of India have ever overruled a nomination by the Chief Commissioner.

24830. What is meant when you say that no administrative financial control should be delegated to any officer?—I would give increased sanction in certain petty details. A tremendous lot of cases come up, as to the purchase of books and so forth. But I would not give any determination of budgets, or the power to create new appointments. I refer to purely provincial finance.

24831. Would you allow the Commissioner no freedom, say, in the case of the Public Works?—I would not give him the final settlement of the budget for his division.

24832. Is there any system obtaining here of an allotment being made to a Commissioner for minor Public Works purposes?—Yes, he is given power to sanction works up to Rs. 2,500.

24833. But is a distinct allotment made to him of so much in cash?—Yes, in the Public Works budget. It depends on the division; it used to average about Rs. 10,000 in each division per annum; the Commissioner could spend that as he liked on any works not costing about Rs. 2,000.

24834. You tell us that the connection between the Deputy Commissioner and a District Board should be made closer, and that he should in all cases be *ex-officio* Chairman; is that not so at present?—No. The Chairman is elected and he is generally (but not in all cases) a non-official. It is not so in Berar; there I am not sure whether he is *ex-officio* or whether as a matter of course he is always elected Chairman; but in these provinces the principle laid down is that the Deputy Commissioner if he is to exercise any influence on local self-government should do it from outside and not from inside. As a rule one of his Assistant Commissioners is appointed a member; he may be Chairman or he may be Secretary, or simply a member, but the Deputy Commissioner himself is never a member of the District Council in this province.

24835. What is the result, comparing your experience in Madras, where the District Board always, I think, has the Collector as Chairman, and the system which obtains here?—I am afraid it is impossible to compare the two, because the District Councils in these provinces are more or less of a farce; the money at their disposal is so small that there is no room for anything to be done by them.

24836. How are the funds raised?—There is a cess on land called the Education Cess, and a cess called the Road Cess.

24837. Is any money granted by Government?—Within the last few years the money granted by Government is probably double all the income from other sources.

24838. It is not, as in other provinces, 25 per cent. of the income?—We have given them 25 per cent. of their income as a minimum, but we have also had to give a lot more, otherwise they could not have carried on even the petty work they have.

24839. Is the cess lighter here than in other provinces?—Rather light, I think; it amounts to 5 per cent., whereas in other parts it is one anna in the rupee; but the revenue is so small.

24840. Would it have been better if the Deputy Commissioner had been Chairman?—It would not really have made much difference.

24841. Is such work as is done done fairly?—Yes, but it is purely official; the Executive Officer of the District Council is the President of the *taluk* Board, and the President of the *taluk* Board is a tahsildar, and practically the tahsildar does all the work and spends all the money that is spent, except such as is spent on establishments like hospitals and schools establishment.

24842. Is the tahsildar merely a member of the District Board?—I do not think, as a rule, he is a member of the District Board; he is a member of the *taluk* Board.

24843. And, notwithstanding that, he does the whole of the work of the District Board?—It is done through the Local Board; the Local Board is supposed to be the executive authority for the District Board. There is a Local Board for each *tahsil*.

24844. So that, notwithstanding the fact that the Collector has no connection with the District Board, the whole of the District Board is done by his subordinates?—Yes.

24845. Who themselves are not members of the District Board?—They may be members of the District Board or they may not, but they are members of the Local Board and may be members of the District Board, as well.

24846. Do you ascribe the practical failure of the District Boards merely to a want of income?—Almost entirely, I should say.

24847. Do they work by sub-committees?—They do to a very small extent; practically every penny

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of the District Board's funds is earmarked for some purpose, such as hospitals, schools, and veterinary hospitals, or a few small roads.

24848. Is there any rule which applies to appointments to the Secretariat here; must an officer have had a certain amount of district experience?—There is no rule. The practice is simply the selection of the Chief Commissioner.

24849. Is there any rule which applies to the duration of appointments?—I think not.

24850. A Secretary may stay as long as he likes?—As long as he is kept on; of course it is purely a selection appointment.

24851. Does he stay for an indefinite time in the Secretariat?—In these provinces he does not. Most officers in the Secretariat have had a very good share of district work, and after doing Secretariat work for a time they go back to district or divisional work.

24852. After doing Secretariat work for how long?—I should say three years altogether.

24853. Then they go back to the district for how long?—They may go back to the district until their time comes for promotion.

24854. Would that be six months or a year afterwards?—It may be any time. I should say that as a rule the Chief Secretary is an officer who will be near his time for appointment to be a Commissioner when he leaves the Secretariat.

24855. Does an Assistant Secretary go on to become a Secretary?—No. The Under Secretary is an Assistant Commissioner of about six years' standing; he serves for a couple of years (that is the unwritten rule that is generally observed) as Under Secretary and then goes back to district work; he may stay in the district for the rest of his service and never come back at all.

24856. Suppose a man has been a brilliant success?—Then he probably would come back. If he went out eight years' service he might come back as a Secretary in three or four years' time.

24857. Would he go straight on to a Secretaryship?—No. I should think very rarely; I do not think I could mention any case in which that has occurred here.

24858. What is the practice; does the Secretariat officer go back to district work?—Yes. Secretariat officers come from district work and then go back to it.

24859. The case of a man who spends his service in the Secretariat is practically unknown?—I do not think I could mention any case of that kind.

24860. Do officers go from you to the Secretariat of the Government of India?—Yes, occasionally.

24861. You lead us to believe that transfers are less frequent than they used to be?—Yes, I should think they were. There are a certain number of transfers, especially among Assistant Commissioners, that you cannot avoid, but among Deputy Commissioners we have managed to avoid transfers fairly successfully.

24862. Why is it particularly difficult among Assistant Commissioners?—Probably because our staff has been short for some time; we are about working up to full strength now, but the difficulty has been not only as to the strength of the Commission, but also of the Extra-Assistant Commissioners who are members of the Provincial Service but do the same work.

24863. An officer has at the outset to remain in the country eight years before he gets leave?—Eight years before he gets furlough.

24864. Is that too long a period?—There have been cases in which I should say it was too long.

24865. Does it lead, later on, to ill-health which causes transfers?—Possibly. One comes across so many cases of transfers where men have had to go on leave on account of their health before the eight years, that it would, in a way, be rather a good thing if the period was made less.

24866. Many transfers are consequent upon some officer or other going on sick leave?—That is one cause of transfers.

24867. Other things equal, how long should an officer be kept in a district?—Three years—certainly not less than two years, and three years is about the maximum.

24868. Not more than three years?—No, I should say he ought to be transferred after three years.

24869. We have had a great deal of evidence suggesting that the period should be five years; would that be too long?—I am rather inclined to think it is; I have no particular evidence for saying so

24870. As far as possible, when officers return from leave, are they brought back to the district that they went away from?—If they have gone on fairly short leave, and if they had not been very long in that district before they went.

24871. Within the limits of time that you suggest would it be desirable to bring them back to the same district?—Yes.

24872. There are a certain number of questions which come to you from the Commissioners, and so forth; how many of those questions do you dispose of yourself and how many do you send on to the Chief Commissioner?—About one-third I settle myself.

24873. Could most of those questions be settled by officers below you?—Many of them are questions which, though I can dispose of them in the light of precedents, should come to the Secretariat because they require the advice perhaps of the Comptroller in the Finance Department. Very often what appears to be a very trivial case may be absolutely inadmissible because it is directly against all the account rules. On the advice of the Comptroller one would sanction or refuse without referring to the Chief Commissioner, simply because there was a precedent for it. It does not follow because the Secretary can dispose of such a case that, therefore, powers can be delegated.

24874. Would it not be possible to issue from time to time such general information to the Commissioners as would enable them to decide on the precedents?—No; on the whole the easiest way is to let them come up.

24875. (*Sir Frederic Lely.*) You think that the Chief Commissioner should be able to appoint any Head of a Department except the Inspector-General of Hospitals and the Chief Conservator of Forests. What distinction do you draw between those two officers and the Head of the Public Works Department?—I am not quite certain about the system of recruitment in the Public Works Department, but I believe that it is now supposed to be self-contained, *i.e.*, recruitment in the province to provide for all posts including Chief Engineer.

24876. Is it not on the same footing as the Medical Department and the Forest Department?—I believe the Public Works Department of the provinces is supposed to be recruited for the province; I am not up in the subject.

24877. It is on that assumption that you make this recommendation?—I was not thinking of the Public Works Department at all; I was referring to all the other branches of administration.

24878. You say that the disforestment of reserved forests should not need reference to India. Would that not in some cases mean the abandonment of a policy that has been patiently carried on for 50 years?—Not so far as regards the instances I have seen.

24879. Were those of small areas?—Generally—either land required for cultivation and unsuitable for forest growth, or for the rectification of forest boundaries.

24880. Would you not put a limitation of area upon this recommendation?—The Chief Commissioner would not be likely to sanction anything which would be an abandonment of a general policy. I do not think a limit would be necessary.

24881. Comparing your experience in Madras, would you say that the sub-divisional system in the

Central Provinces is fully developed?—No, it is not fully developed. In these provinces Sub-Divisional Officers still remain at district headquarters; in Madras they have seperate headquarters, not that I think that that is a drawback.

24882. Would you say that there is any further desirable development of the sub-divisional system in the Central Provinces?—I should not be prepared to say that there is.

24883. Generally is each sub-division conterminous with the *tahsil*?—Yes, we have made every *tahsil* a sub-division.

24884. That is to say, every Sub-Divisional Officer has one tahsildar serving under him?—He may have more than one. We sometimes make him a Sub-Divisional Officer of two *tahsils*, but for the purpose of the Criminal Procedure Code and the Land Revenue Code we have made each *tahsil* a sub-division; we may join two together and put them under one Sub-Divisional Officer.

24885. Ordinarily is it only one *tahsil*?—In 80 per cent. of the cases I should think it would be one *tahsil* to one sub-division, with one Sub-Divisional Officer.

24886. Does that not mean either that the Sub-Divisional Officer has too little work, or that the tahsildar has too much?—No; what it amounts to is that the work of the Assistant and Extra-Assistant Commissioners is divided territorially instead of by cases.

24887. But if one tahsildar can do the work of the whole sub-division, does not that seem to imply that that is not quite sufficient for a Sub-Divisional Officer?—But the work that the Sub-Divisional Officer does is not the same work that a tahsildar does.

24888. It is supervision?—Supervision, and a considerable amount of case-work—criminal cases and revenue cases.

24889. Ought not one Sub-Divisional Officer to be able to supervise the work of two tahsildars at least?—Ordinarily he ought to be able to do so.

24890. What is the average size of your *tahsils*; are they too large?—They are, on the whole; they are very large indeed.

24891. Is it more than an average tahsildar can manage?—Many of them are; I should say not all. We have had to appoint a great many additional tahsildars.

24892. The Sub-Divisional Officer does not reside in his sub-division as a rule?—No, the sub-divisional headquarters is his headquarters during the camping season, roughly from the 1st of November to the end of April.

24893. Is there usually at least one bungalow in each *tahsil*?—There is a dâk bungalow, but he could not live in that, and he would not be actually at headquarters; he would be touring in his sub-division.

24894. There is not a bungalow into which he could go whenever he wished to make a journey through his sub-division?—There is nothing but the dâk bungalow.

24895. What are the general rules as to the touring of a Sub-Divisional Officer and of a Deputy Commissioner?—I think the Deputy Comissioner is supposed to spend five months in camp, but there are no rules.

24896. Is there any rule as to the amount of time he should spend in each particular camp?—No. The practice is on the whole to do rapid marching.

24897. Is that a good thing?—I am not quite certain; some men say that it is better to do rapid marching and see as much of your district as you can; other men say you should halt at each camp for four or five days at least, and make visits to all the surrounding country. If you can work it, I am rather inclined to think that the latter is the better system; that is like the Madras system of *jamabandi*.

24898. Is the touring of officers considered a burden by the people?—I do not know that the touring of District Officers is considered a burden; you hear complaint about what they call the *begar* for touring officers, but it is not the District Officers that they complain of so much; they complain rather of the tours of extra officers, like Heads of Departments and all the numerous branches, the veterinary, the agricultural, the excise people and so on; there has been a larger number of Heads of Departments going on tour within recent years, and this means extra camping and extra officers touring in the district. They do object to these officers who do not belong to the district camping in their villages and having to find free rations for their subordinates.

24899. Is the travelling allowance generally sufficient?—I think so, on the whole.

24900. As to the position of the Deputy Commissioner in the district, would you say generally that, pending the orders of Government, nothing in any department should be done in the district which is against his judgment; or would that be going too far?—I do not think it would, if you said "pending the orders of the Government." If the Deputy Commissioner objected to any departmental officer doing anything, I do not think that officer should do it until it is referred to the Commissioner.

24901. If the Commissioner objects it should automatically go to Government?—It should be left undone unless the departmental officer sends it up.

24902. In Public Works matters, you would give the Head of the district more power, on the ground that he takes a non-departmental view, whereas the Public Works Department is actuated entirely by technical considerations?—Quite so.

24903. Is it not a matter of popular complaint that there is a great deal of waste in the Public Works Department?—I have heard that said.

24904. Would you give the Head of the district any *locus standi* in the case of that being alleged about any particular work?—It would be an excellent thing to do so.

24905. He should be allowed to notice it?—At present he certainly cannot. If he heard complaints against the Public Works Department in his district he certainly could not take action unless it was an allegation of a criminal offence; all he could do would be to write to the superior officer of the Public Works Department, the Executive Engineer or Superintending Engineer.

24906. But even that would be considered interfering?—I have met those who might consider it interfering, but, on the whole, I should not say so.

24907. He is not expected to take any formal action at present?—He is not expected to take any action unless he has pretty good grounds to go upon; he could not start an inquiry, for instance, against an officer of the Public Works Department.

24908. But he would be expected to bring it to notice if it came to his knowledge that there was something unquestionably wrong going on?—Certainly; if there is anything wrong it is his business to bring it to notice; the District Officer is supposed to look after things in every department in that way.

24909. Not so many years ago was there not a change in the Court of Wards Act which transferred a good many powers hitherto exercised by the Deputy Commissioner to the Commissioner?—The Deputy Commissioner was the Court of Wards under the old Act, and now the Commissioner is the Court of Wards.

24910. Was that change justifiable?—I see no objection to the change, which, I believe, was due to the fact that there were a great many very junior Deputy Commissioners who did not run their Court of Wards work very well.

24911. Would you prefer to keep it as it is now?—Yes, but I would allow the Commissioner to delegate. Where he is fit to be the Court of Wards, the District Officer should be the Court of Wards for the district.

24912. Would you support the suggestion that the Commissioner should have a separate general

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budget of his own for the Public Works of his division?—I should like the Commissioner either to prepare the budget for his division in the Public Works Department, or to criticise it before it goes up to the Local Government. He could not be allowed finally to pass any budget.

24913. You would not approve of an allotment being made to him for him to budget against?—No, on the whole I should prefer to let him prepare his budget and then let it be criticised at headquarters and so much given as could be given.

24914. Has not Berar special land tenures and a special system generally?—Yes.

24915. There is in the Secretariat a Secretary who has had special experience in Berar?—Yes.

24916. Does he deal with all questions relating to Berar?—No, only with land revenue, but any papers affecting Berar are sent to the special Secretary to look at.

24917. Does he not deal with any other questions connected with Berar?—Any other questions go to the particular department concerned.

24918. Certain suggestions have been made for the curtailment of settlement procedure; what are your views regarding them?—Mr. Miller started it when he was here as Chief Commissioner. When he went to the Government of India he sent down a proposal to alter the procedure and make it more simple; at present it is a very cumbrous procedure.

24919. Are revenue inspectors now appointed by the Director of Land Records?—Yes.

24920. Has the Head of the district no voice whatever in appointments or promotions?—He certainly has a voice; he recommends.

24921. Is his approval necessary, or does he merely suggest names?—I do not think it is laid down that his approval is necessary.

24922. Do you not think that the land records inspector is such an integral part of the administration of the district that it is necessary that the Deputy Commissioner should have a voice in appointments and promotions?—In practice it is undoubtedly necessary. I think a revenue inspector might just as well be appointed and promoted by the Head of the district, but I do not hold the same view with regard to the Superintendent of Land Records.

24923. Have you any further suggestion to make for reducing the number of transfers?—No, I do not think there are any more suggestions to be made.

24924. If a Deputy Commissioner is going away for three months, would you ordinarily appoint to fill his place the man on the spot, irrespective of seniority?—We make a point of doing that where possible.

24925. Would you give local experience precedence of seniority for as much as six months?—We might, but it would be more doubtful; we have often put in an Extra-Assistant Commissioner to officiate for a short period if there is no officer of the Indian Civil Service in the district.

24926. Supposing a Deputy Commissionership falls vacant, and suppose it is well understood that the man whose next turn it is is going on leave in three or four months' time, would you still put him in?—No, not necessarily.

24927. Supposing the appointment falls vacant now, and it is known that the man next for promotion is going on leave in July, would you put him in, or pass him over?—We should probably put him in because very probably there would be somebody coming out about the time that he goes on leave who could be put in his place; it would be a temporary appointment in any case.

24928. What would you say to making it a rule that a man placed in charge of a district should undertake to remain there for three years?—There would be a great many hard cases. I think it would lead to more hardship than good.

24929. You say that examinations ought to be made stricter. How would you stiffen the language examination?—I would make the colloquial test a great deal stricter.

24930. What would you say to making the examinations entirely colloquial?—I would not go so far as that; I think literary knowledge is necessary.

24931. You say you would cut down accounts; do you not think it is necessary that an officer should be examined in accounts?—I would not cut it out altogether. If it could be worked, I would have an examination in accounts and law which should be more or less a practical examination—a *vivâ voce* examination with the books. A man should be given actual cases that have occurred which necessitate a reference to books, and he should be allowed the use of those books, and asked to work out the case.

24932. (*Mr. Dutt.*) In paragraph 14 of the Chief Commissioner's note he says: "In regard to police, medical, education and forests the relation of the Deputy Commissioner with the department is on the whole well maintained because such departments are well established, but there is some slight tendency towards slipping back, and in new branches of administration the requisite touch is still lacking." Do I understand that to mean that the control of the Deputy Commissioner has been relaxed to some extent?—No; what I think is meant is that there is a tendency on the part of a keen Head of a Department to run things through his department rather than through the District Officer.

24933. That means a proportionate decrease in the control of the Deputy Commissioner?—If the Deputy Commissioner allows it. If you get a keen Head of a Department and a keen Deputy Commissioner it may lead to friction, or it may lead to good; it very often leads to friction; if you get a slack Deputy Commissioner and a keen Head of a Department, everything is run by the Head of the Department through his department; if you get a keen Deputy Commissioner and a slack Head of a Department, the Deputy Commissioner gets the whole thing in his hands.

24934. Has there been any alteration in the rules which has taken away some of the control of the Deputy Commissioner?—No, I think not.

24935. What have been the actual results of the new system of working the police according to the recommendations of the Police Commission?—We have only introduced that new system in two districts, Raipur and Drug, and I have no knowledge of either of them; I should say at present it is still "fermenting," and one could not reply one way or the other.

24936. So far as you have seen of the general principles of the system, have some powers now been taken away from the Deputy Commissioner and given over to the department?—I think not.

24937. I mean with regard to the hearing of appeals and the promotion of sub-inspectors and so on?—No.

24938. Has the Deputy Commissioner sufficient control over the police, education, and forests?—Yes; I should say he has less control in the matter of education; that was my experience; I do not know whether it is different now.

24939. Would you recommend greater powers to the Deputy Commissioner with regard to education than he has at present?—Not greater powers, but he should put into practice the powers that he has already. He is supposed to be the chief Educational Officer of the district in administrative matters, as to the establishment of new schools and as to financial control. The tendency was that the inspectors of schools worked rather through their deputy inspectors, and very often, unless the Deputy Commissioner was keen on education work in his district, a lot of things might go on of which he knew nothing; the inspector would do things without letting him know what he was doing, and if the deputy inspector did not let the deputy Commissioner know, he had no means of finding out.

24940. Is the district forest officer a subordinate of the Deputy Commissioner except in technical matters?—Yes.

24941. And the same in regard to the Medical Department?—Yes.

24942. With regard to Public Works, do you suggest that works undertaken each year in the district should be settled with the sanction of the Deputy Commissioner?—Not with the sanction, because he would not have the power of sanction, but on his recommendation.

24943. In his memorandum the Chief Commissioner suggests that village panchayats may be elected by house-holders in the village; at present have you a headman in each village?—There is a *malguzar*; we have no headman; the *malguzar* is the leading man of the village.

24944. You make him the *mukaddam*?—Yes, if he resides there; if he does not reside there he has to appoint a *gomashta*.

24945. Is it suggested that he should be assisted by a number of other men?—That is a very rough outline, and I do not think Mr. Craddock meant it to be as in any way a definite suggestion. I think he would agree that it is practically impossible in the *malguzari* system to have a village panchayat, because the *malguzar* is the man with all the power; all the other members of the panchayat would be his tenants, and what could they say if he disagreed with them?

24946. But there are many villages where there are no resident *malguzars*?—There are a number of villages owned by one *malguzar*.

24947. And in those villages would it be easier to have village panchayats?—Yes; but if they are big villages the *malguzar* would have his local agent, who is just as big a man and sometimes a bigger man than his master.

24948. Then it is suggested that groups of these villages might send members to the Local Board. What is meant by the Local Board there?—The *tahsil* Board—the *taluk* Board.

24949. Is there a Local Board in each *tahsil*?—In every district in which the Local Self-Government Act has been applied there is a Local Board for each *tahsil* and a District Council for each district; there is one district still left in which the Act has not been applied, but we have the system exactly the same as if it was under the Local Self-Government Act—a system of District Committees—which is practically the same thing.

24950. The suggestion is that the Local Boards or the *tahsil* Boards should return members to the District Council?—Yes.

24951. In that way there would a continuous chain of representation from the village to the District?—Yes, we have that system now. The members of the *taluk* Board are elected by *mukaddams* of villages; there are certain groups formed, and they elect a member for a given group; he has to be a *mukaddam* himself; one member for each group makes up the "*mukaddam* members" of the Local Board; then certain members are elected to represent the mercantile interests of the whole *tahsil*, and those make up the local membership of the Local Board.

24952. So that this plan is only an elaboration of the system that already exists?—Just so.

24953. You say that all the District Councils in this province are now under non-official Chairmen?—I do not say, as a fact, that they are all under non-official Chairmen, but they *may be* under non-official Chairmen. Generally they are under non-official Chairmen.

24954. Why do you wish to change that system and make the Deputy Commissioner Chairman?—Because the work of the District Council is work in which the Deputy Commissioner should be interested and he will work a great deal better with his Council if he is a member of it than if he has to exert his influence on a District Council working from outside.

24955. Do not Deputy Commissioners as a rule take sufficient interest in the work of the Council?—I think there is very little to induce them to take much interest in District Council work. I should think he takes less interest than he would if he were Chairman.

24956. Has that ever been brought out in the annual reviews of the work of District Councils?—No, this point is purely my own personal opinion.

24957. So that, when you say that the present work is unsatisfactory, your opinion on this particular point is not corroborated by the reviews of the District Councils' work which are brought out annually?—No, I should not say that it has ever been noticed. The principle laid down in the District Council Manual is that the Deputy Commissioner shall not be a member, and therefore it is not very likely that any annual review would be likely to condemn the system.

24958. Judging from the reviews published from year to year, has the work been as fairly satisfactory here as in the other provinces?—Yes, the work has been all right, not as to local self-government, but simply as to carrying out certain branches of the administration.

24959. We have had evidence before us that if rules are laid down, and if the Accountant-General has to interpret the rules, he cannot make any exception—it is his duty to interpret them strictly?—Undoubtedly; I admit that it would be a difficult thing to work out. My idea is that a Local Government, even a local administration run by a Chief Commissioner, is less likely to be swayed by personal considerations than an officer who may send up a case which might be his own case or might affect him hereafter. He cannot see the question from all sides in the same way as the Chief Commissioner can, looking at it from above. All administrations would probably say the same—that they have had, on occasion, friction on account of the Accountant-General.

24960. So far as the Accountant-General himself is concerned you quite see that he could not possibly interpret rules more liberally in one case than in another?—I quite agree, and also it is very often the case of the personal equation coming in. One man thinks it his duty simply to point out mistakes, and not show how you get out of them, and another man thinks it better to show where you may go wrong or what you could do and to let you know beforehand in order to prevent you making the mistake. Of course you cannot make any rules in regard to such cases; it depends on the personal equation a great deal.

24961. You say that in certain matters the provincial administrations should have power to conduct operations without the previous sanction of the Government of India, and one of the matters you mention is the inception and confirmation of the resettlement of a district. I suppose in resettling a district you have to send the rates proposed to the Government of India for their sanction?—First, you send up what is called an inception report; you say the last settlement was sanctioned for so many years; that time is now expired, and you give your reasons for showing that it is desirable to undertake the resettlement, and not to extend the time of the present settlement. That has to be sanctioned by the Government of India. In it you give a very rough forecast of the probable financial results and of the administrative results.

24962. Then what would be the confirmation report?—That is simply a report sent in generally four years after the settlement is introduced; it is sent up for the orders of the Government of India.

24963. Suppose the Government of India desired to say that the revenue should be 50 per cent. instead of 55 per cent. of the assets, at what stage would they pass that order?—It would be stated in the inception report what rate you proposed, but the actual rate is sanctioned for each *tahsil*. What is called a preliminary report for each *tahsil* is sent up after the Settlement Officer has worked for one year in each *tahsil*, and in that the rates at which the assessment of the holdings is to be made and the rate at which the revenue is to be taken on the assessment are sanctioned for the *tahsil*.

24964. That requires the sanction of the Government of India?—Yes.

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24965. Is it desirable that the Government of India should have the power of sanctioning or not sanctioning, or modifying those details?—The general principles upon which assessments have been made have been so clearly laid down now that it is hardly necessary for the Government of India to retain the power of sanction in regard to details; I do not think, for instance, that the local administration would desire to go above the rates that it has already taken.

24966. The rate has not been fixed definitely?—It has not been fixed definitely, but the standard at which you should aim has been laid down as 50 per cent. of the assets.

24967. It varies very much?—Yes. I have known it to go down as low as 35 and to go up as high as 65.

24968. Do you not think that the Government of India should have some control as to the particular rate to be fixed in assessing revenue?—It does not make much difference, except that it means a long report sent to the Government of India beforehand. I do not think that necessary, because the principle of aiming at a 50 per cent. revenue on assets is recognised; it has been laid down by the Government of India; and that is the standard at which we aim in each succeeding settlement. But the actual figures to be taken in any individual village will depend on the figures taken at the last settlement. For instance, we may find one village at 35 per cent. and another village at 80 per cent.; at a new settlement we should probably raise the 35 per cent. village to 40 or 45, and reduce the 80 per cent. village to 60.

24969. There again would you require the sanction of the Government of India?—No, that does not require the sanction of the Government of India; they do not come in with regard to the details of the assessment, but the total for the *tahsil* must not be exceeded.

24970. Your settlement is based on the soil-unit system. Who generally works out that system?—The Settlement Officer.

24971. One of your proposals is that power to make rules under section 162 of the Land Revenue Act should not need the previous sanction of the Government of India. Who framed the Act?—I fancy it would be framed by the Government of India.

24972. If it was framed by the Government of India should not any alterations in the Act require the sanction of the Government of India?—Of course this would need legislation in the Viceroy's Council. As a matter of fact I have looked up that question since, and so far as I can make out, there is no necessity ever to make any rules under section 162, because in practice all the rules are made under separate sections.

24973. There are four Divisional Sessions Judges in this province now. Do all sessions cases from the different districts go to the Divisional Sessions Judges for trial?—Yes.

24974. And all the appeals from First Class Magistrates in all the different districts have to go to them for hearing?—Yes, except appeals in cases disposed of by the District Magistrate under his special powers; those go to the Judicial Commissioner.

24975. Your munsiffs here belong to the Subordinate Service? What pay do they get?—They used to get Rs. 100 rising to Rs. 200; we have just had the Service reorganised, and they now get Rs. 150 to Rs. 250.

24976. They do not belong to the same class as Deputy Collectors?—No, they correspond more to tahsildars.

24977. Does the Sub-Divisional Officer dispose of most of the criminal cases in the sub-division?—He disposes of all first class cases, and when he is an Assistant Magistrate, he is often given appellate powers, and disposes of appeals from Third Class and Second Class Magistrates.

24978. Does that put the parties to some inconvenience in following him about?—No, rather the reverse, because in the camping season he would be in camp anyhow; if his work is confined to one *tahsil* the parties would have less distance to go.

24979. Can he always arrange so as to take up a case as near the village as possible?—That is one of the ideas.

24980. Can he, in fact, carry that out?—Yes, I think so.

24981. Is the system of the Sub-Divisional Officer staying six months at the headquarters of the district convenient for the people of the sub-division or would it be more convenient if the Sub-Divisional Officer resided in his sub-division?—I suppose it would be probably more convenient for the people if he resided in the sub-division.

24982. You say that it would be desirable, in some cases at least, to increase the number of *tahsils*?—We are increasing them; we have increased one here and one there, and no doubt in the course of the next ten years we shall probably divide up three or four more *tahsils*.

24983. The tahsildars dispose of all the petty cases?—They are Second Class Magistrates as a rule, and they also dispose of certain revenue cases.

24984. Has the tahsildar got a *tahsil* treasury?—Yes.

24985. Are daily or monthly balance sheets sent from the *tahsil* treasury to the district treasury direct?—A daily account is sent.

24986. It does not go either through the Sub-Divisional Officer or the District Officer?—No, it goes direct to the district treasury.

24987. At present you have got a patwari in each village?—Not in each village.

24988. You have a sort of *mukaddam* in each village?—Yes.

24989. Is the *kotwar* the servant of the village?—He is the village watchman. He is the servant of the village; he is paid by fees from the villagers.

24990. I understand that an officer is likely nowadays to become a Deputy Commissioner after about eight or ten years service?—In the Central Provinces in the present state of the *cadre* an officer will not become a Deputy Commissioner until he has had eight or ten years' service; we have men at the present moment who have had eleven years' service who have not had charge of a district.

24991. During that period, to some extent, he is in training for the position of Deputy Commissioner?—Yes.

24992. (*Mr. Hichens.*) Would it be a sound thing that he should spend a small portion of that time in another province or provinces?—It would be a good thing in many ways; of course there are difficulties about the language.

24993. For example, has the varied experience that you have had in Madras and here been of advantage to you?—In many ways having been in Madras has been an advantage to me here.

24994. If a junior officer went, let us say, to Madras for a year, he might not be much use to Madras, and perhaps one would not send him there on the assumption that he would be, but when he came back here the experience he gained there might be of advantage to him here?—Undoubtedly.

24995. And the fact that he was not learning the language of the Central Provinces would not make very much difference to him in the long run?—That is so.

24996. Would you advocate that?—I do not think I would, because I do not think it would be workable; you would have an enormous number of men lying idle.

24997. Would it be possible to do it in regard to a certain proportion?—It might be possible.

24998. If you did it on a large scale, it would mean increasing your staff very much, and it would not be worth while?—Just so.

24999. What is the average size of your districts here?—About 4,561 square miles.

25000. How does that compare with Madras?—I should think it is about the same on the average.

In the Central Provinces our big districts are half jungle. My first experience in Madras was in South Arcot; that was about 5,000 square miles; it had eight *taluks*, a land revenue of 42 lakhs, and a population of over two millions.

25001. You say that District Boards are very badly off at the present time and ought to have more money; have you any suggestion to make as to how they are to get more?—One suggestion is that we should abolish our provincial Roads Department. Practically all our roads, that are roads at all, are managed by the provincial Public Works Department. I do not know how much they cost; I suppose they cost about 20 lakhs every year. Communications is a thing that is best left to local self-government. Of course if these roads were transferred it would mean handing over a certain sum of money from the provincial revenues to the Local Boards to spend. We could not increase the income of the District Boards by raising our local cesses, because in order to get a reasonable sum you would not have to fix your rates at something like 25 or 30 per cent. on the land revenue, and the people would not appreciate that at all.

25002. Your suggestion would be that you should apportion the money, which is to-day spent by the provincial Government on roads, amongst the District Boards?—It might be possible to do that; it would mean doles, of course, which is not a satisfactory system.

25003. Would it be possible, or desirable, to give them some definite proportion of the land revenue?—That would be a matter to be worked out if the principle were accepted. I should not care to give any definite opinion. It should be possible to work it out.

25004. At any rate, you think it is desirable?—There are one or two matters besides roads that might be transferred; which instead of being a provincial activity might be a local activity.

25005. You think their funds should be increased?—If their work is to be made real, their funds must be increased.

25006. Suppose you took roads away from the Public Works Department, what would they have left?—They would have buildings, and they have the beginnings of an Irrigation Branch; it is quite a small matter at present started as protective irrigation merely.

25007. Buildings do not amount to much?—No.

25008. Buildings would hardly be a source of friction between the Deputy Commissioner and the local Public Works Department?—Not usually; they are sometimes.

25009. So that your difficulty as to the relations between the District Officer and the Public Works Department would be got over if you had that change?—Yes. Of course it would mean a great reduction in the provincial Public Works Department; the staff necessary for keeping up the roads would be paid by the Local Boards, as it is in Madras. On comparing the two, I should say that the roads, on the whole, are more cheaply and better kept up in Madras by the District Boards than they are here.

25010. At the same time, if you gave increased powers and an increased money grant to the District Boards, would it not be desirable that the District Officer should be more closely associated than he is to-day?—I think so.

25011. And possibly under those conditions it would be more readily accepted by the people as a reasonable arrangement?—I think so.

25012. In paragraph 20 of the Chief Commissioner's note he says that returns are largely increased by questions in the House of Parliament, and that one of the means of reducing the returns would be if the questions could be curtailed there. Have you any reason to suppose that there are any definite classes of returns that would not be given but for those questions?—I could not say. One has a general impression that a question is asked in Parliament and that information is called for, and that the return is made more or less a permanent one afterwards, and that in that way many returns have been introduced.

25013. You cannot put you finger on any one, much less a number?—No; that is the general impression one gets from reading the returns that one has to sign.

25014. Are the powers of the Chief Commissioner substantially different from those of a Lieutenant-Governor?—They have been gradually approximating more to those of a Lieutenant-Governor; they have been widened; I do not suppose they are quite as full.

25015. There are certain appointments which a Lieutenant-Governor can make which a Chief Commissioner cannot make?—The only ones I can think of are those I have mentioned; the Director of Public Instruction may possibly be appointed in other provinces, and also Commissioners, but I could not tell you what the powers of a Lieutenant-Governor are.

25016. For all practical purposes has the Chief Commissioner been given the powers of a Local Government?—Practically, yes.

25017. You say, "The system of divided heads, where the expenditure as well as the revenue is divided, results in inconvenience, whenever any unlooked-for expenditure is necessary, as it is difficult to find any other imperial head from which re-appropriation can be made"; is that the only objection you have to make?—I think that is about the only one.

25018. Is it a very serious one?—No, but it is rather annoying to have to go up for sanction. You may have, for instance, a very large saving in your provincial budget, but suppose you want to spend an extra Rs. 50,000, Rs. 25,000 of which is imperial, you can meet your Rs. 25,000 in the provincial budget from your own balance, but you have no head from which you can meet the Rs. 25,000, the imperial share, and you have to write for sanction. I believe that these divided heads are divided not so much from administrative as from financial reasons, and that therefore there would be no harm in treating them on exactly the same level as purely provincial expenditure.

25019. But in itself it is merely a question of writing a letter to the Government of India and getting sanction?—That is practically all it is.

25020. Which may not necessarily occur more than every now and then?—Quite so.

25021. You say that in some cases the powers of the Chief Commissioner seem to be unnecessarily limited in regard to the grant of certain allowances. Have you thought out at all how far you would be prepared to go in giving the Chief Commissioner further powers?—I have not thought out any details; one or two questions have occurred which seem to me to necessitate rather trivial references to the Government of India.

25022. Would you be prepared to give him unrestricted powers?—No, you would have to lay down principles, general restrictions, within which he could sanction.

25023. It would not do to lay down a general principle and let him carry that out?—It would have to be laid down fairly strictly, because there is rather a tendency to sanction allowances.

25024. To sanction allowances which should not be sanctioned?—Not necessarily that, but one does not know what is done in other provinces.

25025. Does it much matter what is done in other provinces?—I think it might. Take the case of a branch like Hospital Assistants, who are recruited on an imperial basis. You give a Hospital Assistant a personal allowance, which is not given in any other province; it might mean agitation all over the rest of India, to get similar allowances in other provinces. They are paid on the same scale in every province.

25026. Is there any particular reason why they should be?—I cannot say, but there are general orders of the Government of India as to the scale

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of pay of Assistant Surgeons and Hospital Assistants.

25027. Your idea is that there are certain details (which you have not thought out) which might be amended, but that the general rules should still be maintained?—Yes.

25028. (*Mr. Meyer.*) You have told us that the Madras Collector has more power than the Central Provinces Deputy Commissioner; will you say, very generally, in what respects?—I should say that his powers as a Revenue Administrative Officer are wider.

25029. You mean in matters like the suspension and remission of revenue?—Yes.

25030. Do you think that the Central Provinces Deputy Commissioner might be levelled up to the position of the Madras Collector?—I think not. As we have got a Commissioner, there are many powers which should be left to him which the Collector exercises in Madras.

25031. You say that the Commissioner has less power than the Madras Board of Revenue. Might you not, as a measure of decentralization, give the Commissioner here powers corresponding to the powers of the Board of Revenue in Madras, and give the Deputy Commissioner powers corresponding to the powers of the Madras Collector?—I should prefer to give the power to the Commissioner, and leave him to give extended powers to his Deputy Commissioners, if he thought them fit to exercise those powers.

25032. He might give them to Smith and not to Jones?—He might.

25033. Would that not be invidious?—I think not. You might have a very junior man and a senior man; the senior man might be very unfit to exercise the powers, and the junior might be a good man.

25034. Do you and the Chief Commissioner desire to make this differentiation depend upon length of service or on the personality of the officers?—Rather on the personality of the officers.

25035. Then would that not be invidious, and become unworkable in practice?—I suppose it is invidious, but one officer would not necessarily know what powers were delegated to another.

25036. Do they not meet here at Nagpur occasionally?—They may.

25037. Might it not be more feasible, if you have a distinction, to make it depend on length of service—to give more powers to a first grade Deputy Commissioner than to a second grade Deputy Commissioner, and so on?—It might be; I do not see that necessarily it should be; a third grade Deputy Commissioner might be a better man than a first.

25038. The question arises whether when you have a man of long service who is a Deputy Commissioner and who is not fit to have powers, he is fit to be a Deputy Commissioner at all?—That is the question.

25039. Would you be prepared to face that, and to remove these inefficient men, assuming that you could give them a fairly liberal pension?—There is something to be said for the proposal. The selection should be made before he is appointed. If a man goes on and he is superseded once or twice, and he is still found to be unfit to be a Deputy Commissioner, he should be made to retire.

25040. You think that a man who is not fit to be a Deputy Commissioner should not be appointed when the permanent vacancy comes; he will have had his chance in the way of acting appointments, and when he is next for a permanent appointment you would pass him over and retire him?—Yes; it would not be necessary to retire him at once, directly he is passed over; I would give him another chance, but eventually he ought to be retired.

25041. You may get a man in as Deputy Commissioner; he is quite good at the time, but later on he goes to pieces; would you be prepared to retire him then?—It is rather a difficult question to answer. It is a case that one would be very unwilling to take up without very strong reasons.

25042. You would be prepared therefore, if you had your way, to make this personal differentiation of powers?—I would make a personal differentiation of powers, and of course put the less efficient man in some small district.

25043. Is that not a loss of power to the Public Service?—Undoubtedly it must be.

25044. You would prefer that to the trouble to the department that would be created by turning out X on a proportionate pension?—I think one would be inclined to prefer it.

25045. You mentioned that it was contemplated to have a Financial Commissioner in this province. Will that decrease the powers of the Commissioner at all?—No. He will get his powers by delegation from the Chief Commissioner, not by annexation from the Commissioners.

25046. There has been some discussion as to the method in which the Financial Commissioner, if appointed, will do his work. Are you prepared to say what the ideas of the Chief Commissioner are on the subject?—The proposal originally made was that the Financial Commissioner should be a sort of member of the Administration; that he should dispose of cases in the name of the Administration; that he should not have a separate office, but that cases should be sent up by the Secretaries to the Financial Commissioner, the only difference being that he, as Financial Commissioner, will be able to give hearings in final appeals, which the Chief Commissioner is unable to do. That was the original proposal. I could not say how exactly it stands now, but the Government of India were inclined rather to fancy the Financial Commissioner as a separate officer from the Chief Commissioner, having a man with a separate office and a sort of extra link put between the Chief Commissioner and the Commissioner. I believe a compromise of those two positions has now been recommended.

25047. There was a Secretary of State's despatch on the subject, which asked for a further expression of opinion from the present Chief Commissioner; are you in a position to tell us what is the opinion of the Chief Commissioner?—The case is at present with the Chief Commissioner; it is being discussed in connection with the position of the Financial Commissioner with regard to excise.

25048. Was not one solution recommended that the Financial Commissioner should have the same Secretariat as the Chief Commissioner but should send up cases to him unofficially?—Yes.

25049. Is that the suggestion that holds the field now?—Yes; he would issue orders as Financial Commissioner.

25050. He would have a double function; he would be a Financial Commissioner and issue orders as such, but in matters in which the control of the Chief Commissioner was necessary he would become, so to speak, the Chief Secretary to the Chief Commissioner?—Yes.

25051. Are your Sub-Divisional Officers generally on the same plane as in Madras as regards their powers?—They have considerably less powers.

25052. Do they take the ordinary appeals from tahsildars in revenue matters?—None of them have been given powers to take appeals in revenue cases. In criminal matters some of them have been given appellate powers, but not the majority.

25053. Therefore, as regards all the revenue work, and most of the criminal work, the appeal lies straight from the tahsildar or subordinate Magistrate to the Deputy Commissioner; is that necessary?—I think it is a good thing; it keeps the Deputy Commissioner in touch with everything that is going on in his district.

25054. Does it keep the Sub-Divisional Officer equally in touch with his tahsildars?—Tahsildars have very few powers of disposing of cases in these provinces; even the simplest little revenue cases are sent up by the tahsildar for the orders of the Sub-Divisional Officer.

25055. In Madras, in most of those petty cases, the original orders stop with the Sub-Divisional Officer, though there may be an appeal to the Collector?—There are appeals here in all revenue cases.

25056. But can the Sub-Divisional Officer pass an original order as freely as he can in Madras?—I should say rather less; there are many cases go to the Deputy Commissioner which would be disposed of by the Sub-Divisional Officer in Madras.

25057. Would you be prepared to give the Sub-Divisional Officer larger powers?—I should say he might be given larger powers.

25058. But you do not desire to make him an appellate authority over the tahsildar?—No.

25059. Is it not likely that as time goes on the Deputy Commissioner will get overburdened with these appeals?—The tendency, with the increase of work, would probably be that way.

25060. Are appeals here, like everything else, increasing?—I have not got the figures.

25061. Anyhow, there would not be so many here as in Madras?—Not now. Most of the Assistant Commissioners and Extra-Assistant Commissioners after they have passed their departmental examinations are invested with the powers of a Deputy Commissioner under the Land Revenue Act; there are certain powers which are reserved for the Deputy Commissioner of the district, as distinct from the powers of a Deputy Commissioner.

25062. Is this power of taking appeals direct from tahsildars and so on one of the functions which are reserved by the Act for the Deputy Commissioner, but which the Deputy Commissioner can delegate if he chooses?—I rather think that those are kept by the Deputy Commissioner of the district by law. The matter is a very small one, because tahsildars have no original powers; they are reporting officers.

25063. Are there not a number of cases which might be delegated to the tahsildar?—Yes, mutations of proprietary rights, and things of that sort.

25064. In revenue matters there are generally two appeals at least, that is to say, from the Sub-Divisional Officer to the Deputy Commissioner and from the Deputy Commissioner to the Commissioner?—From the Sub-Divisional Officer with the powers of the Deputy Commissioner to the Commissioner.

25065. Skipping the Deputy Commissioner?—Yes.

25066. You think that the Deputy Commissioner should hear those appeals?—Yes.

25067. Is it necessary to go on with the second appeal in questions of fact. I am speaking of revenue and other administrative cases?—It is quite possible that it might be better to exclude appeals on questions of fact.

25068. At present, practically, every original action by a Sub-Divisional Officer is liable to appeal to the Commissioner?—That is so.

25069. Is not the Commissioner rather swamped with details in that way?—He receives a lot of appeals on petty matters, which are generally rejected summarily.

25070. You mention some original matters which even a Deputy Commissioner cannot dispose of now, such as the sale of land in execution of decrees; what exactly do you mean by that?—That is where land is attached by the Civil Court and ordered to be sold either in execution of a decree or in pursuance of some order; that has to be transferred under Section 320 of the Civil Procedure Code to the Collector; but under the rules we have made in these provinces, all such cases go to the Chief Commissioner.

25071. What is transfer of *sir*?—*Sir* land is the home-farm of the proprietor of a village—of the *malguzar*; it is land in which no one can acquire tenancy rights if he leases it out.

25072. In all these matters and in partitions you think the Deputy Commissioner should be able to decide, subject of course to an appeal by an aggrieved party?—Yes.

25073. Are these matters fixed by your Land Revenue Law, or are they simply by the practice which has arisen and which could be altered?—The transfer of *sir* cases is a matter that was introduced into the law in 1898 when the Tenancy Act was amended; the power of sanctioning transfers of cultivating rights in *sir* land were given to the Chief Commissioner by the Act; it would necessitate an amendment of the Act in order to give the Deputy Commissioner the power.

25074. You spoke of the increase of work in the Secretariat; is not that very largely due to this tremendous centralization in relatively petty cases?—I think some of it may be.

25075. Are you in favour of giving the province a separate *cadre* for forests, that is to say, enabling the Chief Commissioner to appoint his own Conservators, instead of having them appointed by the Government of India?—We have been ordered by the Government of India to make our proposals for giving the province a separate *cadre*, which is to include Chief Conservators and Conservators.

25076. Similarly, in the Public Works Department, at present you can appoint your Executive Engineers, but you cannot appoint your own Superintending and Chief Engineers; the Government of India appoints them. Do you think the Public Works *cadre* is big enough to be self-contained, and to let the Local Government appoint, perhaps getting in a Chief Engineer from outside?—I should think it was.

25077. Are your conferences of Commissioners attended by the Heads of Departments and by Secretaries?—Yes.

25078. Are they ever attended by non-officials?—No.

25079. Would that be a good thing?—Yes; if any case came up in which non-officials could be interested, it would not be a bad thing, but it is not very easy to secure their attendance.

25080. Why does not the Chief Commissioner preside at these conferences?—As a rule we have meetings at which Heads of Departments (if they are concerned), the Commissioners and the Secretaries all attend; they discuss the case, and then at the end the results are taken before the Chief Commissioner and we have a conference with him.

25081. So that you have two conferences instead of one?—We have one day or a couple of day with him, and give him the results of all the conferences that have been held during the week or ten days.

25082. Might it not be better that the Chief Commissioner should attend when any important matter has to be decided, so as to get into touch with his heads of Departments and Commissioners?—I think he would probably obtain that from private conversation with each of them.

25083. Having private conversations with a series of men is rather different from having a general discussion across the table?—It would interfere enormously with his work if the Chief Commissioner had to attend the conferences.

25084. You see no other objection?—No.

25085. You are against giving the Commissioner an allotment which he could spend on Public Works; at the same time, you are prepared to go a good deal further, because you are prepared to break up the provincial budget in the case of roads altogether, and make it all over to the District Boards, that is, mainly to the Deputy Commissioner. If the Deputy Commissioners could deal with these allotments for roads, *a priori* could not the Commissioner deal with them?—Yes, but there are a lot of other things besides the budgets; I argue in favour of making the roads local from an administrative, not from a financial, point of view.

25086. But assuming the present conditions to continue, why should not the Commissioner be able to decide what roads within his division should be taken up?—There is no particular objection to it.

25087. You are prepared to have it done at headquarters; does not that mean a general scramble, and that the Commissioner who is ready first, or

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who has got the most plausible pen, may get an advantage over other Commissioners?—That is more or less always the case, but I understood the question to have relation to the preparation of the budget—whether each Commissioner should be given a lump sum and apportion it between roads, buildings, and everything within his division, or whether the budget should be prepared and sent through the Commissioner, and that when the total amount is known it should be allotted according to the urgency of the works in the different divisions.

25088. The proposal would be that each Commissioner should have a certain amount which would be spent in his division, and that then there would be necessarily a certain balance at headquarters to be allotted at the discretion of the Chief Commissioner?—You might do it in that way; you must retain a certain balance as well, because you might find that one Commissioner could not utilise the whole of his allotment and another Commissioner might utilise more.

25089. But assuming that you must keep a balance at headquarters for emergencies and for the most important works, you see no objection to the rest being distributed amongst divisions and the Collector getting power to sanction works? He has 5 lakhs, say; out of that he says, "I am going to allot Rs. 50,000 to road A, Rs. 80,000 to road B, and Rs. 30,000 to such and such a building." Of course the engineers have got to prepare the plans and check the estimates; do you see any objection to that?—On the whole I should prefer the final allotment to be left to headquarters.

25090. You say you would not like to give to Commissioners any power of creating appointments; does that extend to temporary appointments as well as permanent appointments?—There is no harm in having a lump sum given to them each year and letting them make temporary appointments—ministerial appointments, for instance.

25091. But you would not give them power to make permanent appointments?—No.

25092. Speaking generally, what you would like to do would be to give them larger powers in revenue matters?—A few larger powers; I do not think there are so many ways in which their powers could be extended.

25093. Have they any power of remission?—No, only suspension.

25094. No revenue, however small, can be remitted except by the Chief Commissioner?—That is so.

25095. Is that not very undue centralization?—Perhaps it is. I would give powers of remissioin to Commissioners in what are called local calamities.

25096. Definite principles have been laid down by the Government of India in what are called the Calamity Rules as to the amount of suspension, and possible remission, which shall follow a proportionate loss of crops. Subject to those rules, is there any reason why you should not give your District Officers and your Deputy Commissioners fairly large powers?—No, I do not see any objection to it.

25097. That is as to revenue both on dry and wet cultivation?—We have no distinction here; our revenue is based on the assessment of the *malguzar*.

25098. In Berar it is raiyatwari?—Yes; there they have nothing but dry.

25099. Who appoints tahsildars and naib-tahsildars?—The Commissioner appoints naib-tahsildars and tahsildars up to three months. They are made permanent by the Chief Commissioner. They are on a provincial list.

25100. Is there any objection to letting the Commissioner appoint the tahsildar?—That is a question that has been discussed often, and the general opinion is that it is better to keep them on a provincial list. You have a larger selection, and a larger field of proportion.

25101. And at the same time you have a much larger number of transfers; you get a man sent from one end of the province to another?—Not very often; you sometimes transfer a man from one division to another, and then you leave it to the Commissioner to post him.

25102. In Madras the tahsildar spends his time in his district as a rule. Is it not rather important that the tahsildar should have minute local knowledge?—It is.

25103. Nevertheless you would not even put your tahsildars in a divisional list?—I think it works very well as at present.

25104. Does the Commissioner post Assistant or Extra-Assistant Commissioners?—No, the Chief-Commissioner posts them, but the Commissioner is always consulted.

25105. Might he not post them within his division?—It is done sometimes; we sometimes post them to a division and tell the Commissioner to post them as he likes.

25106. Might not you extend that?—Yes, I see no harm.

25107. As regards the extension of magisterial powers, everything now has to come up to Government? Subject to general conditions as to fitness, and so on, would you allow the Commissioner to confer magisterial powers?—Yes, I do not see any strong objection. The cases are nearly all treated as routine when they come up; they are nearly always gazetted as a matter of course.

25108. Similarly as regards your appointments of local bodies, are they gazetted by the Local Government?—They are inserted in the Gazette, but they are sanctioned by the Commissioner.

25109. Does that work satisfactorily?—Yes.

25110. Generally speaking, what powers has the Commissioner in regard to municipalities and District Boards; does he pass their budgets and their administration reports?—He passes their budgets, receives their administration reports, reviews them, sends their reviews to the Local Government, and with regard to the Councils he is given most minute powers of sanction.

25111. Is there much that comes up through the Commissioner?—There are a good many cases come up to the Local Government.

25112. Can you tell us generally of what description?—I have not seen anything of Local Boards work for some time. I think both Commissioners and Deputy Commissioners might have much larger powers.

25113. Do you have many petty cases under the Land Acquisition Act?—Yes, numbers; they are often very petty—an acre, and that sort of thing.

25114. Might the Commissioner deal with those?—When I first came here practically everything had to go up to the Local Government; now where cases come up to the Local Government there are certain rules as to the multiples of the land revenue to be given as compensation; if you get a multiple exceeding 30 or 25 times the land revenue it needs the Chief Commissioner's sanction. There are certain rules laid down and, within those rules, the Commissioner sanctions compensation.

25115. I was not speaking so much of compensation as of the preliminaries required to take up the land; you have to get at least two notifications?—One as a rule; section 4 does not usually come in.

25116. In regard to these petty areas might not the Commissioner take the place of the Local Government?—I see no objection at all to that.

25117. As regards your District Boards, how is it that they are so poor; they get the land cess, as in other provinces—only slightly lower?—They get 3 per cent. for roads and 2 per cent. for education.

25118. Your District Boards are absolutely relieved from the charge of roads, except small roads, and they do not do much outside work except schools and

medical relief; why is it that they are so impoverished?—The amount is very small—5 per cent. on a revenue of 80 lakhs; it is not much.

25119. And also, of course, your assessments are not as large as they would be in Madras?—That is so, and we do not get the whole of the assessment; and then we only get 50 per cent. of it.

25120. I understand that the planting of trees on the high road, and so forth, have been taken away from the local bodies?—I believe there have been some other orders lately, but local bodies used to do it along their own roads and the Public Works Department did it along the Public Works roads.

25121. Who pays for the rural schools, the primary and middle schools, that the District Board maintains?—The District Board.

25122. Does it also manage them?—It manages through School Committees.

25123. In what relation do the District Boards stand to the *tahsil* Board; is it the same as in the case of the *taluk* Boards in Madras?—No, the District Board is supposed to be an advisory and consultative body, and the *tahsil* Board is supposed to be the executive body, but in actual practice, the amounts of income and expenditure being so small, the District Board is not only advisory and consultative but also executive; they practically give no power at all to their *tahsil* Boards.

25124. The District Board gives information to the *tahsil* Board—"We have sanctioned so much for schools in your *tahsil*, now you look after them and see that the money is properly spent," and the same with regard to sanitation?—Yes.

25125. Is that a good system?—The amounts, if you distribute them over the *tahsil* Boards, would be so very small; it has always been the policy to try and give more powers of financial sanction to *tahsil* Boards, but that is the difficulty.

25126. Do you want a solemnly elected District Board for that sort of thing; if you take the *tahsil* Boards as subordinate to the District Boards, is it necessary to have an elaborate machinery for them?—It is hardly necessary, but there is the Local Self-Government Act.

25127. You cannot make any material alteration in your Famine Code without reference to the Government of India?—No.

25128. Is that a good thing on the whole?—I do not think the Government of India would be likely to object to any alterations that we wanted to make; perhaps we might be left with power to do it ourselves.

25129. Would you be in favour of general principles as regards famine relief operations being laid down by the Government of India, but that the details of the Code might be left to the provincial Government?—Yes.

25130. Do your District Officers require any more powers as to the granting of agricultural loans?—The maximum limit perhaps might be increased; it is Rs. 1000 now.

25131. Is there any ground for giving tahsildars and Sub-Divisional Officers larger powers?—Their powers might be increased too.

25132. The laws that are current in the Central Provinces are notified for Berar also?—Yes; some are not, but most are.

25133. So that you are working under a uniform law in the provinces?—Yes.

25134. But it is a very cumbrous procedure. You have to issue a double set of rules, one under the Act itself, the other under the Act as applied to Berar?—Yes; I will give you an instance; we want to abolish the central jails at Amraoti and Akola because there are not enough prisoners in them to justify the retention of a central jail; the long-term prisoners under that arrangement will be transferred to Nagpur; for the transfer of every prisoner from Amraoti and Akola to Nagpur there will have to be an order of the Inspector-General of Prisons; without that no prisoner can be committed from Berar to Nagpur.

25135. Therefore if any plan could be devised without offending political susceptibilities to obviate this, it would be desirable?—Of course, that is the difficulty.

25136. Do you have many transfers of officers between Berar and the Central Provinces?—We are now transferring members of the Commission more freely; the first two or three years we sent members of the Commission there for training and so on; now a lot of members of the Berar Commission are on leave, and we are sending two Central Provinces officers to officiate as Deputy Commissioners.

25137. In view of the differences of language and differences of law and practice, to some extent, and the difference of tenure, is it advisable to make these transfers frequently?—No; frequent transfers would not be good; if you send a man from Berar to the Central Provinces you must leave him there long enough to pick up the Central Provinces land revenue system.

25138. How long would you leave him there?—Probably four or five years at the very least.

25139. You would not transfer him more than once or twice in his service?—As we go on and get Assistant Commissioners who have had experience of both provinces there is no reason why they should not be transferred a little more frequently. I would not like to say that a man because he is sent down as Assistant Commissioner to Berar shall stay in Berar for the next ten years, or that if he ever gets transferred back to the Central Province he shall end up in Berar, any more than I would put it the other way.

25140. They would get to know the language?—You have Marathi spoken in Nagpur as well; Marathi is not very well known; there are only two or three men in the province who really know it.

25141. It is also a little bewildering to a man to be constantly moved between a raiyatwari and a zamindari area?—Yes; on the other hand he also learns a lot of useful things from seeing both systems at work.

25142. You say here, "There is no reason, now that the provinces have a regular financial settlement of their own, why the provincial budget should be subject to detailed criticism and alteration by the Finance Department of the Government of India." Is it subject to detailed criticism and alteration?—I believe so.

25143. Have you had much experience that way?—When I was doing the Financial Secretary's work we used to have a lot of correspondence with the Comptroller about the alterations made; I think they were simply account alterations—estimating.

25144. The alterations made were in the interests of accurate estimating?—Yes.

25145. And as a matter of fact were they not justified?—Yes, I expect they were generally.

25146. For instance, taking the last year 1906-07, the provincial expenditure was estimated by the Local Government at 192 lakhs; the Government of India cut it down to 189¼ lakhs; as a matter of fact it was only 180 lakhs. There are similar figures for other years. The fault of the Government of India, if there was a fault, was that it did not cut more?—One knows that there is a lot of inaccurate estimating.

25147. You say the Chief Commissioner should be allowed to pass his own provincial budget. Do you mean that in these matters the Government of India should accept the Chief Commissioner's figures without question?—It would not do any harm.

25148. Would not the estimates be out more than they are at present?—I think the tendency would be eventually that more accurate estimating would be made by the provincial Government.

25149. The present system is one of divided heads largely?—Land revenue, excise, income-tax, stamps, and forests are divided.

25150. In all these matters the Government of India take half the receipts?—Yes.

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25151. Therefore, if your figures are wrong, it not merely affects the provincial surplus, but it materially affects the imperial surplus, and taking figures which are inaccurate might lead the Government of India into serious embarrassment?—It might.

25152. You do not stand alone; there are seven other provinces to deal with. Therefore, as long as the present system continues from that point of view the Government of India must check estimates in which they are materially interested?—No doubt.

25153. You propose that the present divided heads of expenditure shall become wholly provincial; you do not think the present system particularly inconvenient?—No.

25154. You mentioned a case in which you wanted Rs. 50,000 more for forests, and because it was a divided head you said you could find the provincial half, but there was a difficulty about the imperial half; surely it is the same in land revenue?—Not with regard to expenditure.

25155. But there are other divided heads?—Yes.

25156. And there are imperial divided heads which you administer?—Yes.

25157. Is there any difficulty in your finding the required balance?—We did not do it in the particular case I have referred to.

25158. You have come up to the Government of India in times past for these re-allotments which were not really necessary?—I believe we have.

25159. Suppose to meet this inconvenience you had all the expenditure provincial, you would require a certain larger share of revenue to meet your liabilities?—I suppose we should slightly. .

25160. Would that not lead to friction again? As to your excise, for instance, suppose you have undertaken considerable expenditure, that the whole of that expenditure fell upon you, but the Government of India shared the enhanced receipts which arose from that expenditure; would not there likely to be some feeling about that?—There might be later on; that was why I threw out that suggestion about dividing the net income only.

25161. Take small figures; your revenue is Rs. 100, your expenditure is Rs. 60; at present the Government of India gets half of the Rs. 100, that is Rs. 50; it bears half the expenditure, that is Rs. 30, and it gets a net receipt of Rs. 20; how do you propose to manage?—I would make the Rs. 60 provincial, and divide the balance of Rs. 40 half between imperial and provincial.

25162. Still, if your expenditure had caused you to largely increase your receipts, you would feel that the Government of India was getting an unearned increment?—I do not think so, any more than it would now.

25163. Your expenditure, say, is Rs. 100, and your receipts, thanks to that expenditure, go up to Rs. 200, so that there is a surplus of Rs. 100 to be divided; the Government of India take Rs. 50; would you not say that that was rather hard when you had found the whole of the expenditure which resulted in that increased receipts?—But, first of all, the extra expenditure has been deducted.

25164. However, is it worth while to upset the present system in order to do this?—It is simply a suggestion.

25165. Is it a suggestion to which you attach any great importance?—No.

25166. Now, you have told us that the Accountant-General cannot relax things for the Local Government: what exactly do you mean?—There might be possibly some alterations of the rules that might be passed; I expect it would be rather difficult to work out; but one has had what one rather regards as trifling objections

25167. You say here, "Certain posts in the Commission are listed for officers of the Provincial Civil Service, but sanction has to be obtained"; surely that is not altogether correct?—Sanction has to be obtained.

25168. Is it not only when a man is appointed permanently as a Deputy Commissioner or Judge?—Those are the posts I refer to; the listed appointments.

25169. Your position is that when an appointment has been listed, that is, taken away from the Imperial Civil Service, the filling of it ought to rest entirely with the Local Government?—Yes; any recommendation of the Local Government is always accepted.

25170. You say that any change would require the sanction of Parliament; could it not be done by rules made by the Secretary of State?—I was under the impression that it was under the Indian Civil Service Act; I am open to correction on that point.

25171. You are at present restricted in regard to these listed posts to officers of the Provincial Service? It might happen that for a judgeship you might want a man who was not an officer of the Provincial Service, an Indian *vakil*, perhaps; ought the Local Government to have power to appoint there?—Yes, I think so.

25172. That is a similar case?—It is not quite a similar case, I think; it would be a case possibly of giving dissatisfaction to the members of the Provincial Service. Perhaps it would not be advisable in that case, unless you distinctly listed that the office was open to members of the Bar; then of course they would know what they were liable to.

25173. I understand that education is actually under the Deputy Commissioner, that is to say, the education met from provincial funds, as well as the education met from local funds?—Yes.

25174. Primarily, middle and vernacular education is under Local Boards and municipalities, and secondary education is under Government control?—Yes.

25175. In both cases the Collector is the supreme authority?—He is supposed to be; he actually is not.

25176. You say he has the deputy inspector of schools as an assistant; is he as subordinate to the Collector as the district forest officer is in non-technical forest matters?—He is quite subordinate; he is actually a member of the district office staff.

25177. I gathered from your answer that you thought there was a change going on and that he is not quite so subordinate now as he used to be?—He is subordinate, but the tendency is rather for the inspector, who is a circle officer having five districts, to administer the schools through the deputy inspector without reference to the Deputy Commissioner.

25178. The idea of appointing him was that he should be a purely inspecting officer?—Yes, and he is rather inclined to an administrative officer.

25179. If in his inspection he found anything that was wrong he could bring it to the notice of the Deputy Commissioner?—Yes.

25180. (*Sir Steyning Edgerley.*) Which schools do you refer to—the higher schools, secondary schools or primary schools?—The vernacular, the middle, and the primary schools; the high schools are not under the deputy inspectors.

25181. In many cases you suggest that there should be delegation of one sort and another, and a good deal of it you suggest should be based on personal considerations of the officer who is to receive the power. At the same time you suggest that whenever that touches an Act, the delegation of power should be made by special legislation. I do not quite understand how you would work that; is it not almost impossible?—Yes, I suppose it would be.

25182. Is there any advantage in special legislation over a general Act, which requires prior notification of intended delegation?—I do not really see any particular advantages.

25183. Do you think that a general Act which insisted on prior notification of the intention to delegate would practically come to the same thing?—I should think it would.

25184. And you would have no objection to that?—No.

25185. You say that you have started the reorganisation of the police in two districts?—That is, the system of having no others than sub-inspectors in charge of stations.

25186. Have you broken up your old stations?—Yes; we have abolished out-posts and increased the number of stations.

25187. What is the average area under a police station?—I think it runs about 200 square miles to a station in those districts.

25188. Has it led to an increase of the force in those two districts?—Yes.

25189. For the rest of your province you have not yet worked out the figures?—I cannot say whether it has been introduced within the last month, but it is certainly being introduced in three other districts.

25190. Have you got the increase necessary for the whole province worked out and sanctioned?—Yes; you mean the final ultimate scales for the whole police force?—That has been sanctioned. It was worked out by the Inspector-General on an examination of each district.

25191. What was the whole increase of expenditure in the province?—I think it will ultimately work out to about 13½ or 14 lakhs.

25192. And you have got that money promised you?—We shall get most of it from the Government of India; we have received, I think, 8½ lakhs.

25193. Was there any difficulty in getting that through; did you get the officers you wanted for each of your stations?—That is the reason why it has to be done gradually, one district at a time. There is the difficulty of getting men.

25194. But did you get the Government of India's sanction to the strength you wanted?—Yes; there was a considerable amount of discussion with the Government of India on the staff we were to get, more especially about sub-inspectors; we asked for more than they were prepared to give; then they gave us a few more; I fancy that the numbers they have fixed will do us very well.

25195. And as to constables and head constables?—I am not sure whether we did not reduce the numbers in those two grades.

25196. One of your Deputy Commissioners says that "the Deputy Commissioner's acquaintance with the outlying parts of his district is less thorough than it used to be, partly because the work has increased of late years, partly because the present low rate of travelling allowance does not permit him to tour in reasonable comfort without loss of money"; do you agree with that second reason?—I know that personally I have always lost on my travelling; the rates are very illogical at present; you have an Assistant Commissioner who has just arrived in the country; he goes about by himself with a couple of small tents; he gets precisely the same rates as a man of twenty years' service, with a wife and family; that must be obviously illogical.

25197. The latter man, even apart from the fact of his having a wife and family, would necessarily be supposed to travel in a more dignified manner?—He has larger tents, and so forth. But I do not think you can call the travelling allowance rates unfair; they are certainly a great deal better than they were in Madras.

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25198. Several of the officers here have suggested that the Government ought to give loans to assist in the liquidation of the debts of encumbered estates; they cannot give loans at present?—I think not.

25199. Are the owners of these encumbered estates men of fair position?—You have a lot of men of quite good position, and you get a lot of men very poor.

25200. Men whose position it would be a political advantage to keep up?—Undoubtedly.

25201. And you cannot do it?—No; rather, you have to do it in various ways.

25202. Another suggestion that has been made is that the Local Government ought to have power to guarantee feeder lines of railway or small loans for small Public Works, and it is said that the result of having to trust to the Government of India for money is that, though these are shown to be remunerative, they are always crushed out by more imposing schemes; the suggestion is that local interest might find money which might not be attracted by the loans of the Government of India; is there anything in that?—I should think there are possibly cases in which that might be true.

25203. You say that generally speaking you are not in favour of the Local Government going in for that sort of work?—No, I do not think the Government of India has ever shown a disposition to refuse loans where they have been shown to be necessary, and the Government of India would probably get the money more cheaply than the Local Government could.

25204. (*Chairman.*) Do you receive from the Commissioners their annual administration reports?—Yes.

25205. Are they as a rule very lengthy documents?—They are certainly long; they are just coming in now; I should say they generally run to about 10 or 20 pages of print.

25206. Are they compiled by the Divisional Officers?—Each Commissioner compiles his own, and compiles it from reports received from the District Officers.

25207. Are they confined to land revenue?—Yes; of course there are reports in other branches, but what is called the annual report is the annual report on the administration of the land revenue.

25208. We had it suggested that it would be much better compiled by the Commissioner himself from his own notes, than it would be by a series of reports from each District Officer?—I do not think so; as a Deputy Commissioner I should much prefer to write my own administration report for my district, than to have my Commissioner do it for me.

(*The witness withdrew.*)

Mr. G. S. HART was called and examined.

25209. (*Chairman.*) You are the Conservator of Forests in the Southern Circle of the Central Provinces?—Yes, I have also served in the Punjab.

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Provincial Governments should be given extended powers as regards the creation of new appointments and the enhancement of salaries. I do not think it advisable to permit provincial Governments to alter in any way the number or pay of Imperial Service Officers or the pay of Provincial Service Officers, though it should be possible for the Government of India to deal with this latter subject on the representation of Local Governments without any further reference to the Secretary of State. But it should be possible for the Local Government to increase the number of appointments in the Provincial Service and to make the necessary redistribution among the grades of that Service. Again the Local Government should have an absolutely free hand in dealing with the Subordinate Service. If it finds that it requires increases in that Service, or regrading in order to compensate for unduly slow promotion or an increase in the pay of the lowest grade in any class in order to induce men of the desired stamp to enter the Service, the Local Administration should be empowered to deal with these matters, without any reference whatever to higher authority.

It is not necessary to give the Heads of the Forest Department any particular increase in financial powers as regards the creation of new

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appointments or the enhancement of salaries. Conservators have already received powers to appointment of temporary establishment subject to budget provision and within limits defined. In a few cases these limits might be expanded, but that is a matter which can probably be arranged direct with the Local Administration without difficulty.

I do not think that in their dealings with the Forest Department the Government of India are dominated by considerations of immediate increases in revenue. On the contrary in reviews on provincial Forest Administration Reports the Government of India have continually urged on Local Governments the importance of spending money on the improvement of their forest estates by the provision of better roads and of adequate buildings for the staff, etc.

It is of great importance that the Inspector-General of Forests in his dealings with the Forest Departments of the various provinces should remain an advisory officer and should not be given administrative powers. He can never be very intimate with the conditions affecting forest work in provinces other than those in which he may have himself served recently and to give him administrative powers might tend to these conditions not receiving sufficient attention.

There can be no question that most of the recent administrative reforms which have affected this department, such as the appointment of Chief Conservators, the increase in the pay of Imperial Service Officers, and the proposed corresponding increase in the emoluments of the Provincial Service, grant of increased powers, etc., have been due to the initiation of the Government of India.

It is not desirable to limit the right of appeal to the Government of India either in respect to administrative action or to orders affecting officers personally, nor am I in favour of limiting the existing right of appeal to the Local Administration either in respect of administrative action or in respect of orders affecting officers personally. The existing orders permit of all subordinate officials appealing once to the authority immediately superior to the officer who passed the order. A right of second appeal to the Local Administration is granted only to subordinates drawing Rs. 50 per month, or more than this salary.

I have only two small matters to note as regards the grant of extended powers to Commissioners of divisions regarding matters of general administration. It has come to my notice that persons applying for licences to prospect for manganese complain of the great delay that occurs in disposing of their applications, and I think that the power to grant exploring and prospecting licences might be delegated to the Commissioners of the divisions, applications for mining leases only going to the Chief Commissioner. The second point is one in connection with the grazing rules in force in these provinces. The rules provide for the charge of commercial rates to professional cattle-breeders, or in exceptional cases where grazing is of special value. The Commissioner and Conservator in consultation can fix the classes to whom such rates shall be applicable, but they cannot fix the rates without the previous approval of the Chief Commissioner. The Commissioner and Conservator might very well be left to settle this matter also.

I have not found that the Secretariat in these provinces is either impersonal or too much dominated by considerations of revenue. On the contrary, the Local Administration is decidedly generous in all matters connected with forest administration and improvements.

The officers of the Forest Department have ample opportunities for personal contact with the people, as they spend some two-thirds of each year in camp. Naturally they are principally brought into contact with the villages situated near the forest and with the forest tribes; their knowledge of the vernacular is generally good.

The staff of the Forest Department is notoriously inadequate in the executive and subordinate branches. But schemes for the reorganisation of the Imperial and Provincial Services and of the Subordinate Service are now under consideration. No general reduction in the area of forest divisional charges is necessary at present, though in the course of time it may be advisable to split up one or two of the present forest divisions.

I do not think that transfers among Forest Officers are unnecessarily frequent, though they are unhappily numerous. Thus, since 1900 there have been five changes of Conservators in this circle, excluding privilege leave vacancies. One method by which transfers could be reduced would be to rule that an officer retained a lien on his appointment during any absences on leave not exceeding six months, instead of the present limit of three months. Since the grant of the privilege of combining leave the practice of taking six months' combined leave is almost as common as former absences on three months' privilege leave.

25210. You are responsible for about 6,700 square miles of forest?—Yes.

25211. How many circles are there in the Central Provinces?—Three, including Berar.

25212. How many district forest officers has each circle?—About seven; there are seven in this circle, and I think there are seven or eight in the Northern Circle.

25213. You are under the control of the Chief Conservator?—Yes; we have the Chief Conservator over the three Conservators.

25214. Who prepares the working plans of forests?—The Divisional Forest Officers under the control of the Conservator.

25215. The forest working plan comes up to you and you check it?—It is prepared entirely under the Conservator's supervision by the Divisional Officer.

25216. You submit it to the Chief Conservator, and he submits it in turn to the Inspector-General?—Yes.

25217. Is all that detailed examination necessary?—It is a good thing that the Inspector-General should see the working plans.

25218. How much service have you as a Conservator?—Two years. I have been in the Service just over twenty years.

25219. How much service will a Chief Conservator here have?—He has about 27 or 28 years.

25220. But he has no power to sanction any forest working plan, however small?—No; he has no power of sanction; the Local Administration sanction the working plans; the Inspector-General merely advises the Local Administration.

25221. The Local Administration cannot sanction until after the Inspector-General has approved?—No; working plans have to go through the Inspector-General.

25222. Might there be some limit of size of area which the Chief Conservator might approve, in place of the Inspector-General?—Personally I am in favour of all working plans going to the Inspector-General; of course, it depends entirely on their size; now we are generally bringing them out for the whole of the forest division together, and it is a good thing that they should go to the Inspector-General.

25223. Do you think that that gives the Chief Conservator or the principal Conservator, as the case may be, a full sense of responsibility, if he has no authority of approval?—He can criticise the Conservators if he chooses.

25224. Do you think that he experiences a full sense of responsibility for a plan when he never has the final approval of it?—Possible he does not; my own opinion is that plans should go to the Inspector-General.

25225. You think that an officer does feel a full sense of responsibility and takes the fullest possible care in preparing his plans?—Certainly a Conservator does; he is absolutely responsible that the plan is drawn up in accordance with his approval; the Conservator is absolutely responsible that he does not send up the plan until he approves of everything in it.

25226. Are there any alterations of the working plans submitted by the Inspector-General?—There

have been, but as a rule there are not many alterations.

25227. Does it cause much delay in sending up these plans to the Inspector-General?—No; unless he refuses to sanction them altogether and sends them back; in the ordinary way it does not cause more than two or three months' delay.

25228. Does he often send them back?—No; I have known one or two cases in which the Inspector-General has sent them back and altogether refused sanction; he generally just suggests minor alterations. There is one thing in which the action of the Inspector-General is quite unnecessary, that is, in regard to what are called control forms; that is, details of the work and description of the work; these forms at present have to be filled up by Divisional Officers and sent to the Conservators and passed by them, then they go to the Chief Conservator and then to the Inspector-General; they might be left to the Conservator entirely; they need not go further at all; the present procedure gives most unnecessary trouble.

25229. Have you any reason to believe that the Inspector-General of Forests interferes in any way administratively in your department?—I do not think he can possibly.

25230. Do you think that he attempts to do so?—Since I have been here I have known of no cases of his attempting to interfere.

25231. You think that on the whole the kind of advisory work that he does is good and necessary work?—Very.

25232. You tell us that the Government of India are not very much dominated by immediate increases in revenue; do you lay any stress on the word "immediate"?—No; I did not intend to lay stress on the word; they are fully prepared to spend money on forest improvements. All these improvements are aimed ultimately at an increased revenue; the more we open up the forests with roads and buildings, the more we are able to work them and the better revenue we get.

25233. You do not think the Government of India are inclined to schedule areas which have been left open and which are of no use as forests?—No.

25234. You think that the powers in connection with exploring and prospecting licences might easily be delegated to Commissioners?—That has been done recently.

25235. You say that quite lately the financial and administrative powers of yourself and the Divisional Forest Officers have been extended; in what direction?—Larger powers in connection with promotion and dismissal of establishment, and larger financial powers generally.

25236. Are those general powers given throughout the country or only in this province?—They are general powers throughout the country, under the Forest Code.

25237. When were these orders issued?—In the last two or three years Government has been gradually increasing the powers.

25238. Do you think any further expansion is desirable; who appoints the forest rangers, for example?—If the rangers are trained at the Imperial Forest College they are appointed direct by the Conservator; if they have not been trained there, or if they have only taken what is called the lower certificate, they must put in a certain number of years first, and then the Conservator can appoint them. If they are men who have not been trained at all, who have gradually risen from the ranger's grade, they are appointed by the Chief Conservator; I think that is fair.

25239. Who posts the Divisional Officers?—The Local Administration. The Chief Conservator advises.

25240. Might the Chief Conservator have power to post?—I do not see any reason for giving him the power of posting; the Chief Conservator may be an officer who has hardly served in the Central Provinces at all.

25241. Are these Divisional Officers posted on the recommendation of the Chief Conservator?—You mean transferred to different districts, yes; that is done on his recommendation if the Local Government agrees with him.

25242. Does the Local Government often interfere?—I could not say; the question of posting does not come through me at all.

25243. Have you any power as Conservator to transfer any of your subordinates?—Anybody except a Divisional Officer or a Gazetted Officer; I cannot transfer a Deputy Conservator without asking the Local Administration.

25244. Is it desirable that you should do that?—Yes, I think so as regards officers doing the work of an assistant in a division; I do not mean Divisional Officers; but it would be very improbable that Government would refuse permission to transfer a man.

25245. Practically you do transfer them now, although nominally it goes through Government?—Yes; it is unlikely that they would object if one said that one wanted a man transferred.

25246. On the whole do the forest rules, or rather the administration of the forest rules, cause dissatisfaction among the people?—No, not on the whole. Certainly in the Punjab, in the hills, where I have put in most of my service, there is very little dissatisfaction, and very little cause for dissatisfaction; down here, of course, there is perhaps more occasionally.

25247. Is corruption among subordinates noticeable?—I should say not more noticeable than in any other service where you have subordinates left, as they often are, entirely to themselves.

25248. What is the pay of a ranger?—He begins at Rs. 50 a year after coming from the school; my own opinion is that that is too low; a man goes to the school generally with a stipend of Rs. 50 paid by the Government while he is there, and he comes out and gets the same pay; it is very difficult at present to get anything like good men.

25249. Are the forest guards corrupt?—Not more so than any other men in the same position; I would not guarantee their honesty at all, but I do not think they are worse than anybody else.

25250. Would they deliberately produce infringements of the forest rules or allege infringements of the forest rules in order to make money?—They are very likely to do so if they are not looked after. You have a man on 6 or 8 rupees a month, he has considerable power of giving trouble, and if he is not looked after he will probably take advantage of that power.

25251. You say transfers of Forest Officers are very frequent?—They have been certainly rather frequent down here; that is mainly caused by men going on leave or falling sick.

25252. How long do you think an officer ought to be retained in a circle or in a division?—Not less than five years, and probably not much more.

25253. You say that some of the difficulties of transfers have arisen from the practice of taking six months' combined leave; will you tell me what you mean?—Transfers would be less if an officer who only took his six months' combined leave did not thereby necessarily lose the charge in which he was at the time.

24254. Cannot they bring him back to the same charge?—They could if they wished to, but an officer who takes simply three months' privilege leave comes back to his charge as a matter of course; if he takes six months, the chances are that he will not come back to his charge.

25255. If the Chief Conservator had a free hand in the posting of his subordinates, would he not post an officer back after he returned from six months' leave?—It depends how long he had been in the charge.

25256. It has been said of the Inspector-General that he deals mostly with technical matters?—The Inspector-General of course is purely an advisor of the Government of India, and he does not interfere

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in the administration of the province at all until he is asked for his opinion; in the matter of working plans everything goes to him.

25257. You have not found him intervene in anything except technical matters?—No.

25258. Do you find that the increased powers which have been given to you lately have increased your work?—Certainly not; they save a certain amount of reference to the Government of India and Local Government.

25259. Is there any difference between a Divisional Forest Officer and a Deputy Conservator?—A Divisional Forest Officer may also be an Assistant Conservator; a Deputy Conservator, under the recent reorganisation, depends entirely on the length of service; a man may be, and generally is, in charge of a forest division before he becomes a Deputy Conservator.

25260. It is nothing to do with his work?—No; it simply denotes that he has a certain length of service.

25261. Do you think that the accounts that Forest Officers have to keep are very complicated?—It is very difficult to say; we have been trying to cut them down; they are not very complicated; they are troublesome.

25262. Are they unnecessarily complicated?—I do not see how you could keep up the check that you must keep without them. It might be possible to simplify them a little, but I do not think you can do very much.

25263. Has any attempt been made so to simplify them?—We are always trying to cut down unnecessary forms and things of that sort. I do not think any definite attempt has been made.

25264. Do you regard the Forest Code as altogether satisfactory?—Yes, I think so; it is a most unfortunate occurrence that although it has only just been issued it is full of addenda and corrigenda; it is very difficult to find anything in it.

25265. But apart from that you do not think that the instructions laid down in it are too detailed?—Of course they have to apply to every part of India. I do not know of any portion of the Code which I should like to cut out.

25266. What language did you learn in the Punjab?—Urdu and Punjabi.

25267. (*Sir Steyning Edgerley.*) Do those carry you through here?—They carry me through with all the subordinate establishments.

25268. Has the transfer from province to province made your work very difficult here?—It did at first, certainly, not now.

25269. How long did you feel it?—The first six months.

25270. Can you communicate easily with the people of the forest villages and so on?—Not personally, no.

25271. Is that not a great handicap?—Not in a Conservator's work.

25272. Were you here before the Chief Conservator was appointed?—I was here for about eight or nine months before he was appointed.

25273. What change in procedure has it led to?—It means that upon certain things in which you previously addressed the Local Administration as Conservator, you now address the Chief Conservator, and he either disposes of them himself or sends them on to the Local Administration. The Chief Conservator's work is largely connected with the Secretariat.

25274. Helping and advising the Local Administration on forest cases?—Yes.

25275. What was the arrangement before?—Each Conservator went up direct to the Local Administration, and they passed orders.

25276. It means simply that they have got a headquarters consultative officer?—That is it.

25277. Have they delegated much control to him?—Yes, they have delegated a good deal to him.

25278. And in consequence of that you have less to do with the Commissioner than you used to have?—No, it has not interfered in any way with one's connection with the civil officers.

25279. What is a Conservator's connection with the Commissioner of the division?—All matters as regards grazing and concessions and things of that sort in connection with the people go either through the Commissioner or through the Deputy Commissioner to the District Forest Officer, or come from the District Forest Officer through the Commissioner and Deputy Commissioner.

25280. If you have to send up a case, to whom do you send it?—Directly to the Secretary to Government.

25281. Not to the Chief Conservator, or the Commissioner?—Certain things go to the Chief Conservator; the majority of the things go direct to the Local Administration, and they consult the Chief Conservator if they wish to do so.

25282. You have no correspondence with the Commissioner at all?—I have if I want it, but I have no regular correspondence with the Commissioner; I do not suppose that the Commissioner either sends to me, or I to him, 50 letters in a year.

25283. The Divisional Forest Officer is an Assistant Conservator?—Either an Assistant Conservator, a Deputy Conservator, or, if a member of the Provincial Service, and Extra Assistant or Extra Deputy Conservator.

25284. Does all his correspondence go through you?—No.

25285. You have schedules A and B dividing the correspondence?—I do not know; I have not served as a Divisional Officer in these Provinces.

25286. Have you got them in the Punjab?—No; in the Punjab the Forest Officer in all matters in which the people are connected works through the Deputy Commissioner. In all his own work he works through the Conservator, and that is practically the custom here.

25287. We were told that in the Bengal Presidency and in Upper India the correspondence which a Forest Officer has with the revenue authorities or with his superior technical officers is divided into schedules A and B, so that he knows exactly where to send each class of correspondence?—I can only say I have never heard of them; they are certainly never used in the Punjab.

25288. You refer to free grants to village communities; is that settled by the Commissioner or by the Chief Conservator at present?—Up to a certain limit it is settled by the Conservator direct; beyond that limit you go to the Chief Conservator, and beyond that again to the Local Administration.

25289. On whose recommendation?—On the recommendation of the District Forest Officer and the Deputy Commissioner; all that sort of thing would come through the Deputy Commissioner.

25290. The Deputy Commissioner has no power?—He does not sanction himself.

25291. Nor the Commissioner?—No, it would come straight through the Deputy Commissioner to the Conservator.

25292. Then really in forest matters the Deputy Commissioner and the Commissioner are merely advisory officers of the Forest Department?—Certain correspondence goes through them; they do not issue any direct orders here in forest matters.

25293. Not even about the privileges of the people?—The privileges of the people are governed by the orders of the Local Administration once and for all; they are entitled to certain privileges.

25294. I was speaking generally of these free grants?—The Deputy Commissioner would not sanction free grants of forest produce, however small.

25295. Nor the Commissioner?—As far as I know, no.

25296. Matters of that sort are either sanctioned by the Conservator or by the Local Government, and the subordinate revenue authorities have no power at all beyond advice?—That is so.

25297. What is exactly "the annual plan of operations"?—That is an annual plan of working drawn up in connection with the budget.

25298. It is a sort of estimate of what has to be done for the following year?—That is so, project by project; that again would come through the Deputy Commissioner.

25299. Has the Divisional Forest Officer, when that is sanctioned and the money allotted, complete power to work it out during the year?—He must apply for sanction for any work which exceeds his own powers.

25300. He can sanction up to Rs. 200 capital expenditure?—If he wants a building which is going to cost Rs. 2,000 or Rs. 2,500 or anything of that kind he has to send in plans and estimates. At the time of the plan of operations he simply puts down a rough estimate that he wants to do such and such a work at such and such a cost; that is approved, and he then proceeds to deal with it in detail.

25301. Does the Rs. 200 limit give him enough discretion?—I think it is rather small. I would raise it to Rs. 500.

25302. Would it be desirable for the Divisional Forest Officer's accounts to go direct to the Comptroller of Forest Accounts?—They do. They go straight to the Comptroller; the produce forms and copies of certain things that go to the Comptroller come to the Conservator, generally a little later.

25303. It has been suggested by a Forest Officer of this Province that the accounts should go straight to the Comptroller; do you know what that means?—I do not, considering that the accounts are sent straight to the Comptroller now every month.

25304. It has been said that since this last settlement money has been much more freely allotted to forests which it is possible to open out; to what does that refer?—It means that Government is giving the Forest Department much more money to spend than they did before.

25305. Have you any idea what the cause of that is?—Government has got more money to spend I fancy.

25306. There is nothing special?—No, administration is improving, and therefore Government is more inclined to be generous.

25307. It is suggested that it might possibly have something to do with the division of the receipts between the Government of India and the Local Government under this last settlement; have you heard of anything of that sort?—I have not.

25308. (*Mr. Meyer.*) You say that since the appointment of a Chief Conservator, Conservators are no longer classed as Heads of Departments; does that mean that the Conservator has been reduced in any way as regards his powers?—No, not as regards his powers, but Conservators are no longer, for instance, in the front portion of the quarterly Civil List as "Heads of Departments"; their powers are still the same.

25309. There are various financial powers that have been granted to Heads of Departments?—They have been generally granted to Conservators too.

25310. Generally speaking, the Chief Conservator has not robbed you of any authority?—No; it was distinctly laid down at the time the Chief Conservator was appointed that the appointment was not to have that effect.

25311. I understand that the Conservator has full power in regard to the posting of rangers?—Absolutely.

25312. The only subordinates you cannot post are Assistant Conservators and Extra-Assistant Conservators?—Yes.

25313. It has been suggested that in provinces like this and Burma, where there is a considerable forest staff, the Local Government should have the power, which the Madras and Bombay Governments possess, of appointing their own Conservators; would you be in favour of that?—No, certainly not. It would be extremely bad for the men they have got; they would not get the same chance of promotion among themselves.

25314. The promotions allowed up to the grade of Conservator are on a time scale?—The time scale would be the same, but I am talking of promotions of the grades of Conservator.

25315. You have a fairly large forest *cadre* here?—Not very many, if you consider.

25316. I think you have more officers here, or almost as many, as in Bombay?—We may have more shown in number, but the Government of India has got four or five of them.

25317. You think you have not enough men to run a *cadre* of your own?—No.

25318. You would object still more to the Local Government appointing the Chief Conservator of Forests?—Yes; I think it is distinctly for the good of the department as a whole that all the Conservators' and Chief Conservator's appointments should be kept under the Government of India. It is distinctly advisable that the men should occasionally get a little experience of work in other provinces, instead of passing the whole of their service in one province; I am speaking of course of Forest Officers.

25319. Is there any difference between the pay of Conservators here and in other provinces?—Absolutely none.

25320. Has the present system led to a certain number of transfers from and to the Central Provinces; you tell us that there have been five Conservators in your own circle since 1900, more than a year apiece; do you regard that as a satisfactory system?—No; but then in two cases (it was an unfortunate year) it was caused by men going sick and having to go; and in one or two other cases it was because the men's time was up and they retired.

25321. As far as you have had the opportunity of studying it, do you think that transfers of Conservators in the Central Provinces have been more numerous than in the Punjab?—I know they have been more numerous than in the Punjab; that is due to the unfortunate fact of men being rather liable to go sick here.

25322. It has also been suggested that the Central Provinces, in regard to these establishments, is rather treated as a dumping ground for men who have nearly completed their service?—That is not so in the case of the Forest Service.

25323. Do you see any necessity for having a uniform Forest Code for all the provinces?—No.

25324. Might it not be advantageous for each province to have its own Forest Code?—It would be quite feasible.

25325. You have said that a great deal of the matter in this Forest Code does not deal with this province at all?—I did not say that; I said that there was no part of the Code, so far as I know, that I was desirous of cutting out.

25326. Are there a whole lot of matters in the Code in which there is uniformity prescribed, in which uniformity is not really needed?—In the accounts question you cannot very well have different systems of accounts in the different provinces. A large portion of this book is accounts, management, and working-plans; those must be the same; then, organisation of the Forest Department; that is the same all over India. I really do not see why you want separate Codes; we have one Code, and then we have separate Forest Manuals which deal with provincial questions. I say it is feasible; I do not say it is advisable.

25327. You prefer the Code as it stands?—I should much prefer the Code as it stands to going to the bother of creating new Codes for each province.

25328. Is it necessary that that uniformity should go right down to the ranger; is it necessary to have absolutely uniform district returns in each province?—We have certain returns here which are unknown in other parts of India; in connection

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for instance with the license and stamp system here; this is the only place where we have this license and stamp system; that entails sets of forms which are unknown in northern India. That is not referred to at all in the Code; the Code refers only to general matter.

25329. Things that you think ought to be uniform?—Certainly, if every province was allowed to have its own forms and returns of output of timber, fuel and so on, it would lead to endless confusion.

25330. You run up to 75 forms?—Yes; many of them are annual.

25331. You think that all those forms are required and ought to be uniform throughout the whole of India; are you prepared to stand by the whole 75?—There may be a certain number that might be cut out, but taking them all round there is nothing much to grumble about in them.

25332. You say you hold that it should be possible for the Local Government to increase the number of appointments in the Provincial Forest Service and make the necessary redistribution amongst the grades of that Service. How high can a Provincial Service Officer go?—At present he can go to Extra-Deputy Conservator in the first grade, about Rs. 600 a month; we have not got anybody here drawing that pay.

25333. At present the Local Government is hampered by the fact that it cannot raise or create an appointment above Rs. 250?—That is so.

25334. If you got the recent power of sanction of the Government of India of creating an appointment up to Rs. 500 and raising the pay to Rs. 750, that would give you all you want?—Yes.

25335. You would not want any special concession with regard to Forest Officers?—No.

25336. (*Mr. Hichens.*) You mention free grants for village communities; are those free grants of forest produce?—Yes. Here it refers to occasions on which villages are burnt; they very often are; then they get a free grant of as much stuff as they require to rebuild; they have their ordinary concessions as regards grass, grazing and their ordinary daily requirements.

25337. Is it the policy here to set aside a certain portion of land for the villagers?—The villages down here are nearly all *malguzari* or zamindari; the *malguzar* always has a quantity of land attached to the village cultivation. That was done at the time of the first settlement. The main idea at the time of the first settlement here was that they would give the people sufficient land with the cultivation for the exercise of their daily requirements, and that then they could take the rest absolutely free of rights as reserved forests for Government. So that there are far more *malguzari* lands and zamindari forests than Government forests.

25338. The amount of Government forests is strictly limited?—Yes.

25339. Have you any experience of those parts of the Central Provinces where Government forests exist as opposed to zamindari?—You have them side by side everywhere.

25340. Is sufficient land set aside for the purpose of the village communities?—If they have not got sufficient of their own, Government always gives them such concessions as they may require in the Government forests.

25341. You have never heard complaints that they have not got sufficient for their own purposes?—They have not sufficient to graze all their cattle; you cannot give them sufficient to support the whole of their cattle. Throughout the whole of the year they can graze in the forests round about the villages; then they move off and graze in Government forest when they want to; as a matter of fact they have got through a lot of the areas that were given to them by expanding cultivation and by cutting down jungle and selling it.

25342. (*Mr. Dutt.*) When they graze in a Government forest do they pay a grazing fee?—Yes.

25343. That is separate from what you charge for thatching grass and so on?—Yes.

25344. You say that the waste lands round villages are not sufficient for grazing all the cattle which the villagers have?—I say that, because I presume that if it was sufficient they would not come to the Government forests, and they do come to the Government forests.

25345. Are petitions for further grazing land common?—There is no such thing as petitions; if they want to graze on Government forest they take out a license; if you gave the people sufficient forest to graze the whole of their cattle, it would mean that you would have nothing left; if you permitted uncontrolled grazing everywhere you would soon have nothing left.

25346. Under each Conservator you have some seven divisions; are these divisions the same as the revenue districts?—Not always. Generally one revenue civil district is a forest division; but sometimes you have one forest division including two revenue charges, or parts of two revenue districts.

25347. You say that many of the reports which the Divisional Forest Officer has to send up are sent up through the Deputy Commissioner?—A certain number of them.

25348. Besides that has the Deputy Commissioner any other kind of control over the Forest Officer, not in technical matters but in matters relating to the people?—In matters relating to the people the Forest Officer is simply the assistant of the Deputy Commissioner.

25349. But you say that the Deputy Commissioner does not pass any orders; he simply passes on the report of the Forest Officer to the higher authority on any matter in which the people ask for privileges or have any complaints to make?—That was in connection with free grants; the Deputy Commissioner does not pass any orders about free grants.

25350. But there are other matters in which the Deputy Commissioner has power to pass orders?—I can only say that, in all matters connected with the people, under the rules the Forest Officer is the assistant of the Deputy Commissioner; I have never served here as a District Forest Officer.

25351. In all these matters the Deputy Commissioner either passes orders or sends them on with his remarks to the superior authorities?—Yes.

25352. I suppose most of the large forests in this province are reserved forests?—They are all reserved forests; there is nothing else.

25253. You have no unclassed forests?—No; we have a certain number of what are called B class forests, which are set aside for cultivation as population increases. They are all reserved under the Forest Act.

25354. And waste lands, the *malguzar* lands as you call them here, are under the administration of the Revenue Officers; the Forest Department has nothing whatever to do with them?—Quite so.

25355. Are complaints very frequent from villagers that they have not got sufficient fuel or thatching grass or anything of that kind?—No, they are not very frequent.

25356. You tell us that the pay of the rangers begins at Rs. 50; how high do they rise?—Rs. 150.

25357. What is the class of officers under the rangers?—Deputy rangers on Rs. 30 and Rs. 40.

25358. What is the lowest class of officers you have?—Forest guards.

25359. According to the circular from which you have quoted, for lower officers there is one right of appeal against any orders of fine or suspension or dismissal, and all officers getting Rs. 50 or more have a second right of appeal to a higher authority?—Yes.

25360. You approve of those rights?—Yes.

25361. Have you any village forests in your circle?—There are no Government forests which are called village forests; all Government forests here are reserved under the Act.

25362. I mean forest areas handed over to the village to be managed by the people themselves?—There are no such areas in this circle.

(*The witness withdrew.*)

Mr. C. R. CLEVELAND was called and examined.

25363. (*Chairman.*) You the the Inspector-General of Police?—Yes, since 7½ years.

I do not think there is anything wrong with the general system, but the evils of excessive centralization are often manifest owing to the faults of individual officers. Some officers try to do the work of their subordinates and others do the opposite, *i.e.*, they leave too much for their subordinates. The same main faults probably are found from the top to the bottom of the official system, but they are individual. The faults of our system are discoverable by a study of the records and characters of individual officers and not by an examination of the rules by which they are supposed to be empowered, guided, and restrained. I have found all real difficulties due to men and not to systems.

25364. Have you been brought in any way into touch with the Director of Criminal Investigation?—I know him personally very well. Whenever we have met we have discussed official matters.

25365. Does your work overlap with his, or his with yours?—Not very much, he was Secretary to the Police Commission, and I saw a lot of him then, and we have consulted about police matters a great deal, but the relationship was more personal when we had discussions.

25366. Do you find that there is in any way a tendency on his part officially to interfere with the management of the police in this province?—No.

25367. Not in any way at all?—No.

25368. Are you brought into relation with each other officially only on the criminal investigation side of your work?—I had a good deal to do with him in connection with the Police Commission schemes when they were being worked out.

25369. But in the administration of your police here?—No, not since we once settled our schemes.

25370. You have under you a certain number of District Superintendents. Do they correspond direct with you?—Yes, the rule is that on routine matters they correspond direct with me; on important matters, more than routine matters, they write to me through the Deputy Commissioner and occasionally through the Commissioner.

25371. That is in no way touching the discipline or interior economy of the police force?—We try to do it by common sense.

25372. Can you post your District Superintendents?—I have to take the Chief Commissioner's orders, but in very few cases could I say that the responsibility for posting was not on me.

25373. Do you take his orders direct, or through the Chief Secretary?—If there is a difficult case I should probably, if I happened to see the Chief Commissioner, do it direct; for instance, this morning I have been doing posting with the Chief Commissioner direct.

25374. But the requirement is that it should go through the Chief Secretary?—I would talk it over with the Chief Secretary and then send up an unofficial memorandum with my suggestions, which would go to the Chief Commissioner.

25375. They would go back for final sanction?—Yes; there might be a future development, for instance, I have discussed things that are going to happen four or five months ahead, and by the time they get my official memorandum things may have changed altogether.

25376. As regards the relations of the District Superintendent with the District Officer, are they satisfactory on the whole?—We try to keep them satisfactory. It seems to me a great deal depends on personality; there are some Deputy Commissioners who do not get on well with District Superintendents, but on the whole the relations are satisfactory.

25377. I am talking not of individuals, but of the system?—It is very difficult to differentiate.

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25378. Do you find that the control or the interference of the District Officer in the working of the police force generally tends in any way to inefficiency?—No, from the point of view of the police we welcome the Deputy Commissioner in every possible way, if he comes in as a helper; as a mere critic we have not room for him.

25379. Does he attempt to criticise?—Occasionally; I said as a mere critic, there are Deputy Commissioners to whom criticism is——

25380. The breath of their nostrils?—Yes, sometimes, and then there is friction; we do not have it often; we do occasionally.

25381. You have no particular recommendation to make to us on that point?—No, the lines are broad enough to work on with individuals.

25382. I see that Mr. Spence, who is your Assistant, says that he does not consider the influence of the Central Provinces system as regards the Police Department to be in the direction of excessive rigidity, but he goes on to say that the Local Government draw up rules to cover every imaginable point; do you find that that is so?—It is customary to work on a Police Manual. Our manual ever since the Police Commission started has been more or less obsolete, and we are now going to have another manual; it rests with us and with the Local Government to see that that manual is not too detailed. The old manual for this and for all other provinces was practically one detailed manual which settled everything. The tendency now is to divide the manual up into volumes, some dealing with things which can be settled once and for all, the others with details (for example as to the number of suits of uniform to be given in a year) which will be left, I hope, as a departmental matter. If you once put them on one big manual, any change requires the sanction of the Local Government, and that is cumbersome.

25383. You think that these new rules will give officers and yourself as Inspector-General somewhat more freedom?—Yes; sometimes one does not introduce a petty change, because after all it is a small matter, and it is not worth going up about.

25384. If a subordinate officer of the police force is punished, what right of appeal has he against the punishment?—He is punished by the District Superintendent, and there is a prescribed right of appeal for reduction, dismissal, and suspension. If he is fined, which is very rare now, or given some smaller punishment, he has no right of appeal, but, of course, every man in the force can apply to me, or he can apply to anybody he likes—to the Chief Commissioner or to the Inspector-General.

25385. Are there two lines of appeal—one through the Deputy Commissioner and one through the District Superintendent?—No, only one.

25386. That is through the District Superintendent?—Yes.

25387. Whether in the case of dismissal or in the case of fining?—There is no right of appeal in the case of fining, it then becomes a matter of application.

25388. Is not that the same thing?—It is a different procedure.

25389. But the result is the same?—No, not always.

25390. The result is that he gets an inquiry into what has happened?—Not always; if it is an application which calls for nothing at all I simply put "File" on it, whereas you never put "File" on an appeal.

25391. (*Mr. Hichens.*) What powers of promotion has the District Superintendent of Police without referring to headquarters?—He appoints his head constables, that is, he may promote any

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constable who has passed his examination, without reference. The next step, from the head constable to a sub-inspector, requires the Inspector-General's sanction. Once a man is a sub-inspector he gets his grade promotion from the District Superintendent of Police without anything further from the Inspector-General. Inspectors are appointed by me, and their promotion is done by me.

25392. Are sub-inspectors usually appointed from head constables?—The two systems are going on side by side. Ultimately the idea is that the great majority of sub-inspectors should be appointed direct from men who come through the Training School, and there will be a small fraction of head constables who obtain promotion. Just at present we are very short of sub-inspectors, and so we are promoting a good number of head constables.

25393. Would it be desirable to give the District Superintendent of Police power to promote to the rank of sub-inspector?—He sends it up in the form of a recommendation roll; it is a very useful formality that it should come through me; I occasionally reject them.

25394. Has he any power of giving small rewards?—Yes. He can give rewards up to Rs. 20.

25395. (*Mr. Dutt.*) When the sub-inspectors' recommendation roll goes up to you does it come with the Deputy Commissioner's remarks?—Yes; always.

25396. In the matter of punishments, when an appeal goes up to you does it come with the Deputy Commissioner's remarks?—If it comes from a head constable or sub-inspector, not if it comes from a constable.

25397. Besides that the Deputy Commissioner has no other power with regard to either promotion or appeals from punishment, except forwarding his remarks to you?—A head constable's dismissal requires the Deputy Commissioner's previous approval under the old system; it will not under the new. A sub-inspector's dismissal requires my approval; the Deputy Commissioner has an opportunity of interfering at any stage if he likes.

25398. Under the old system does not a sub-inspector's grade promotion also require his approval?—That was done by the Inspector-General; the sub-inspectors under the old system were on a provincial list; now they are on a district list.

25399. Generally speaking, is the work of the District Superintendent of Police to some extent under the supervision and control of the Deputy Commissioner?—Certainly.

25400. Where his work relates mainly to the investigation of cases he receives his instructions from the Deputy Commissioner?—Yes.

25401. But so far as the police force is concerned the District Officer's control is very slight?—It is largely influential.

25402. Considering the responsibilities of the Deputy Commissioner, ought he to have any larger power over the police force?—I think if he is a competent Deputy Commissioner, that he will already have it by influence.

25403. You do not want to give him any more direct power?—I think not.

25404. With regard to the investigation of cases, does the Deputy Commissioner generally receive reports in important cases—dacoity cases and so on?—Yes, reports come through the Deputy Commissioner to me.

25405. Do you get the benefit of the Deputy Commissioner's remarks on those reports in the course of the investigation?—Yes, he has the opportunity; he reads the report of the investigation, and in sending it on to me he occasionally makes notes upon it.

25406. (*Sir Frederic Lely.*) As a result of the recent Commission has the District Magistrate, as a fact, lost certain definite powers over the police?—He will have less definite powers in the matter of departmental punishments, but then we have Deputy Inspectors-General, which we had not before.

25407. To a certain extent the Deputy Inspector-General will now occupy the place of the District Magistrate?—I will not go so far as that. If you wish for a detailed answer I would like to refresh my memory.

25408. The appointment of the Commission and the result and orders have led to many changes?—Yes, we are in the transition stage now.

25409. Changes which have been imposed on the Administration by the orders of the Government of India?—Before we were at a standstill for want of funds. What the Administration would have done, if they had had the money, I cannot say.

25410. That is another point, but in regard to the number of police and in regard to their pay?—The changes were partly spontaneous and partly from above; I cannot say that they been imposed upon us.

25411. Have not changes in equipment and pay and so on been embodied in directions emanating from the Government of India?—We have had no rules whatever about equipment except that we give the police more than they had. As regards pay those rates have been settled by the Government of India after consultation with us; we got exactly what we asked for in most cases.

25412. You referred just now to limiting the number of head constables who could be promoted to 15 per cent.; has not that limit been imposed by the Government of India?—That would be a rule from above modified by suggestions of your own, I think.

25413. (*Sir Steyning Edgerley.*) Are the constable and head constable grades local to the district?—Yes, so also are the sub-inspectors.

25414. Hitherto appeals from punishment have been controlled by the District Magistrate?—No, if the District Superintendent of Police punishes a constable the next step is that the constable appeals to the Inspector-General. That has always been so.

25415. And head constables?—A head constable would always appeal also to the Inspector-General.

25416. And the sub-inspectors?—They would also appeal to the Inspector-General.

25417. Do sub-inspectors' appeals come through the Deputy Commissioner?—Yes.

25418. And head constables' appeals?—I am not certain as to that in future.

25419. In all cases the Deputy Commissioner has a right of noting on an appeal?—Yes; in fact, there is rather more than a right of noting; I can bring to mind a case where the Deputy Commissioner has held an inquiry; he has not been satisfied, and he has returned the whole thing.

25420. He can return the case for further inquiry?—He has made the inquiries himself.

25421. That power he will no longer have?—The words are "The records of all serious cases of misconduct and of cases affecting the public should be submitted to the District Magistrate, and he should have power to send them on with his recommendations through the Commissioner to the Deputy Inspector or Inspector-General; he should also have power to call for any papers relating to the case," and so forth. Those are the rules laid down by the Government of India on the report of the Police Commission in the Resolution of March 21st, 1905.

25422. You have not yet got that working?—No.

25423. Are those the latest orders as to appeals that you have received?—Yes; they thought of putting these orders into the Police Act, which I understand, has now been abandoned, and we have just got down the principles of the Police Act.

25424. What do you suppose is the number of appeals which you receive every year?—It is somewhere between 100 and 200 departmental appeals—not more.

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25425. I understand the District Superintendent of Police will have power to practically punish constables and head constables; he will pass his orders without reference to anybody else?—The Government of India laid down principles and said, these principles will be amended in a general Police Act for India. They have given us those principles. For the past three years they have been thinking of the Act, and they have just decided to drop the Act, and we have been asked to work out these principles; so that I could not tell you exactly how it will be.

25426. We were told in Eastern Bengal that the cessation of local appeals to the District Magistrate struck a serious blow at his authority in police matters; you would not agree with that?—No.

25427. Do you see any grave objection to local appeals from the sub-inspector downwards going to the District Magistrate for settlement?—Yes. I think that in a matter of discipline the department is responsible, and should have the power of punishing.

25428. About these reorganisation proposals, were most of your requests accepted?—Most of them were accepted.

25429. You had no particular difficulty about getting anything that you considered necessary?—No, none whatever. As to one or two points of my proposals there were difficulties. I wanted more deputy superintendents at once, and I could not get those for reasons shown. I was very unhappy about the position of our head constables under the future scheme, but I had to accept the decision as the rest of the provinces were in the same position. We started with great local difficulties about the head constables, and we have come down in their pay, while other provinces have gone up.

25430. The head constable in the future is to get no promotion except this 15 per cent.?—Our head constables went up to Rs. 30 *per mensem*; that was the difficulty.

25431. What was the difference of opinion between yourself and the Government of India?—We wanted to pay the head constables more than Rs. 20.

25432. You had done so previously, and in future you will not be able to do so?—No.

25433. You had no difficulties as to numbers?—No.

25434. (*Mr. Meyer.*) As regards these various restrictions to which you refer, is it not the fact that they were recommended by the Police Commission; the Government of India did not evolve these rules out of their own heads?—Do you mean going behind the Resolution and the Commission's report?—What the Police Commission said was Rs. 25 as the pay of head constables, and the Government of India said Rs. 20.

25435. The Police Commission at any rate agreed that there should be a general limitation to the proportion of sub-inspectors who should be promoted head constables?—Yes.

25436. The Police Commission report was sent for suggestions to the various Local Governments?—Yes.

25437. And the upshot was that the orders were in accordance with what the Local Governments suggested?—All the recommendations of the Local Governments were confidential.

25438. Anyhow, the Local Governments had full opportunity of discussion?—Yes.

25439. May I take it that the same was the case in regard to the pay of head constables?—As a matter of fact, I think, the reduction from Rs. 25, which was the Police Commission limit, to Rs. 20 was by the Government of India, not on the Police Commission report.

25440. Then as regards the percentage of sub-inspectors, did the Government of India change the Police Commission's limit there?—I think not.

25441. This uniform pay does not preclude local allowance in special expensive places for head constables?—For constables; I have never seen it put down for head constables.

25442. Under the present system you say that if the District Superintendent of Police reduces a head constable it goes up to the Deputy Commissioner, and if on looking through the record he thinks that there is not sufficient evidence to punish the man on it, he reverses the decision at once?—No. What he as a matter of fact would do would be to talk it over with the District Superintendent; if he convinced him, then the case would be dropped.

25443. So that in reality he is not an appellate authority?—He is not an appellate authority.

25444. Under the new rule can the District Superintendent of Police post men in a district?—He would have to do that with the approval of the Deputy Commissioner.

25445. You think the Superintendent of Police has to get the approval of the Deputy Commissioner with regard to the transfer of an inspector?—I rather think he would have to get the approval of the Deputy Commissioner even as to that, but we are working in a very fluid state.

25446. Take this case; the District Superintendent is quite prepared to keep inspector X where he is, but the Deputy Commissioner has come to the conclusion that X is doing mischief in a certain place, or is not competent to manage it, and wants to remove him; what happens then?—The course would be that the Deputy Commissioner would write to the District Superintendent of Police and say: "I think this man should be removed; if you agree please remove him." The District Superintendent of Police would write back and say: "I do not wish to transfer this man, I think it would be harmful; if you still wish it will you please refer to the Inspector-General." Then the Inspector-General would be brought in or not, according as the difference was settled, or not.

25447. Eventually who would have the deciding word?—If the Deputy Commissioner and I disagreed I should refer it to the Commissioner, if it was an acute disagreement; I have never had a case of that kind.

(*The witness withdrew.*)

Mr. S. C. Hill, B.A., B.Sc., was called and examined.

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25448. (*Chairman.*) You are Director of Public Instruction?—Yes.

25449. What is your general scheme of educational control here? There is the Director of Public Instruction; what is there below him?—Then inspectors. The Central Provinces is divided into five Commissionerships; each Commissioner has an inspector of schools; the Commissionerships are divided into districts; each district has a deputy inspector of schools. That is practically the administrative staff. Then the colleges have their principals and professors. There is one difference, however; the inspectors, like the Director, hold an advisory position more than having absolute power. On the other hand the deputy inspector is really an Educational Officer who is lent to the Deputy Commissioner to assist him in the management mainly of vernacular native education.

25450. The primary schools are managed by what authority?—They are managed almost entirely by the Local Boards; that is, the District Councils or District Boards.

25451. By whom are the middle anglo-vernacular schools managed?—Partly by Government, but chiefly by the municipalities. There are very few of these under the District Councils.

25452. And the secondary schools?—The secondary schools consist of the anglo-vernacular schools and the high schools; the high schools are almost all Government schools now, except of course those managed by missionaries and the Muhammadan schools. The Muhammadans do not like to have

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Government control over their schools, because it prevents religious education.

25453. In your opinion is the system of education in the Central Provinces at all what may be described as a centralized system?—No, I think we have here what is practically the maximum of general concurrence; the department limits itself very largely to advising. We have the help of the Deputy Commissioners; in fact, in the Central Provinces without the help of the Deputy Commissioners you might practically close all the primary schools; it is their influence more than anything else which keeps them going.

25454. Are the District Councils apathetic?—The District Councils are in a peculiar position; we have a comparatively large number of aboriginal tribes, and the better classes are not particularly interested in them, and there the missionaries come in very strongly, and the influence of the missionaries and the tahsildars is invaluable.

25455. Do the municipal bodies and committees manage their schools pretty well?—They manage their primary schools not so very well, because there is not sufficient money, and also because they want to use that money for middle anglo-vernacular schools. All their own sons are likely to grow up to be of influence in the municipalities, and they want them to be educated in their own towns as far as they can, so that they endeavour to get a middle school. There is a constant fight going on to see that they carry out the orders of the Government of India and limit themselves to primary education.

25456. From the point of view of efficiency, ought their powers to be limited to primary schools?—That is Mr. Candy's opinion, but I do not entirely believe in it, because my feeling is, if you want education reduced to an efficient minimum in this province, you should leave it entirely in the hands of the department, but if you wish to employ all the influence available, the influence of the Deputy Commissioners and the influence of the general public, then you ought to leave the powers in the hands of the local bodies. I think for the ultimate development of the general education of the country it is better that we should risk the less of present efficiency.

25457. Do you find that the Director-General interferes at all with your administration?—He does not interfere at all; I have no official cognisance of his existence from one year to the other; he only writes to me demi-officially, and I am not allowed to use his demi-official letters.

25458. He sends you opinions on educational subjects from time to time?—I refer to him a good deal in cases of new departures, as to what is going on in other provinces; I cannot always get that out of other Directors, but I can generally get it from the Director-General.

25459. With regard to the desirability of educating people in self-government, do you insist very strongly upon the curricula of schools being identical all through the Central Provinces?—The curricula of primary schools was drawn up a few years ago by a committee containing Educational Officers, and a certain number of Civil Service Executive Officers, and it was intended to give a practical course of study for primary schools; our object rather is to maintain that standard than to insist on absolue uniformity, and in all backward districts the Deputy Commissioner in consultation with the inspector can alter the curriculum to suit his opinions, simply reporting the matter. The Deputy Commissioner is supposed to know more about the real wants of the people than anybody else.

25460. Do you think there is under the present administration sufficient flexibility?—Absolutely, I think.

25461. Have these instructions by which the inspector plus the Deputy Commissioner can alter the curricula only been a recent change?—When I came here I found my office very much overburdened, and I was ordered to make out a list of the work done and to show how much of it could be done better in other places. The result was that about two years ago a number of the powers formerly exercised by the Director were handed over to inspectors and Deputy Commissioners.

25462. Has that worked well?—I think it is working well, but it is such a short time ago that one can hardly say.

25463. Are there any further powers which you can delegate at present?—I think not. We have delegated practically as much as we can until we know how the present system works.

25464. Mr. Candy says that there are several matters in which powers should be delegated with reference to attendance and so forth?—Those are all petty matters, and are partly delegations to the Director of Public Instruction or to the inspector of schools.

25465. (*Mr. Meyer.*) You served in Bengal a good many years before coming to this province?—Yes, 20 years.

25466. Do you notice any great difference in the educational system between the two provinces?—The chief difference seems to me to be that here the Educational and Civil Services work in very much with each other. There, as an inspector of schools, I was practically independent and hardly ever consulted a Magistrate at all except as a matter of form; here it is the rule with Government that in all questions of policy we shall keep in touch with the District Officers and use their advice as much as possible in guiding ourselves in the general policy.

25467. Is the Central Provinces system the better one?—Decidedly for the Central Provinces.

25468. We were told by several people that it would be desirable to try to give the District Magistrate in Bengal larger control in the matter of secondary education, would you share that view?—I do not think that in Bengal the Magistrate has time to take much share in it.

25469. Assuming he had the time, would it be of advantage to associate him with the management of the zillah schools and so on?—It is so many years since I left Bengal that I do not remember, but in my time he was always the Head of the committee.

25470. Are you satisfied with the position which the District Boards have here with respect to education?—Yes, I think they have quite as much power as they ought to have.

25471. I gather that there is a material difference between the procedure in Berar and the procedure in the Central Provinces proper—in Berar the schools are all managed by the Education Department?—The Education Department is stronger than it has been here; it followed the Bombay lines.

25472. Whereas in the Central Provinces the Boards were supposed to manage their own schools?—Yes, simply with advice from Educational Officers. We have certain rights, the inspector can fine masters in Board schools if he likes, but he cannot always get the municipalities to enforce the fine.

25473. What is the general method by which the Boards here deal with education?—Almost throughout the whole of the Central Provinces the primary schools outside the towns belong to District Councils; in the towns they belong to the municipalities, building any everything else.

25474. Then you have not much in the way of aided schools?—It is almost all missionary education.

25475. Is it aided by the Government or the Boards?—It is generally aided by the provincial Government.

25476. Does the deputy inspector deal with the Board schools direct?—Yes, he practically manages them; in some places you will find the municipalities give him an absolutely free hand, and the District Councils give him a free hand, and as long as he goes on well and there is no great trouble among the people, I think the municipalities and

District Councils follow the deputy inspector's advice closely.

25477. Who settles whether there are new schools to be made or an old Board school to be abolished?—The deputy inspector reports on that to the Deputy Commissioner—no school can be closed without my ultimate sanction.

25478. Where does the Board come in?—The deputy inspector reports through the Board, and in that way the Board always has a say in that matter.

25479. Ordinarily the deputy inspector would say that the school ought to be closed?—He would advise the Board so, because he is the inspecting officer.

25480. And if the Board agreed with him it would then come to you for approval?—I would not close it without the sanction of the Deputy Commissioner, because we have trouble as to the cost and so on, and it might be possible that the District Council had said, "We do not want to carry on this school, it is only low class people who go there."

25481. Would the ordinary procedure be first for the deputy inspector to move, then for the Board to agree, then for the Deputy Commissioner to concur, and, lastly, for you?—Yes.

25482. Supposing the Board did not agree with the deputy inspector and said "It is good enough for us," what would happen?—Then you can also interfere through the Commissioner. All the finances of the Board are under the Commissioner, and if the Commissioner gives the order, the school would be closed.

25483. The Board's budget for allotments under education comes up to you?—Yes, for comment, with regard only to the portion referring to education.

25484. Do the District Boards give a fixed percentage of their revenue for education?—No.

25485. Speaking generally, who really runs the Board schools in the Central Provinces; do the Boards themselves have much to say about it or is it merely the Education Department and the Deputy Commissioner who spend the Board's funds in the Board's name?—Of course, the real moving spirit is the deputy inspector, but the Boards take a very strong and intelligent interest in the work; I know that by appeals that come up to me.

25486. Do you think they would take more interest if they were allowed to run their own educational sub-committee and so on?—I do not think so—the municipalities have sub-committees.

25487. Mr. Candy states that in the Central Provinces the Boards and municipalities engage their own teachers, but is that generally done for them by the deputy inspector?—Yes.

25488. And that they hold out to them no hopes of pension—have they no provident funds?—None in this province, in Berar they are pensionable.

25489. The Berar system goes the whole way in the matter of Government control?—The District Boards are interfering a great deal more now than they used to.

25490. The upshot of the amalgamation of the provinces will be that education will become more departmentalised in the Central Provinces, but that the District Boards in Berar will get a freer hand?—I think so.

25491. And you look upon that, generally speaking, as a good thing?—Yes.

25492. Have the District Boards here middle schools to any great extent?—Do you mean middle English schools or middle vernacular schools?

25493. Both?—Middle vernacular schools are all Board schools.

25494. You draw the line really at the Anglo-vernacular or the English school, and the English schools, you think, in this province should be under the provincial Government and the vernacular schools under the Local Board?—Yes.

25495. Are the English schools dealt with by the Deputy Commissioner also?—No, so far as they are municipal schools they are dealt with by him through the municipality, but the teachers are practically all appointed by the department.

25496. And the provincial schools?—Are entirely under the Government, and the Deputy Commissioner has nothing to say as to them except that he is Head of the Committee.

25497. Is that satisfactory?—Quite.

25498. What has the Commissioner to say on the matter of education supported from provincial funds?—He generally limits his interference to criticism on any point that he finds wrong on his tours, and he uses his influence very largely to encourage public interest in schools. For instance, if the people want a new school or a school of higher rank, they generally approach the Commissioner, he approaches all the big people about the place and gets subscriptions, then the matter comes up to Government and Government says "Very well, we will raise your school to such and such a standard if you will provide a building," and that is very often the result—they subscribe towards the building, we aid them, and if it is a high standard we make it a Government school.

25499. Do the Commissioners have much to say with regard to your budget so far as it relates to their division?—No, because they all go up direct to the administration.

25500. Do you not think a Commissioner might profitably see the proposals and have an opportunity of saying that you are spending too little or it may be too much in his division?—I do not think so; I do not think there is any necessity for that. There is so much correspondence and consultation generally as to what schools are wanted, that there is no advantage in his seeing the budget proposals later on. All applications for sanction for big new schools really have had his concurrence before they go up.

25501. Then you think he has sufficient influence as it is?—Absolutely.

25502. Do you think the appointment of Director-General of Education has been a good one?—I do not think it has had any effect at all.

25503. Not one way or the other?—Perhaps that is ungrateful of me, because I am always able to obtain information about other provinces now which I could not before.

25504. Would you give a Local Government an absolutely free hand in educational matters?—I do not think so; I think if you did, education would probably be starved.

25505. Is the Government of India more sympathetic than the Local Government?—I think so, the Government of India want to raise the standard of education to what it is in European countries, and Local Government have so many claims upon them that they might be inclined to starve education.

25506. In connection with what you said as to the inspector of schools and the Deputy Commissioner making alterations in the curriculum, Mr. Candy says that that is only with regard to backward localities—is that so, or would it apply to other localities?—It is only where there are backward classes.

25507. Do you mean by backward classes hill tribes and people of that sort?—We have a large Mahrathi population here which the Brahmans will not have anything to do with, and we find quarters of these people in all the towns.

25508. As regards the cultivating castes, are the schools bound by the provincial Education Code?—That rule really gives the Deputy Commissioner absolute control, and if he chose to say a place was backward no one would question it.

25509. So that if he thought, for instance, that the pupils had better stop the learning of Indian history, and that a little more agriculture or botany should be taught, could he carry out his ideas?—Yes.

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25510. The inspector is an advisory officer mainly?—Yes, mainly.

25511. The Chief Secretary said he was under the impression that that position was being gradually extended, and there was a tendency for the inspector to issue orders more or less to the deputy inspector instead of addressing the Deputy Commissioner—is that the case?—There may have been that tendency, because the relations of inspectors and Deputy Commissioners have never been accurately defined, but recently we have drawn up orders on the subject, and they know now exactly what they are to do.

25512. Are you in favour of keeping them in the position of inspectors merely and not administrators?—They have to administer the Government schools in their circles—the high schools and the Anglo-vernacular schools, when they are Government schools, and they have practically the appointment of all the English teachers in their schools.

25513. That is what I suppose Mr. Candy refers to when he speaks of the transference of teachers?—No, in Berar he tells you that all the masters were under his control and the objection to Mr. Candy's proposal was merely an account objection; if a school had one establishment and transferred one teacher to another, it created a confusion in the accounts—that was all.

25514. There was no question then of exercising such a power as that with reference to a Board school, except in Berar?—In the Central Provinces proper the inspector never transfers a master from one school to another without previous consultation with the Board.

25515. Mr. Candy says that he would lay down generally that the Director of Public Instruction should have wider discretionary power with regard to transferring from one head to another—does he mean from a major head?—I cannot tell you, but as a matter of fact practically all transfers have to be sent up for sanction.

25516. What you administer generally is the fund under the main head of education?—Yes.

25517. I suppose what Mr. Candy meant was the minor heads that come under that?—Yes.

25518. And you have no such power now?—Practically none—all reappropriations have to be sent up for sanction and that very often takes a long time.

25519. Is it advisable that you should have such power?—I think so.

25520. (*Sir Steyning Edgerley.*) Has any attempt been made to make the standard of curricula in Berar the same as it is in the Central Provinces since the amalgamation?—When I came to the province, I found a sort of standing order that whatever was done in Berar which differed from the Central Provinces should be altered, but Mr. Candy represented to me the trouble and confusion this would cause, so that the Beraris are now allowed to have their own text-books; their curricula have been slightly modified, and in consultation with the inspectors of the Central Provinces we are trying to draw up curricula which will suit both.

25521. Do you consider that the Berar curricula and text-books are better than those of the Central Provinces?—I do not know, but the general impression is that they were much more popular and the people were more pleased with them, but I do not understand Mahrathi.

25522. One witness has said that in the desire to secure uniformity standards have now been drawn up which have lowered efficiency in Berar, and Mahrathi books have been prepared the style of which is inferior and the grammar at times questionable—what do you say as to that?—I do not think there is much in that. The great difficulty in the Central Provinces is to get anything like a language which will be understood all over the provinces. Some of the Deputy Commissioners say, "There is not a man in my district who understands such words," but they are perfectly good words and are probably used in the next district.

25523. What particular reason is there for trying to modify the Berar standards and curricula if the people are pleased with them?—When I took over charge I tried to stop all that change, but we found that there were faults in our curricula and text-books, that is to say in the Mahrathi portion of the Central Provinces, and as officers are transferred from one part of the province to another their children go with them, and therefore it is advantageous that the boys should be reading as far as possible the same standard in the different places. With that object we are trying to draw up better curricula and better books which will be acceptable to both provinces.

25524. (*Sir Frederic Lely.*) Some time ago in a training school in Berar there was found to be the grossest indiscipline, and all the Commissioner of the division had to say about it was that he did not consider it was any of his business—would that be the case nowadays?—I believe the Commissioner was hauled over the coals for that.

25525. Do you, as a department, consider that the Commissioner and the District Officers have any responsibility in the matter of secondary education?—I think they are very largely responsible, and the tone of a town is very largely dependent upon the interest taken by the District Officers in educational work.

25526. In the case of higher places of education, high schools and training colleges, have you Boards of Visitors?—I do not think there are any Boards of Visitors for training colleges, and of course the excuse that it was none of his business was more plausible than it would have been in any other case, but high schools have all got committees, and the chairman is invariably the Deputy Commissioner. That has only recently been applied to Berar.

25527. Do you think it would be a good thing to establish in connection with all these places of education, training schools included, Boards of Visitors including the higher officials?—It is very difficult to get Boards of Visitors, and the higher officials are so busy that they cannot afford the time. That is my only objection.

25528. With regard to primary schools, at present the District Boards are nominally responsible? What would you say to going a step lower and in some of the best villages giving the village panchayat, or some representative of the village, power to manage schools?—In all the villages whenever there is a school there is a village committee, and the village committees in the Central Provinces have absolute control of all fees collected; that is sufficient control.

25529. Are they responsible in any way for the housing of the school?—No, the District Council is responsible for the housing, but they are supposed to do a little in the way of keeping up gardens, and distributing prizes.

25530. Would it be possible to make them entirely responsible for the maintenance of the schools by giving them a grant and entrusting them with the spending of it?—That would be a very good policy if grants for instance were given for building, and they were allowed to spend the money themselves. The money that is given for buildings now is very largely wasted.

25531. Who provides the buildings now?—The District Council. They generally engage contractors who do the work very badly.

25532. In the best villages would you advocate giving the villagers the money and leaving them to build the house without any other control?—Except that they should submit their plans to the deputy inspector, they should be allowed to build the house themselves, and I would propose that a percentage of the money should be kept until they had built it satisfactorily.

25533. At any rate, as an experiment, you would be inclined to give village schools into the management of the villagers?—Yes.

25534. (*Mr. Dutt.*) Is the Deputy Inspector always a member of the District Board?—No.

25535. Then he inspects the District Board schools probably in accordance with some Government rule?—He has a manual which tells him what his work is, and in accordance with the rules laid down and the advice issued from time to time by the inspector or Director he makes his inspection.

25536. But, as a matter of fact, he is not a member of the District Board in any of the districts of the Central Provinces?—I think he is in some.

25537. But he inspects in his capacity of deputy inspector, and not as a member of the District Board?—Yes.

25538. Do the *tahsil* Boards or the *taluk* Boards interest themselves at all in the primary schools within their areas?—Local Boards very often interest themselves, but more personally, I think, than officially.

25539. Have you a class of officers called sub-inspectors of schools?—No.

25540. So that the whole of the inspection work is done by the deputy inspector?—Yes.

25541. Is not the work too much for him?—I made a slight mistake in saying that we had a deputy inspector for each district; that was the original arrangement, but when a district becomes too large it is divided into ranges, and a deputy inspector will have from 60 to 80 schools to inspect which he must inspect twice a year.

25542. Are those Board schools, or Board and Government schools put together?—The primary schools are practically all Board schools, but it includes all schools whether private, aided or Board schools.

25543. Besides that, has he to inspect secondary schools—Anglo-vernacular and high schools?—He has the Anglo-vernacular only in Berar, and no secondary education schools in the Central Provinces.

25544. Are deputy inspectors Gazetted Officers?—Their salaries run from Rs. 60 to Rs. 200; they are not what you would ordinarily call Gazetted Officers.

25545. Are not their transfers gazetted like those of Deputy Collectors?—They are gazetted, but we do not call them Gazetted Officers.

25546. Their appointments, transfers and promotions rest with the Government?—They rest entirely with the Director.

25547. You do not have to take any order from the Chief Commissioner to transfer, appoint, or promote them?—No, the Government does not interfere with me except as regards provincial appointments and appointments in the superior Service.

25548. Do none of these deputy inspectors belong to the Provincial Service?—None.

25549. (*Mr. Hichens.*) Apart from reference on financial grounds are there many educational matters that have to be referred to the Government of India?—Very few, except in regard to appointments.

25550. That is a financial matter practically?—Yes, with regard to the salary of the appointment, and of course if you wish to start any new big institution that is a question of finance, but the Government of India also consider the question of policy.

25551. In a matter of that sort would the reference be more than financial?—Yes. For instance we wanted to start a Law College here and the Government of India considered the question and refused action, but they did not refuse it on the financial ground, but because it had not been a success in Madras.

25552. Do you think a matter of that sort should be settled by the provincial Government itself?—Yes.

25553. Generally speaking, would you say there are few matters except financial matters which should be referred to the Government of India?—I think so.

25554. Do the Government make a direct contribution to the District Boards for primary education?—Yes.

25555. To cover the whole of it?—Yes, it is supposed to cover the whole of it. The District Councils have a sort of general fund; the Government earmark certain cesses for them and make them a general contribution. There used to be a fixed contribution, but now it is a general contribution, and as long as the Commissioner is satisfied that they spend enough there is no further interference.

25556. And they and the municipalities do not deal with Anglo-vernacular schools?—They do in a certain number of cases, but we are gradually taking them over.

25557. You do think it is sound that Anglo-vernacular schools should come under Government?—I think it is advisable at any rate at present. I do not think they have sufficient knowledge to manage a high school.

25558. We were told that if they had the power that is just the sort of school they would establish, because it is the kind of school their own sons would go to?—Yes, they would do so, but when they had such a school they would not understand how it ought to be run.

25559. Then you are of opinion that they are not sufficiently experienced?—There are not sufficiently educated men on these Boards; that would not apply to Bengal, but this is a somewhat backward province.

25560. But suppose the Deputy Commissioner were to look after it?—He would not have time.

25561. The fact remains that that is the work in which they would be most interested?—Certainly.

25562. Therefore, it is a pity that they should not do the work in which they are interested, rather than work in which they are not?—Certainly, and if they were capable we should be very glad to make it over to them.

25563. Assuming they were interested in it and not in primary education, would it not be better to hand over to them the work of Anglo-vernacular education and take away the work of primary education?—I should not like to answer that question straight away.

25564. I understood you to say that they were interested to some extent in the one and not in the other?—Yes.

25565. With regard to the Government of India are you anxious they should have a general control, in order that they may see education gets its proper share of attention?—Yes.

25566. Do they to-day make a direct contribution?—Yes, they make direct contributions for many educational objects; for instance, they made a direct contribution for primary education, and since then they have made one for European education and one for secondary education; at present they are ordering us to reconsider the whole question of secondary education, but whether they are going to give us any money or not I do not know.

25567. How are they ordering you to reconsider it?—They have informed us (which we knew of course) that the teachers in secondary schools were extremely badly paid and the quality of the schools was not what it ought to be, and suggested that the maximum salary of Rs. 200 might be raised to Rs. 400, and the question is, where is the money to come from? They warned us at the same time that they were not likely to be able to give us the money.

25568. Is the pay of teachers a matter which concerns the Government of India?—It was a very good thing for them to tell us and lay down some rule, because that is a thing in which education is locally starved; the local people do not understand the importance of education and therefore they are satisfied with schools under masters on Rs. 200

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when one knows that for schools of that class they cannot be run well under men on less than Rs. 400.

25569. We were told elsewhere that if Local Governments were left with a free hand what would happen would be that one Government would raise the pay of a schoolmaster and that would practically force the hands of other Local Governments and make them do the same thing; what do you say as to that?—I do not think it would force their hands; for instance, in Bombay they pay their men very much better than they are paid anywhere else, and no one has felt bound to follow.

25570. Is it not conceivable that the question of the status and salary of schoolmasters would be more fully considered in the long run if each province was allowed to do what it liked, that is to say, if uniformity was not insisted on by the Government of India?—No, I think the Government of India will probably lay down a high and fairly satisfactory standard, and it is advantageous that the Government of India should tell us what it thinks is practically the minimum for which we can get good men.

25571. Are they more likely to know that?—They are more likely to know than the local authorities

(*The witness withdrew.*)

Adjourned.

FORTIETH DAY.

NAGPUR, *Thursday*, 6*th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. G. M. CHITNAVIS, C.I.E., was called and examined.

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25572. (*Chairman.*) Will you tell us your profession?—I am a landholder, residing in Nagpur. I have been Chairman of the municipality for the last ten years, and of the District Council for a similar term.

The financial relations between the Imperial and the provincial Governments are satisfactory enough. The general financial policy must be determined by the Imperial Government, but in matters of detail there should be greater elasticity and greater autonomy in the action of the provincial Governments, especially as regards famine and irrigation. Local needs are likely to be better known to the provincial Government, and greater independence of action should be productive of good. The Imperial Government has often to consider the applications for relief of a number of Local Governments, and the relief is sometimes inadequate in a particular area. Provincial Governments, when reporting on distress, have no means of comparing notes; there is not, consequently much in the reports themselves to enable the Imperial Government to come to a correct decision about the comparative urgency of the cases. The difficulties of the Imperial Government are increased by the fact of the Head of one provincial Government being more anxious than another to have a larger share of the imperial bounty as a sort of insurance against a likely famine. The actual state of things does not appear until the famine is over, and the necessity for expenditure has ceased. It may be that, in the end, one provincial Government has a larger surplus in hand than another, while the distress has been very inadequately relieved in other provinces for shortness of funds. Money might be more economically and more usefully spent by giving greater autonomy to the provincial Governments in the matter of famine relief. The policy and the principles of famine administration being settled by the Imperial Government, the details should be left to be worked out by the provincial Governments in consultation with the representatives of the people. At present, the Government has to depend too much upon the reports of subordinate officers, anxious for *kudos* by preventing expenditure and ignorant of its benevolent intentions. In actual practice, the report of a village accountant or patwari determines the fate of the whole village; and unless there is certain death from starvation the true state of affairs does not come to the knowledge of the Government. But then it is too late and the provincial Government, not having made ample provision in its famine budget for the particular area, finds itself hampered in its operations. The patwari often sides with the cultivators against the *malguzars* and fraudulently reports prevalence of distress in villages where there is none. This not only causes wanton loss to the provincial Government in having to provide for an imaginary famine, but causes still greater loss to the *malguzars* who have to make remission of rent which is easily recoverable, at a time when their resources are severely taxed. It will certainly improve matters, especially in relations between the Government and the people, if the provincial Governments are influenced in their decision by public opinion. And Divisional Advisory Councils, if properly constituted, will be found very helpful, as the tenants will be equally strongly represented on such Councils as the *malguzars*.

In the matter of irrigation the Imperial Government must continue to lay down the guiding principles, but in matters of detail provincial Governments should have greater autonomy. Local Governments and the people are in a better position to judge of the utility, the urgency, and the commercial prospects of a particular scheme.

Larger administrative powers should be given to provincial Governments in matters of light railways, emigration, reduction of revenue assessment, and protection of local industries. Light railways are necessary, especially in my province, and Local Governments should have greater freedom of action in initiating them. Having regard to the scarcity of labour, emigration should be checked and regulated by Local Governments, irrespective of the policy of the Imperial Government. It may likewise be necessary that revenue assessments should

be reduced in a local area for the prosperity of the people. The protection of local industries is more a matter of provincial concern, the Local Governments ought to be able to do something in the matter, without the special sanction of the Imperial Government. Well-conceived industrial schemes worked by provincial Governments will have an educative influence which is valuable in itself, and will further divert the hoarded capital of the country into remunerative channels.

Local Governments may be invested with borrowing powers on a small scale. The chief conditions should be that the loans must be repaid from surpluses within 40 years, that they should not involve additional taxation, and that the money must be employed on remunerative works and in subsidising measures of sanitary and industrial improvement undertaken by small municipalities and District Boards. The loans must also carry an imperial guarantee.

Taxation ought to be imposed with the sanction of the Imperial Government, and the Imperial Government should execise a general oversight over the provincial Administration in the matter of taxation. Taxation has reached almost the breaking point, and over-centralization in administration and red-tapism account for a large portion of it. The introduction of a complex system of administration with multiplicity of departments is at the root of the evil. The destruction of the old village communities and the assumption of larger powers by the District Officer, necessitating increased ministerial work and correspondence and tours, have increased the cost of administration. The rehabilitation of the village institutions and making them living forces with real power will reduce expenditure, and, consequently, taxation.

Official tours should be undertaken only in exceptional cases. Sometimes, besides causing waste of energy and time on the part of high-placed officers, they entail great hardship upon the people. It is impossible for the officers to prevent the exactions of their suite, notwithstanding the most commendable vigilance on their part. These tours entail a heavy responsibility on the *malguzar*, which, in view of the increasing scarcity of labour in the interior, it becomes very difficult for him to discharge. The *begar* system is no longer in vogue, and the *kotwar* has acquired an independent position in the village; and what the *malguzar* could have done easily in former times has now become to him a very irksome and onerous task. The District Officer, the Sub-Divisional Officer, and the tahsildar have at present to do a certain amount of judicial work, and from the necessities of the situation, they have to fix cases for hearing in camp, despite the rules recently made for the regulation of such hearings. Parties have to be in attendance with their witnesses far away in the interior on the off-chance of their cases being heard. The officer concerned often has to adjourn to some other village, probably several miles off the first, where the poor litigant has to follow him. Parties do not get proper legal help in the interior, and, where necessary, they have to pay for it at a ruinous rate. Officers should be directed to fix their camp in large rural centres, where there is no difficulty about quarters, provisions, and labour. And at the time of the revision of revenue these rural centres should be allowed some concession by way of compensation for the trouble undergone in the management of the tours.

A District Officer should not be transferred from his district before five years

The district administration must be simplified, and the details settled in view of local needs and requirements. The administration is dominated too much by considerations of revenue. The central Government wants money, and looks to the provincial Government for supply. Some of the imperial taxes—the income-tax and the cesses, for instance—are assessed and collected by the provincial Governments. The necessities of the Imperial Government create a zeal among the subordinate Governments which is gradually communicated to the District Officer, who tries to raise as much revenue as possible, regardless of the capacity and the wishes of the people. The income-tax administration, for instance, is as unsympathetic and rigorous as possible. There is a tendency to show an increased collection at the end of the year. Assessments by the subordinate officers are generally heavy, and the remedy of appeal is unreal. Collectors and Commissioners seldom choose to interfere. Books of account in many cases cannot be shown to the assessing officer for the simple reason that they disclose facts which affect the solvency and the credit of the party. But the assessor is unconvinced, and that even where the books are produced.

I would not curtail the right of appeal, whether against administrative and executive orders or against judicial orders connected with revenue. Not that it affords much relief, but it affords consolation to the people, and a curtailment of the right will be a fruitful source of dissatisfaction and discontent.

There is no need for any large increase in the administrative staff. Far from the Services being undermanned, there are too many offices and officials.

Local bodies may with advantage be given the power of allowing pensions and bonuses to their deserving servants, and I would like to see these local bodies devoting some of their attention and resources to the encouragement of small industries.

The former village system with the *malguzar* as the unit of the administration gave him a position among the people which enabled him to keep effective control over them in troublous times. He could therefore easily answer for their loyalty, but now, with loss of power, there has been a loss of responsibility too. He is now only a farmer of revenue, and his other duties have been taken away from him and placed in the hands of the various village officers—*mukaddam*, *gomasta*, patwari *kotwar*, and the police. He has to live under the surveillance of these officers, who are wholly independent of him, and assert their predominance in the village by the promotion of a factious and refractory spirit among the tenantry. There is a division, rather than a co-ordination, of power, and there is a serious conflict of interests in the present system. I would therefore restore to the *malguzar* his former powers and responsibilities. The rural administration will then become at once simple and inexpensive. The old patriarchal relations subsisting between the *malguzar* and the cultivator being restored, the former will become at once the bulwark against oppression upon the people and the exponent to the people of the benevolent intentions of Government.

I would also suggest in this connection the expansion of the system of what is known as Conciliation Boards, both as regards sphere of action and the area. These Boards not only relieve officers of a lot of trouble, but will reduce the cost of litigation, increase popular contentment, and, consequently, the popularity of the administration. The Debt Conciliation Boards have worked satisfactorily in my province, but a resort to these Conciliation Boards should be optional with the people. The system will work automatically towards progress, and the Boards will have the strongest motive to work in a manner best calculated to inspire confidence among the people.

Small bounties given in time by the Divisional Commissioner to local genius, to men distinguished for their services to their fellow-countrymen, and to local indigenous institutions will go a great way to popularise the administration. Such bounties will remove the charge now so freely levelled against the Imperial Government of being impersonal. In former times Rajas used to mark their appreciation of local merit in a substantial way, and these grants will encourage local merit, as also small industries, and preserve from decay indigenous institutions. Commissioners should be able to do for the smaller Indian institutions what Lord Curzon did for the larger. Commissioners of divisions however impressed with the desirability of such bounties in the present administration hardly care to go up for sanction to the provincial Government.

District Officers have not that touch with the people which is so very essential for proper administration; not that the opportunities are rare,

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but that they have not much spare time for social intercourse with them. Besides, much depends on the temperament of the officer. Some District Officers do freely mix with the people, while others, either from temperament or pre-occupation with more congenial diversions, are more reserved and retired.

District Officers have a fair knowledge of the vernaculars, but they might well improve their knowledge by a freer intercourse with the people.

Improvements in municipalities and District Boards are sometimes forced upon the bodies, irrespective of their capacity and wishes, and necessitate the imposition of additional taxation, creating discontent. They must be left to a large extent to the local bodies, both as regards initiation and execution. In the case of petty municipalities there should be a confederation, and those of one sub-division should act under the guidance and direction of a joint Board. The imposition of taxation should be dependent upon the advice of the Divisional Advisory Council, and in all matters connected with the district administration the people should be carried along with the Government. Official enthusiasm for progress and precision must not always carry everything before it, inasmuch as sometimes, apart from the intrinsic merits of the suggested improvement and the cost involved, the procedure alone is enough to excite popular antipathy and opposition. The Local Government in my province is amenable to popular influence to a degree which is refreshing. The local authority has uniformly been anxious to make allowance for the conservatism and the susceptibilities of the people; but there is a difficulty and a danger ever present before officers recruited in a country where material civilization has made enormous progress. The officers are naturally imbued with large ideas of progress, which, apart from local conservatism, are, as often as not, unsuited to the capacity and the circumstances of the people. Improvements must be made, but they should be gradually introduced with caution, circumspection, and a proper regard to the wishes, feelings, and the capacity of the people.

I am in favour of creating Divisional Advisory Councils. Such Councils should be composed of 12 members each, half of whom should be selected by the Local Government and the other half elected by the various local bodies, the professions, the classes or communities not adequately represented on the local bodies, and the trades. These members should be consulted by the Commissioners by letter on all large schemes of improvement and taxation. On special occasions they may be required to attend meetings at the Commissioner's bungalow.

25573. You tell us that it would be well to have an Advisory Council for the division?—Yes; I would not like to have an Advisory Council for the Deputy Commissioner.

25574. You say the provincial Governments ought to have greater autonomy than they have in the matter of famine and that in actual practice the report of a patwari may determine the fate of a whole village. In this province you have had considerable experience of famine?—Yes. With regard to suspensions and remissions and so on, the *malguzar*, who is interested in the matter, ought to be consulted; I speak more generally of suspensions and remissions when I refer to the patwari.

25575. In the case of famine, have there been actual cases where the failure of one of these patwaris to report has resulted in a particular village not being relieved?—I cannot give specific instances.

25576. You speak of light railways, and that Local Governments should have greater freedom in initiating them. Could a Local Government get the funds locally?—They can borrow to a certain extent. It has to be tried yet; there are some *malguzars* and raiyats who might be able to give some money on loan with a Government guarantee.

25577. Do you mean a guarantee of the Government of India or of the Local Government?—It would be all the same any way; if the Local Government gives the guarantee it is all the same binding upon the Imperial Government.

25578. You say that you regret the destruction of the old village communities, and you speak of the assumption of larger powers by the District Officer; do you suggest that the District Officer has larger powers than he used to have?—Yes. Some time ago, when the province was first formed, there was more personal Government than there now is.

25579. (*Sir Frederic Lely.*) Are you a *malguzar*?—Yes, of about 200 villages.

25580. Does the village panchayat exist in these days?—It exists among certain castes.

25581. You have caste panchayats for dealing with certain caste domestic questions, but is there any united action on any matter among the villagers?—Whenever there is a question about taxation; sometimes there is.

25582. Is there combined action of any kind?—Yes to a certain extent.

25583. Do you think it would be possible to commit the management of any village affairs to representatives of the villagers?—Instead of giving over the management to representatives of the villagers I would rather have it based upon the system prevailing in Conciliation Boards, where there is a Government officer and some men of the villages to form a panch.

25584. You think that village action is not possible without some connection with Government authority?—I think so to a certain extent.

25585. (*Mr. Dutt.*) You would like the Heads of provincial Governments to lay down the general principles of administration, leaving those general principles to be worked out by the Commissioner and Deputy Commissioner?—Yes, in consultation with the leaders of the people.

25586. You say that official tours are not an unmixed blessing, but you admit that official tours must be undertaken. What remedies do you propose to do away with the inconveniences now caused?—You might have big villages chosen where there are shops and provisions to be had, where the officers could go into camp. That would save the people a great deal of trouble; it is not only the money but the scarcity of labour that causes the *malguzar* very much trouble. He has to do much more than can reasonably be expected of him. I think also that there might be some improvement in the matter of the location of Sub-Divisional Magistrates; that would go a long way to minimise the evil. As there is a good deal of experience now, a good deal of uniformity in the working of the administration, and greater facilities of communication, I would rather enlarge the charges of the District Officers and Divisional Commissioners, so that they would have more scope for their powers.

25587. Is not the size of districts already very large in the Central Provinces?—I do not think it will matter if there is still further extension in that direction.

25588. You say that you would not curtail the right of appeal; will you state your reasons?—There is some satisfaction to the people when there is a right of appeal. In the matter of income-tax especially, we find here that the original estimate of a man's income is generally made by an assessor; these assessments are made every year; it is very troublesome to the people, they are very much vexed, and the assumption is that because there has been general growth in a particular year there has been growth in income, in spite of the fact that there may have been actual loss. It is better that the right of appeal should exist.

25589. You apply the same principle to appeals of other kinds?—Yes.

25590. You say that you regret the destruction of the former village system, with the *malguzar* as the unit of administration; at present there is a *mukaddam*?—Yes, and a *gomasta* and a patwari; he is paid by the *malguzar*, but the *malguzar* has no control over him. He is virtually a servant of the police; he is under the police, and he is

virtually a servant of Government, but *malguzar* has to pay for him. As to who is the responsible unit, I really do not know whom to say.

25591. You propose that in any sort of village organization the position of the *malguzar* should be recognised?—If his position was recognised, the people would look up to him, and the Government could also hold him responsible for any disturbance in the villages, and the administration would be rather simplified.

25592. When you have recognised the position of the *malguzar*, and made him either the *mukaddam* or the village headman, would you suggest that other villages should form a panchayat to help him in his work?—I think not; if civil powers of a simple character were given to him, there ought to be such a panchayat, but for ordinary work it is not necessary.

25593. Would you suggest that some civil power should be given to the *malguzar* assisted by some respectable villagers in advanced villages?—Yes, but that should be attempted first with the help of Government officers and then, gradually, their assistance should be withdrawn.

25594. In that way a great many of the petty cases which now come up to the Civil Courts might be dealt with locally in the villages?—A great deal of progress might be made in that direction.

25595. Would you make the decisions of the village panchayats final in small matters?—Yes.

25596. Would you vest the panchayat with small criminal powers also?—Not just now.

25597. You have suggested that certain powers now exercised by the Local Governments might be delegated to Commissioners. Will you briefly mention one or two important matters in which such delegation might be made?—As regards the municipality or District Council, there are many matters which have to go up to the Chief Commissioners, and they take up time. In an important matter it will take two or three months to receive a reply; all that red-tapism has to be gone through. Some of those powers might be given over to the Commissioners.

25598. You have a District Board now in every district. Would you suggest that the members of the District Board should be utilized some times by the District Officer in obtaining advice on certain matters?—Yes, they might make a selection from the District Board members; there are others also who are equally intelligent, who do not care to come to the Council, but whose advice would be valuable; these men might be called in and consulted.

25599. Would you like the consultation to be periodical, or when the necessity arose?—When the necessity arose.

25600. (*Mr. Hichens.*) You recommend that the provincial Government should be given further powers in regard to the control of emigration; what is your reason?—On account of plague and on account of other matters, our agricultural labour is becoming very scarce and dear. There will be a time probably when it will be impossible for us to get agricultural labour in the villages; and as land revenue is the principal item of income of Government it might suffer to a certain extent.

25601. Your point of view is that each provincial Government ought to be allowed to control itself the emigration of the members of the community into other provinces?—That is my view. They might see also that there are congested localities, and they might make an attempt at re-distribution where any facilities for the purpose exist.

25602. Would it be a sound thing that the Deputy Commissioner should be Chairman of the District Board more frequently in this province?—Where there are other men who are competent I do not see any necessity for the Deputy Commissioner to preside.

25603. You do not think that he should take part in the work of the Board, and associate himself with it more than he does?—Where there are competent men he should not officially interfere in the working of the Councils.

25604. He has a wide experience?—Certainly; he should be kept acquainted with all the proceedings, but his presence on the District Councils is not necessary.

25605. (*Mr. Meyer.*) You desire that the Local Government should be given larger discretion in regard to the administration of famine; do you mean that they should have more funds at their disposal, or that they should be able to adopt any system of famine relief that seems good to them?—They should have more funds at their disposal. I cannot answer the question in detail, because it is only those who are in the secrets of Government who can answer it properly.

25606. Are you aware of the recent arrangements by which the Government of India have given the provincial Governments much larger resources for dealing with famine?—Yes, I have heard that about a years or two ago some new arrangements were made, and I hear they are very satisfactory as far as the provincial Governments are concerned.

25607. You say that Local Government can judge better of the prospects of productive works than the Government of India. Is there not always a danger of people who are interested in works taking a sanguine estimate of what they will bring in?—But, all the same, they have to be responsible to the Supreme Government and also to the public, so that instead of being more sanguine they have to be more careful.

25608. Have you never heard of works which were estimated to bring in a profit ending in a loss?—That applies to everything; probably if the Government of India were consulted they might make a mistake.

25609. But a central outside authority is less likely to be carried away by local enthusiasm than a Local Government?—That is more or less applicable to all systems.

25610. What do you mean precisely by "the protection of local industries"?—I mean industries such as the brass industry here and in Bhandara, or the lace industry in Berhampore. Something might be done to keep up those industries, if Commissioners were given some power to help them.

25611. You say that every province ought to be at full liberty to restrict the movement of its population. Some provinces want populatioin, and they must get it from other provinces?—We are concerned primarily of course with our own needs and requirements, and we cannot afford to send our population to other places and at the same time starve ourselves.

25612. This is a province with great possibilities in the matter of mineral industries, for instance?—Yes, and we say that on account of the plague and so on we have lost a great deal of population; most of our coolies have been taken away to Assam and other places.

25613. For your new industries possibly you would want labour from Bengal and Madras; you would not have liked the Governments of Bengal and Madras to say that their labour should not come to you?—If they have surplus labour they would like to help us; if they have no surplus labour, it would be rather bad for us to expect labour which is useful to them.

25614. You are in favour of a reduction of taxation, speaking generally?—Do you think you would get more reduction of taxation from the Local Governments if they had a free hand or from the Government of India, under the present system?—That is a very difficult question to answer.

25615. Do you think the salt tax would have been reduced, as it has been in recent years, if it had been a provincial tax which the Local Governments could have dealt with as they chose?—Our local needs and requirements are better known to the Local Government than to the Government of India, so that in the matter of local taxes at least we have more regard to local needs and requirements.

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25616. You suggest that more power ought to be given to the Local Government in the matter of land revenue assessments. Is light assessment more likely to come from Local Governments which may be in urgent need of funds, or from the Government of India?—With greater autonomy in this matter, the Local Government, unhampered by imperial control, might deal with the necessities of the situation more expeditiously and efficaciously than at present, and forthwith order reductions, remissions, and suspensions of revenue, which it might well hesitate to recommend to the Imperial Government in view of the fact that the revenue assessment is sanctioned by the Government on its recommendation.

25617. You speak of the centralization of administration as an evil; at the same time you object to any decrease in the facility of appeals. Is it not this very matter of appeals that has caused a great number of uniform rules and resolutions?—I do not know whether it is appeals only; it is the system.

25618. So long as there is an appeal against everything a man does, will he not stick to the letter of the law?—But commonsense to a great extent will be the deciding factor.

25619. You would like to give the Commissioner larger powers of control; do you include in that control over the municipalities?—Yes. The Commissioner might do that instead of the Local Government.

25620. You say, "The necessities of the Imperial Government create a zeal among the subordinate Governments which is gradually communicated to the District Officer." Do not subordinate Governments get half the money?—But the Imperial Government gets the other. The income tax is divided between the Imperial and Local Governments.

25621. You think the Local Government does not care about its share, but it is actuated purely by a disinterested zeal that the Imperial Government should get more?—When there is pressure from above, there is that desire.

25622. Are you aware that the Government of India issued a circular, a few years ago, drawing the attention of the Local Governments to the undesirability of their officers being too rigid in the matter of income tax?—I know also that here we have been agitating in vain against assessments of income tax. They are very obnoxious to the people, and we have been agitating for triennial assessments; we think that triennial assessments would give us more relief than the yearly assessments now do.

25623. You say the *malguzar* is now only a farmer of revenue; was it not the other way round; did we not find the *malguzar* a mere farmer of revenue and make him a landlord?—That is so, but I am speaking of his powers. You have divided power among so many men that no actual power rests with the *malguzar* now, either for good or for bad; he is a collector of revenue only. In these executive matters I would make him the unit of administration; and if you give him some small civil jurisdiction, I would associate with him a panchayat, in small matters in the beginning, and under Government control.

25624. The panchayats would be mainly his tenants?—Yes, but they are not always led by him.

25625. You do not think that, if he said a particular thing, they would all say the same?—I think not.

25626. We have been told repeatedly that a Deputy Commissioner or Collector ought not to be a member of the District Board because all the other people will be frightened of him; you do not think that that would apply to the *malguzar*?—No. The general opinion is (and it is confirmed by the reports of Government officers in many instances) that the tenantry here is much too strong for the *malguzars*.

25627. The Conciliation Boards you speak of were initiated by the Government?—Yes.

25628. And they work satisfactorily?—Yes.

25629. You are in favour of allowing the Divisional Commissioner to give bounties. How is he going to determine who deserves a bounty and who does not?—He has the best means of deciding: he knows the district; he knows the people; he knows the work; he has the greatest knowledge; and he will know the amount of good that these small industries are doing to the people.

25630. Bounties are to be given also "to men distinguished for their services to their fellow countrymen"; is the Divisional Commissioner to appreciate those?—Yes. In many matters where a man has done good work in the municipality or District Council it will be some encouragement to him if he receives appreciation from the Commissioner; it would also make the Government more popular.

25631. You have heard the story of a king of France who said that when he bestowed a favour he made one ungrateful friend and nine enemies; would that apply to the Commissioner also?—That could be said with greater force of a Government that show nothing in the way of appreciation of meritorious public service.

25632. With regard to the Advisory Councils, are they to be purely advisory?—For the present I would limit the work of the Councils to advice only.

25633. What is to happen if the Commissioner disagrees with his Council?—For some time, until he finds that his Council works well, I would not fetter his discretion by making the opinion of the Council binding on him.

25634. (*Sir Steyning Edgerley.*) Your remedy is to try and develop the village system and local self-government, and you think that a great many powers could be delegated from Commissioners. Will that not have to be a very gradual process?—It will be a gradual process of course.

25635. You will have to alter the laws?—Yes, the laws will have to be altered.

25636. Have you thought about how to do it?—Would you be in favour of a general Act of delegation enabling that to be done gradually, or would you legislate specifically from time to time?—I think there ought to be legislation for certain powers to be given, and those powers might be handed over by the Chief Commissioner. Power might be given in the law to the Chief Commissioner to delegate those powers, when he finds that there is necessity for it.

25637. That would be giving the Chief Commissioner a general power to delegate as the situation developed?—Yes; and then I would further recommend, judging from what is being done in several provinces, that there might be certain powers given by specific legislation also.

25638. Will you explain that?—It depends on the work done by municipalities and District Councils in the several provinces. If there are many municipalities and District Councils which are working well in a province, powers in that province might be at once given by legislation.

25639. You could not have an Act for every municipality?—No.

25640. They would all differ; you want to delegate more power here and less power there, and so on?—Yes.

25641. Should that be done by actual specific legislation, or by a general power to delegate powers as needed?—I should prefer a general power to delegate powers as, and when, needed.

(*The witness withdrew.*)

Mr. M. K. PADHYE was called and examined.

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25642. (*Chairman.*) What is your profession?—I am a pleader and a journalist, residing in Nagpur.

Provincial Governments may be, with advantage, given greater power generally over revenues and their expenditure. But in lieu of relaxation of the present control from above, popular control may be substituted. If budgets are allowed to be discussed in detail, and if an item objected to by the ⅔ths of the non-official members be disallowed, or some such powers duly safeguarding the interests of the Executive were given to the provincial Council, or the body before whom the budget would come for discussion, decentralization in this respect would be very advantageous.

Government should advance loans to save estates under the Court of Wards and not only guarantee loans borrowed from others. Government could do so at a rate of interest lower than is available from professional bankers.

No curtailment of the present rights of appeal is desirable.

Officers are not in touch with the subjects over whom they are to rule. The racial difference—social manners—and the natural pride of the members of the ruling race is one of the chief impediments that has made the Administration mechanical and unsympathetic. This is the case with higher and European officials. The lower grade Native officials take their cue from the higher ones and are afraid that their familiarity with the people will be misconstrued. The Executive Officers have opportunities to mix with the people. But for the above obstacles they could make time for personal contact. They possess sufficient knowledge of the vernaculars.

If Native officers are appointed in higher appointments money will be available to increase the staff. The increase is required, if it could be had without making the Administration more costly. For instance, a Sub-Divisional Officer should be located in each sub-division. This would require one officer for each sub-division in addition to some at district headquarters, which is not at present the case.

Not only is care in the selection of officers required, but at present even Assistant Commissioners of two or three years' standing are put in charge of a district. There should be a rule that an Assistant Commissioner should not be made a District Officer unless he has some eight years' service.

Transfers are much too frequent. Districts can be mentioned where within ten years some 12 or 15 District Officers came and went. An officer should not be transferred from a place within three to five years.

The local self-government introduced by Lord Ripon has on the whole worked satisfactorily as the very official reports go to show. If more powers are now given and less interference is made with their affairs, people would be able to take interest in responsible political life. At present educated and ambitious Indians find no interest in these affairs as most of them are much too petty, and in respect of them too, there is often irritating interference. To check corruption and fraud the superior authorities should even more than at present watch the work of these bodies, but beyond that, their interference should be minimised as much as possible.

Administrative Council for District Officers should be formed. The Council should have power of interpellation, and its proceedings should be reduced to writing and votes taken. The members may be chosen with the assistance of village unions and town municipalities and *taluka* Boards, but the election need not be confined to their members only. The District Officer may also nominate some of the members of his Council with the sanction of the superior authorities. The District Administrative Council may consist of—The Deputy Commissioner—*President*: 2 members nominated by Government: 2 members from municipalities or Local Boards. It should be given responsibilities in respect of the following matters:—Regulation of processions and disputes regarding ancient usages and customs, &c.; whether liquor shops should or should not be opened in particular localities: the introduction of sanitary or other measures likely to affect the sentiments and prejudices of the people; the supervision and control of municipalities and village panchayats; the final assessment of income-tax and its realization by way of penalty; the remission and suspension of land revenue; municipal matters, regarding which the District Officer deems it necessary to veto municipal resolutions; other like questions of public importance and not purely administrative.

It would be useful to invest District Boards with powers of supervision and control over minor municipalities and village unions.

Village communities in an agricultural country like India have been of more than ordinary importance. Their existence is now only traditional. The headman is no longer president of the community. The village accountant or the *kotwar* are no longer the servants of the village communities. The landlord or *malguzar* is a commission agent and a proprietor. The rights of the people in regard to village management have been ignored. The tenants may have some rights over the village, jungle, &c., but landless men, such as artizans have got no status. The laws could be so modified as to revive the village panchayat with the *malguzar* as its president, some respectable tenants and artizans, &c., as members, and the *kotwar*, patwari and *mukaddam* as its executive officers. This panchayat may be more elective than nominated, the Government being authorised to provide minorities. If villages be small, four or five may be grouped together to constitute a panchayat. The village officers such as patwari, *kotwar* and *mukaddam* may be paid partly by the village and partly by the Revenue Department whose servants they also are. Petty civil and criminal cases could be better decided by these panchayats. In this respect they would correspond to the Benches of Honorary Magistrates, with the difference that, being elected by the people, they would command more respect. Civil and criminal cases decided by these Benches should be subject to appeal on a point of law only. In educational matters they may act as committees for securing the attendance of boys in schools, the direction in this respect being in the hands of the Director of Public Instruction or the Board of Education. They may also act as village sanitation committees as at places they at present do. They may be of assistance to the police for the prevention and detection of crime, as they would be for the collection of revenue. Takavi loans would be better made in consultation with them.

25643. Why do you say that the Government should advance loans to save estates under the Court of Wards and not guarantee loans borrowed from other people?—In this province the money-lenders are encouraged to advance money to save encumbered estates; their money should confine itself to more risky enterprises.

25644. Why should the Government advance the loans?—To save the estates. If the members of the late Royal House here are to be spared, their estates will have to be saved. At present some big money-lenders are asked to advance loans, Government giving a guarantee.

25645. Then what is the difference between what you suggest and the present practice?—If those money-lenders had not this inducement, they would have gone to more risky enterprises. Their money should not be locked up in secure concerns requiring no skill; Government, which is not able to look to mercantile concerns, might give their own money for this purpose.

25646. You say that officers possess a sufficient knowledge of the vernacular?—I think so. They speak in a sort of Hindi; they may not be able to give lectures or address the people in regular assemblies, but they understand enough to get on.

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25647. Do you think that the insufficiency of their knowledge is an obstacle between them and the people in the districts?—No, I think not.

25648. You tell us also that the subordinate officers, taking their cue from the higher ones, are rather stand-offish. Is that general?—Yes.

25649. Have you been a member of the municipality or the District Board?—No, but I had to study the working of local self-government at times when I was connected with a journal.

25650. You suggest that a District Officer should have an Administrative Council; do you propose that it should be in substitution of the existing District Council?—That is my idea. The present District Council has quite different duties, and if all these other duties were added they could not be performed by the District Council. I propose a small Council—not a very big Council that would be a debating affair—but a small Council which should be quite different from the District Council.

25651. You say that the village panchayat would have to be revived?—Yes, at present the village panchayats are almost dead; for all effective purposes they are not existing.

25652. (*Mr. Meyer.*) Is the Council you propose to carry things by a majority, or is the Deputy Commissioner to have any power of over-riding its decisions?—I think he should have power of over-riding, upon recording his reasons.

25653. Would he do that on his own responsibility, or would he report to the Commissioner?—He may do that on his own responsibility.

25654. Amongst the things you desire to hand over to the Council is the final assessment of income tax; would it be quite safe to hand over that?—I say the "final" assessment. So far as theory goes, the income tax is levied on the advice of assessors; what happens at present is that after a list is prepared the District Officer goes over it, and if he finds that it does not come up to a particular figure, the figures are raised. If these figures are to be raised, they should be raised in consultation with this Council.

25655. The law contemplates each person being assessed according to his income?—That is true.

25656. You think that that is not carried into effect?—I think not; I could give you an instance. The original list shows, say, Rs. 10,000; it may be raised to Rs. 12,000 or Rs. 15,000 because the collector considers the total for the district below his expectation. When that is to be done it should be done in consultation with the Council.

25657. The Council should first decide what amount of income tax a certain *tahsil* should raise, and then the tahsildar would distribute it; is that what you mean?—No, that is a system of farming, which I do not advocate at all.

25658. In the matter of land revenue you say that the Deputy Commissioner should be able to over-ride the Council. Is it not possible that your two elected members, knowing that the Deputy Commissioner could over-ride them if necessary, might seek popularity by voting for large remissions?—No doubt; that would be so in all popular Governments; some do seek popularity in that way.

25659. Would you give a similar Council to the Commissioner?—I do not think it is necessary in our province, at present at any rate.

25660. If the Deputy Commissioner had such a Council, would you give him larger powers than he has at present?—Yes.

25661. Without the Council, would you give them to him?—No.

25662. (*Mr. Hichens.*) Do you want to have an Advisory, as well as an Administrative, Council?—No, not in addition to the other.

25663. As a matter of fact, your District Council is really an Advisory Council?—Yes, with this difference. The Advisory Council may be a paper affair only; there should be regular meetings and regular proceedings, whether you call it by this name or that.

25664. Mr. Chitnavis is in favour of Councils for Commissioners and not for Deputy Commissioners; you on the other hand are in favour of Councils for Deputy Commissioners and not for Commissioners?—I am speaking of my own province. I find the Commissioner has very little separate duties—duties which come to him not through the Deputy Commissioners or not through the Chief Commissioner; he is more or less an intermediary; therefore I should not give him a Council.

25665. Have increased powers been given to District Boards of recent years?—I think they have not been granted.

25666. We have been told, for example, that they have been given power in regard to veterinary work and vaccination; do you know if that is the case?—I do not know, but I should like to show how it was curtailed. Soon after the passing of Lord Ripon's Act a number of our educated people went in for these things, and in one district (Wardha) a certain local pleader took exceedingly great interest, like a special District Officer, but ultimately he had to go out because the powers were curtailed—curtailed not by law, but by practice. There was a difference between the District Council and the higher officers as to the allotment to be made for educational purposes; the whole Council was in favour of giving larger amounts to educational matters, and the higher authorities did not like it; that resulted in the resignation of this gentleman and the rest of the gentlemen taking less and less interest.

25667. Would you say that possibly their functions have been increased, but their powers of carrying them out have not been increased at all?—That is what I mean; the people may not be in a position at once to take extensive duties, but you might entrust a few small matters to the people, calling them to account if they do anything amiss. I do not want to increase the number of items, but to give a few items with full powers.

25668. (*Mr. Dutt.*) You say that the Sub-Divisional Officer should be located in his sub-division; what are your reasons for that suggestion?—He would be more approachable. At present all the Sub-Divisional Officers are loacated in the district, and it means nothing but a distribution of work, but if the officer were to be in the sub-division he would be more approachable by the people.

25669. You say that at present even Assistant Commissioners of two or three years' standing are put in charge of districts; is that frequent?—I am speaking of my district.

25670. I suppose they were merely temporary appointments?—I do not know; there have been 15 officers in 10 years, or something like that.

25671. Among the matters which you would refer to the Administrative Council of the District Officer, you mention the question whether liquor shops should or should not be opened in particular localities?—Suppose there is a temple, and near the temple you have a liquor shop, the two as it were competing with each other, one demoralizing and the other moralizing; that sort of thing ought not to happen, and if the temple people objected the question should be decided by this Council.

25672. You also include in that list "supervision and control of municipalities and village panchayats." Is it your idea that the District Officer, with the help of the Advisory Council, should keep a general control over all these municipalities and Boards within his district?—Yes, and, just as he at present divides the work between the Sub-Divisional Officers, he might divide the work between several members.

25673. You say also that District Boards should have power of supervision and control over minor municipalities and village unions?—If the Council I proposed was granted, there would be overlapping.

25674. The functions of the District Boards being quite different from those of municipalities, do you think that the District Boards are altogether suitable bodies to supervise the work of municipalities?—I think not.

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25675. You say the *malguzar* should be the president of the village community ; is there a *malguzar* in every village?—Some are not resident *malguzars*.

25676. You do not insist that a *malguzar* who has 200 villages should be president in all those villages?—You could not insist on that.

25677. There might be other respectable people better fitted for the post?—Yes.

25678. What do you think should be the relation of such a panchayat with the police?—The police should not have any control over the panchayat.

25679. You say that they would be of some assistance to the police for the prevention and detection of crime ; what kind of assistance do you suggest that they should render?—If the police wanted to make enquiries in a particular case the panchayat could say whether the suspected man was of a particular character or not.

25680. At present what is the position of the village *mukaddam* ; is he subordinate to the police? —I do not know whether in law he is, but he is the person who is required to make enquiries, and secondly he is the person who is required to give information ; in that way he is subordinate.

25681. You would like to do away with that?—Yes, that should not be the duty of the village panchayat.

25682. (*Sir Frederic Lely.*) You say that European officers are unapproachable ; do you speak from your own personal experience?—If one forced one's self upon them of course they would not be unapproachable ; I do not mean that a pleader is often evaded, but they are not approachable to the people at large.

25683. Have you called upon the Deputy Commissioner at Nagpur?—Yes.

25684. Have you been received politely?—If instances are wanted I will give you this. I was required to take off my shoes by an Assistant Commissioner. I had to make a protest ; I had to make an application afterwards to get it declared that my dress was proper ; I do not consider that was courteous treatment to me.

25685. Would you have the village headman chosen by the community?—Yes.

25686. Then if, as you say, the community does not recognise the headman, whose fault is it?—But the communities are in no way recognised by law or practice, and they are dwindling away.

25687. But a village is an institution quite irrespective of recognition by Government?—If Government does not recognise them the panchayats do not come in properly except in caste disputes.

25688. The existence of a village as a corporate body does not depend on itself?—I should think it does, at times.

25689. You go on to say that the village accountant and the *kotwar* are no longer the servants of the village community ; does that mean that you think they should be paid by the village communities?—They are paid through the provincial Government, which realises the amount along with the land revenue.

25690. Do you think that they should be paid by the communities?—They were originally so paid, and provided they are their servants they should be paid by them.

25691. Then you also say that landless men, such as artizans, have got no status in the village ; had they any status in the old days?—I do not know.

25692. Are you aware that in some parts of India the name by which the artizans go means "outsiders"?—I am not aware of that.

25693. You would entrust the village as a whole with a good deal of authority, but under the inspection and superintendence of Government officers?—Yes. I would not give them any absolutely independent authority.

(*The witness withdrew.*)

Rao Bahadur Vasudeo Ramkrishna Pandit, M.A., was called and examined.

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25694. (*Chairman.*) You are a member of the District Council at Nagpur?—Yes. I am a Barrister and have practised in the Judicial Commissioner's Court for the last ten years. I have been a member of the District Council at Nagpur for the last 7 years, and I have worked as its Secretary for several periods and am now its Vice-Chairman since 1906. I have been Secretary to the School Board at Nagpur since its foundation.

The financial relations between the Government of India and the provincial Governments have recently been readjusted. In questions such as famine and irrigation the provincial Governments should, however, have larger financial powers.

The relations between the imperial and provincial finances render the latter insufficient security for any loans that might be incurred or raised by the provincial Governments, and the contract terms would probably prove more onerous than those on which the Imperial Government raises them. There is, however, a likelihood of local capital being available for remunerative works of local importance, such as light feeder railways and irrigation works. Municipalities and District Boards in other provinces are empowered to raise loans, apart from those which are received from the Government, and there is no reason why the provincial Governments should not be able to raise them. The guarantee of the Imperial Government should be offered, and in return a close supervision maintained by it to ensure that the power is neither abused nor permitted to tempt the provincial Governments into extravagance.

In provinces provided with a Council the provincial Governments should have delegated to them the powers recently granted to the Government of India, except in the case of appointments of Europeans, in respect whereof the sanction of the Secretary of State should, as at present, be made compulsory. The Heads of Imperial Departments should have powers similar to those possessed by the provincial Governments.

Commissioners are at present consulted in most matters, but I should like to see them exercise greater influence. They are in touch with the people of their divisions, have experience of district work, and in many cases have worked as Deputy Commissioners in many of the districts in their divisions. They have also a wider outlook and while possessing local knowledge are generally free from local prejudices.

Executive officers are not, it is true, tied down to their headquarters, but the quantity and complexity of their desk work does not leave them sufficiently large opportunities for personal contact with the people in relations other than those of suitors. In consequence of the distance at which they usually are from rural areas within their charge there are fewer opportunities for the people of meeting them, even if they are free with them. Add to these difficulties the obstacles arising from race-distinctions, from imperfect knowledge of social habits and customs, and from want of sympathy.

The Deputy Commissioner, in most districts, is relieved of active participation in the deliberations of Municipal Committees and District Councils. This should be the invariable rule. Such duties as those under the Registration Act and the Stamp Act might also be taken off his shoulders and entrusted to other members of the district staff. Under several statutes the powers possessed by him are delegated to selected Assistant Commissioners and Extra-Assistant Commissioners, but he still has to forward their reports to the higher authorities, and since such higher authority has independently to satisfy itself regarding the cases, the trouble entailed upon the Deputy Commissioner is unnecessary.

Sub-Divisional Officers should be placed at the headquarters of their sub-divisions, and to compensate them for the loss of social advantages free-quarters and a local allowance of Rs. 100 per mensem should be allowed to them. They will thus

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come into closer touch with the people of their charge, and this will, to a certain extent, remedy the defect of race-aloofness. European society at headquarters, however small, tends to become exclusive. The sympathy of the Civilians of thirty years ago and their intimate knowledge of Indian society are not without reason attributed to the necessity they felt of satisfying the natural craving of man for society by associating with those among whom their lot was cast. Conscientious efforts will, however, still be necessary on the part of the members of the ruling race to subdue race-prejudice, to regard with a more tolerant spirit the social habits and customs of the people and to inspire confidence in them. I am very far from denying to Executive Officers the credit which is justly their due for the conscientious and even zealous discharge of their duties towards the people. Nor are there wanting instances of officers who, in spite of all those difficulties, have earned the good will of the people.

The senior Executive Officers are as a rule sufficiently well acquainted with the languages of the country to understand, though there would not be many who would be able happily to express themselves in any vernacular save Hindustani. The staff is at present not sufficient for efficient administration, especially of Sub-Divisional Officers.

An officer should not be transferred in less than three years from one place to another, and ordinarily he should be kept on at one place for five years. The provincial Government should more freely appoint officers of the Provincial Service (to avoid transfers of Covenanted Civil Service) to fill up a vacancy for six months or thereabouts, caused by the temporary absence on leave or deputation of a member of the Covenanted Civil Service.

The time has come for enlargement of the powers of Municipal Committees, District Councils and Local Boards, though the compulsory authority of Government should always remain in the background. The interferences with the budgets framed by them should be resorted to only in cases of gross abuse. The Deputy Commissioner should make suggestions, but the power of veto should be exercised only by the higher authorities. The election of members on the School Board should not be subject to the veto of the Deputy Commissioner. The real need, however, in connection with District Councils and Local Boards, at any rate, is the enlargement of the funds at their disposal. They have no power or voice in the matter of taxation. The execution of works is not left entirely to them. In many cases such works when entrusted to Local Board members living in or near the localities have been admirably performed.

The formation of village unions or even village panchayats, one for each group of villages constituting a patwari circle, with much larger resources and with greater trust reposed in them, would give reality to local self-government in the eyes of the people, would evoke greater public spirit for the workers, and give better training in the management of communal affairs. The powers of deciding petty criminal and petty civil disputes should be given to village panchayats at first in selected areas and gradually extended to other localities. This would create an interest in local self-government, especially if the franchise to return persons to the village panchayats is not limited to the classes to which it now is.

I would suggest the formation of Administrative Councils with representatives from Municipal and District Boards and nominees of the Government, to whom should be entrusted the responsibility for finally deciding upon such matters as the following:—

(1) Final decision as to assessment of income-tax and the levy of penalties for defaults in the punctual payment thereof.

(2) Matters relating to religious sentiments, social customs, &c., of the people, *e.g.*, plague measures, location of liquor shops, ancient customs, &c.

(3) Remission and suspension of land revenue.

(4) All matters affecting the public wherein the gauging of the minds of the people is necessary.

25695. You tell us that there is a likelihood of local capital being available for local enterprise, such as feeder railways and so forth. Is there actually, in existence, such capital now untapped by loans of the Government of India?—There are a number of people who are not attracted by loans of the Government of India, who would be attracted by local loans; they would be in a position to see that the projects would be fairly remunerative, and perhaps they might get a little more.

25696. They would expect to get a rather higher rate of interest from the provincial Government than they would from the Government of India?—That may be one of the contingencies, but even apart from not getting better rates than those given by the Government of India, some people might be moved to take a greater share in supplying capital for such enterprises. With regard to Government paper, although there is no doubt a great deal of confidence, yet there is a class of people who might be induced to invest their capital which they do not now invest in Government paper, if they knew that it was going to be applied for purposes which they could conceive of in a more concrete form.

25697. Do you propose that the provincial Governments should raise those loans locally, and then the Imperial Government should step in and guarantee the bond-holders?—I am not an expert with regard to these financial matters, but the financial position must ultimately depend on the Government of India, there being only certain percentages of revenue allowed to the provincial Governments at present, and the power of levying certain taxes being controlled.

25698. But would the local lenders only advance money if the guarantee of the Imperial Government was behind the loan?—I do not think it would affect them very much whether it was the guarantee of the provincial Government or the guarantee of the Imperial Government so long as there was a guarantee; but, as I took the conditions of finance to rest ultimately with the Government of India, I suggested an Imperial guarantee.

25699. Have you ever heard it remarked that the sums which the Government of India ask for are asked for in too large bonds?—The minimum loan that can be advanced now is Rs. 100. I have never heard any complaint on that point.

25700. You tell us that these loans might perhaps enable the Local Government to construct irrigation works or something of that sort in districts which otherwise could not get them. All that would depend upon the rate at which the provincial Government could borrow?—It would, but it might encourage capitalists to bring capital.

25701. Who is the Chairman of the Nagpur District Council?—The Honourable Mr. Chitnavis is the Chairman.

25702. In your opinion has the system of non-official Chairman in the Central Provinces worked well?—I think it has worked most creditably and consistently.

25703. And the District Council have done their work well?—Yes; where powers have been allowed to them they have done their best.

25704. Do they work here by sub-committees?—We have sub-committees and meetings of the Council almost every month.

25705. Who prepares the budget?—The budgets are prepared from statements of their requirements sent in by the Local Boards; those are collated in the office, and the Secretary puts up a rough budget for the consideration of the Financial Committee; then at the meeting of the Council the budget is discussed, and the requirements of the various parts of the district are considered; then the necessary alterations are made, and the final budget is put forward and sent on to the Deputy Commissioner.

25706. Does the Secretary put the budget before the Chairman?—In some cases it is put before the Chairman, otherwise it is brought up before the Finance Committee; they consider it, and then it is brought up before the Council.

25707. Is it circulated to the members of the Council before the meeting of the Council, or do they come into the Council Chamber and find it ready for them?—With regard to outside members it is not circulated to them, but as to members at headquarters the budget is within their reach in the office and they generally go and see it; the Finance Committee, of course sees it before them.

25708. Is the Chairman of the Council the Chairman of the Finance Committee?—Not necessarily.

25709. Who is Chairman of your Finance Committee at Nagpur?—We have not appointed any Chairman yet; a Finance Committee is appointed, but there is no Chairman appointed; at the time we meet the Chairman is appointed.

25710. Supposing Mr. Chitnavis was present at the meeting would he ordinarily take the Chair?—Yes, ordinarily, unless there was any one with greater acquaintance with the matters under discussion who was considered fit.

25711. And if he was present at a meeting of any other sub-committee would he take the Chair at that?—I do not say that as a matter of course he would take the Chair; there is no settled practice on the point.

25712. Are the powers of the District Council sufficient?—I think they are not sufficient.

25713. In what way ought they to be enlarged?—Limited as they are at present, the execution of works and the executive control is entirely with the Public Works Department and the Head of the district under the orders of the Chief Commissioner passed under section 9 of the Act.

25714. Cannot the Chairman of the District Council carry out works which the District Council have approved of?—There is a rule that all roads of Classes I. and II., and all other civil works of the value of Rs. 1,500 and more, must be done through the Public Works Department, unless the sanction of the Government has been obtained for carrying them out departmentally; works of a smaller amount can be carried out through the tahsildar, the tahsildar being the agent of the Deputy Commissioner; the tahsildar is also President of the Local Board, so it may appear as done through him; he gets assistance from the Local Board members, no doubt, but the responsibility lies on the Deputy Commissioner and tahsildar as his agent for the execution of all works.

25715. The President of the District Council does not do them himself?—As I read the orders passed under the Act he cannot do them; it must be done through the aforesaid agencies.

25716. Does the President of the District Council go much about the district?—If he is a gentleman like Mr. Chitnavis he has opportunities of going about, because his own villages are scattered over the district and he visits them; but, of course gentlemen of professional occupations cannot be expected to visit the interior of the districts so frequently; none the less, there are gentlemen who do visit; I have myself gone to several villages and inspected schools and see what I could do.

25717. In what other respect should the powers of District Councils be enlarged?—By allowing them to start schools in more places, or to start pounds; at present this requires the sanction of the Deputy Commissioner and of the inspector in the case of schools. In practice there is no divergence of opinion, but still it necessitates a certain amount of correspondence and it restricts the powers, and there is no necessity for such restriction.

25718. Do the District Boards contribute to the schools?—Yes, all the rural primary schools are now under the District Boards. The provincial Government allots the whole of the Education Cess, which is part of the provincial rates levied from every village, to the District Fund.

25719. Then they contribute out of provincial funds?—No, from provincial rates, *i.e.*, cesses are raised for schools and for roads, and that income is transferred bodily to the District Council; the District Board has no other income of its own besides these cesses, and certain miscellaneous income from pounds, ferries, or roadside trees, fruits, and so on.

25720. Does the District Council not raise its own cess?—No, it has no power to raise cesses at all.

25721. Do the District Councils control the primary schools?—They control the primary schools subject to the control of the Education Department; expert advice is always required, of course.

25722. Is there anything besides the schools that you want to draw our attention to?—Yes, the District Councils have no powers of taxation or of raising money; there should certainly be some powers given to them.

25723. Would they use them?—They would use them. What is required is a network of village unions or village panchayats. At present the areas placed under the different Local Boards are too extensive to enable the members to take such a keen interest as they would otherwise take if they had to concern themselves only with matters of which they had an intimate acquaintance, and which, being nearer home and attracting the attention of their constituents, would make them take greater interest in public affairs.

25724. Would the fact of their being a panchayat and the members taking greater local interest induce the District Board to raise increased taxation?—Yes, there would be more works undertaken in which the various villages and localities are concerned than there are at present. For example, there are not so many schools as there should be; although the tax is raised from every village, there is no school provided except for a group of villages, and perhaps the school is located at some distance from several villages, so that the people there cannot take advantage of the school.

25725. If the villagers were told, "You shall have a school but you will have to have a little more taxation," would they welcome the school?—Yes, I think they would welcome the school; of course the whole maintenance of schools should not depend on the taxes paid by the people directly for that purpose.

25726. If the District Councils imposed taxation do you think that that would make them unpopular?—It would not, if there was popular control.

25727. (*Mr. Hichens.*) Can you carry out any work up to Rs. 1,500 without getting the consent of Government?—I do not think the sanction of Government is required for specific works, once they are provided for in the budget; but the limit has only recently been raised from Rs. 500 to Rs. 1,000.

25728. Has the Chairman got the power to make appointments?—The Chairman, as such, has got no powers; the Council has powers to appoint persons on salaries up to Rs. 15 per month; over that they have to get the sanction of Government.

25729. Is that new posts or filling up old posts?—New posts.

25730. Suppose, for example, that somebody retired who was earning a salary of more than Rs. 15, could the Chairman fill up that post without going to Government?—The Council could.

25731. If the Secretary resigns and a new Secretary has to be appointed, can that be done by the Council?—The Council elect the Secretary, but the election has to be confirmed by the Government.

25732. You say that the crying need is for an enlargement of funds. Do you mean that you have not got enough money to carry out the duties which are entrusted to you?—We have not got enough money to lay down a large programme, and that of course means not carrying out works which we ought to be able to carry out.

25733. What is the income of the Nagpur District Board?—The income for 1903-04 was Rs. 1,05,000.

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25734. Out of that had you to pay for roads and schools?—We had to pay for roads and schools and some contributions to veterinary dispensaries and hospitals. We have also to give a contribution to the Civil Surgeon who has a vaccination establishment under him.

25735. All out of this Rs. 1,05,000?—The maintenance of the staff and so on has also to be paid out of it.

25736. Do you have much control over the amount you spend on education, or is that practically decided for you by the Government?—The rule laid down by the Government is that expenditure on education shall not be smaller than the amount of the Education Cess, the school fees, and the amount of the special grant, if any, made by Government for the purpose, but we are at liberty to spend a larger amount if we like; only when we prepare our budget and allot a larger amount for educational purposes, the budget goes up to Government, and, if they think that other objects are being starved or not sufficiently attended to, they cut down the amount that we have put down for education. That has been done, I think. In some districts the complaint has been that a larger amount has been put down for education than should have been put down.

25737. You have two cesses, the Road Cess and the Education Cess?—Yes, and then there is a certain contribution made by Government out of provincial revenue apart from those two cesses.

25738. Is that a fixed sum?—No. In the year of which I am speaking there was about Rs. 17,000 placed by the Government at our disposal, with certain directions to utilize it for certain purposes. One portion was for the renovation, repairs and reconstruction of school buildings; another portion was for wells and so on.

25739. What is the amount of the Road Cess?—About Rs. 35,000.

25740. What is it in percentage of the land revenue?—It is 3 per cent.

25741. The Road Cess is 3 per cent. and the Education Cess is 2 per cent.?—All the cesses taken together are about 5½ per cent.—Road Cess, Education Cess, and what used to be known as the Dak Cess; these three were lumped together at the time of the resettlement and there is one contribution made by the villages; I think it is about 5½ per cent. all taken together.

25742. In practice this 5½ per cent. is collected by the Government each year and handed over to you?—Yes, but out of the Dak Cess a portion is retained and utilised by Government for the district post.

25743. Less a certain amount for collection?—No; they do not take back anything; the whole of it is transferred, except in the case of the Dak Cess.

25744. Do you want to collect your own revenue or would you leave that with Government?—I think the collection might be left with Government. Apart from certain market dues and cattle registration charges and so on, which might be collected by the village unions, any other enlargement of the income of the District Councils should come by means of collections made by Government. For example, out of the Rs. 35,000 collected as Road Cess, a sum of about Rs. 25,000 has to be at once made over to the provincial revenues for roads maintained by the Public Works Department in class 1 and class 2, so that the expenditure on roads through the District Council is only Rs. 9,000 or Rs. 10,000. That is on roads leadiing to villages and so on—annual repairs of roads giving routes through villages. The sum at their disposal is very small, so that the people of the villages cannot be expected to take much interest; there may be cases where only two days' labour is employed on a village track four miles away from a village; that would scarcely be a matter of interest to them.

25745. Would it be true to say that the bulk of your funds are earmarked before you get them at all?—Yes; that is practically so; in fact whatever latitude we get is out of the income derived from cattle-pounds; that is one of the largest sources of income that we have had, and it is an expanding source of income; the expenditure on it is not so large, and therefore it leaves a little more surplus and we are in a position therefore to undertake any further works of improvement.

25746. One witness rather conveyed the impression that there is a tendency to hand over certain powers to the District Boards, not so much with a view of increasing their activity as of securing a contribution from them; and he instanced vaccination and veterinary work; do you think that is true?—If one looks at it from the point of view only of being able to make appointments to those departments or being able to grant leave or anything of that kind, that would be true; as these are specialised departments control from experts is desirable, but it does not prevent the District Councils from making use of these people for the benefit of the public at large.

25747. Do you think the District Board really has more control over the work than it would have if it was still under the Government?—With regard to the veterinary dispensary at headquarters, for example, there used to be a veterinary dispensary under the District Council; it has now been taken over by the Government. In that dispensary the District Council regulated the charges that were to be levied for treatment of non-agricultural cattle. The District Council themselves fixed the rate there, and if it was left to the Government Department they would not have that latitude of fixing the rates so as not to make them weigh upon the people.

25748. Then you think you have got some more control, and that there is some advantage in this work having been transferred?—Yes, I think there is.

25749. Are you in favour of Advisory Councils to both the Commissioner and the Deputy Commissioner or to one only?—I think Administrative Councils for the Deputy Commissioner would be more useful.

25750. What do you mean by "Advisory Council"?—I mean that there should be a Board of representatives associated with the Deputy Commissioner to enable a correct decision to be arrived at on the questions I have pointed out as appertaining to their sphere.

25751. Are they to be able to say "We decide such and such a policy" which is to be binding on the Collector, or are they simply to advise him?—They ought to be able to decide, leaving a power of veto in important cases; and Government might decide in the case of difference between the Deputy Commissioner and his Council; the Chief Commissioner here might be authorised to decide.

25752. They would have to meet pretty frequently?—Yes.

25753. They would have to accompany the Deputy Commissioner on his tours and go about with him everywhere?—If you get people representing the village communities also, those who have a knowledge of rural areas, I do not think they would need to go through every part along with the Deputy Commissioner; they in their own independent line would be able to have a view which would be based on experience, and not merely *a priori*.

25754. But people living at a distance would not be able to come to headquarters very often?—I do not know that they would find any difficulty in coming once a month; they come to the District Councils.

25755. (*Mr. Dutt.*) You have referred to proposed Public Works which had been delayed; is the cause of the delay simply because the provincial Government has not got borrowing powers, or that the plans themselves require mature consideration?—I do not know what has been the reason, but the need for these railways and the utility of these lines was pointed out as far back as ten years ago. We know that irrigation also is badly needed. These things have not yet been done.

25756. You recognise that these are questions which really require mature consideration before they are taken in hand, so that they are not necessarily delayed because the Local Government has not got borrowing powers; there may be other reasons?—Yes.

25757. You also recognise the fact that Local Governments might sometimes make the opposite mistake of taking up works without sufficient consideration which might not prove remunerative in the end?—Certainly. As a check for that, if there are provincial Councils they would be able to consider whether it was at all necessary to incur such an expenditure; in our province there is no such check.

25758. Even then, you would not give the provincial Government unfettered discretion in such matters?—No, I would not.

25759. You suggest that the Sub-Divisional Officers should be placed at the headquarters of their own sub-divisions; what is your reason for that?—They will be more accessible to the people of the sub-division, and their intercourse with the people will help to elevate the people also.

25760. A suggestion has been made that the Sub-Divisional Officers might so distribute their cases and so fix their programme that they might take up cases on the spot as they went to different parts; is that always possible?—I do not think so; on the contrary, if they are placed at the headquarters of their sub-division there will be certainty, and there will probably be a number of pleaders at the station, and there will be none of those difficulties.

25761. You have spoken of the Finance Committee under the District Board. What other Sub-Committees are there under the District Board?—There is the School Board and the Finance Committee; those are the two important committees.

25762. Is the School Committee appointed in the same way as the Finance Committee by the members of the District Board?—With regard to the School Board there is a provision that persons other than members of the District Board may also be appointed members, but the election of a particular person to the School Board must be sanctioned by the Deputy Commissioner; he has got the power of veto. There is no necessity for allowing him that power. If a person is entitled to be on the Council, he is certainly entitled to be on a committee of the Council if elected to fill the office.

25763. Has that power of veto ever been exercised?—No.

25764. You say that works of the value of Rs. 1,500 and more have to be executed by the Public Works Department, and works of less value than Rs. 1,500 can be done by the tahsildars. What agency has the tahsildar got for the purpose?—There is an overseer attached to each *tahsil*, and the works are generally done by means of contracts; the tahsildar takes a bond from the contractor to carry out the work, and so on.

25765. The supervision is with the overseers?—Yes, but some works are done through the agency of Local Board members, by their keeping the accounts and engaging labourers and carrying out the work; the overseer supervises it from time to time, and the tahsildar also supervises.

25766. Does the tahsildar undertake this work as Chairman of the Local Board or as agent of the District Board?—I think he acts as the agent of the executive authority, *i.e.*, the Deputy Commissioner.

25767. Is this system of executing Public Works satisfactory, or would you rather have a well-paid engineer for the whole district, and make over to him all works, subject to the sanction of the Government in very important matters?—We have very recently started the system of having a Divisional Engineer; he is to undertake the execution of works appertaining to the municipalities and the different Boards; that has been started only three or four months ago. It has the advantage of our not being at the mercy of the Public Works Department, which we have found has been unable for years together to attend to our work, and consequently we have come in for censure for not carrying out works and for leaving large surpluses unspent.

25768. Do all the District Boards in the division contribute towards the pay of the Divisional Engineer?—Yes; contributions are made by the District Councils and minor municipalities.

25769. Not by the headquarters municipality?—No, because they have a separate engineer of their own.

25770. Has such an officer been appointed?—Yes; a retired Executive Engineer has been appointed. Before his appointment, we have sometimes been allowed to carry out works of the value of Rs. 1,500 and more, and in some cases the works have been executed most admirably through Local Board members, but we had to get permission in each case.

25771. How are primary schools supervised?—They are supervised through the inspectors and deputy inspectors of schools; there are inspectors of schools for the circle, and then there are two deputy inspectors in the district; the latter inspect every school every quarter, or oftener if they can.

25772. Suppose they have to make a recommendation to abolish any existing school, or establish any new school, where do they send it?—Always to the District Council; the District Council decides; and they also send, through their Departmental Heads, their proposals on the question of abolishing schools or even the question of starting new schools; the District Council themselves take the initiative of asking them to find out localities where schools may be usefully opened.

25773. Would your decision be final or have you to get the sanction of the Deputy Commissioner in abolishing a school or starting a new school?—The sanction of the authorities, *i.e.*, the Deputy Commissioner and inspector of schools, is necessary.

25774. You say that the whole of the Road Cess and the Education Cess is collected by the Government, and there is no deduction made; are you quite sure that the Government charge you nothing for collection?—I think they do not. They intimate to us beforehand the amount that is likely to be contributed from the Education Cess and the Road Cess; the amount actually collected is put to the credit of the District Council, and the Comptroller intimates to us the figures which we are to take for the basis of our final accounts as the actuals for the year.

25775. You said that a contribution was made by Government to you over and above the proceeds of these two cesses; was that contribution originally made by the Government of India and handed over to you by the provincial Administration, or was it made by the provincial Administration?—I believe, for education, it was a contribution made by the Government of India out of which the Local Government gave some contribution to us; similarly with regard to village wells; whether that was made as part of any imperial scheme or not I do not know. In the case of plague measures, where we have been carrying on this campaign against rats, we have received some grant from the provincial Government to supplement our funds.

25776. You say you would like the District Board to have power to impose taxation. Suppose you had the power, are you of opinion that the tax should fall on land, or would you have some other form of taxation?—The Road Cess and Education Cess are not levied from every landowner; the tenants are entirely free from the taxation; it is taken from the *malguzars* and from the plot proprietors. I do not know whether in assessing the *malguzar* the idea was that the collection of rents which got into the hands of the *malguzars* was supposed to be indirectly taxing the tenants for this purpose also.

25777. If you had the power, would you impose it on land, or would you adopt some other form

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of taxation?—It should not be restricted to land only, but the whole of the community ought to pay it.

25778. Would not such taxation make the District Board unpopular?—If the objects on which the money collected by taxation is to be spent are situated in the locality, and if it spent through the agency of village panchayats and unions, the people will see that the money is being utilised for their own purposes and under their own control, and the unpopularity will then disappear.

25779. Have you a number of veterinary inspectors under you?—We have no veterinary inspectors under the District Council at all; there are three veterinary assistants.

25780. Have you the power of sending these assistants to different villages where cattle-disease is raging?—There are some assistants placed on peripatetic duty; their reports are circulated to us from time to time and sent on to the Civil Veterinary Department; usually it is the Head of the Civil Veterinary Department, who, if there is anything particular to be done, directs the veterinary assistants to go to the locality where the disease is raging.

25781. Have you any control in the matter?—We have not exercised any control; I do not know whether we have the power.

25782. In the same way, have you power to send vaccinators to any place where vaccination is much needed?—No.

25783. (*Sir Frederic Lely.*) Would your Advisory Council be elected, or nominated?—I should have both elected and nominated members on it, elected members representing the municipalities and the District Councils, and the nominated members with regard to special inteersts that were unrepresented in the other way.

25784. How many members would you have in an average district?—I should say 7 members, including the Deputy Commissioner, would suffice.

25785. An average Collector who goes about his district would probably talk over public questions with hundreds of people?—Yes.

25786. So that the effect of your Council would be really to narrow the basis of his consultation?—I do not see that it would narrow the basis of his consultation; he would still have all that experience with him, and would be able to assist the Council with that knowledge, and there would be also the extra knowledge of the members of the Council brought in.

25787. Suppose he went about and consulted people in the ordinary way, and the majority of them said one thing and his Council said another thing, which should he follow?—In the case of the majority it would depend on the class of people he met, whether they were in a position to take an intelligent view of the matter and whether they gave out their opinions freely and without any hesitation.

25788. Then it would really resolve itself into a question of discretion as to which represented popular opinion?—Yes; it would be left to the Deputy Commissioner; if he thought that the opinion given to him by the Council was so perverse, or so out of touch with the bulk of the people, he could send it up to the Government for decision.

25789. Is the item of expenditure on village school buildings very large?—Yes; we have been spending every year something like Rs. 8,000 to Rs. 9,000 in building school-houses.

25790. Who builds school-houses?—The work is done through the agency of the district staff when the cost is under Rs. 1,500; if the cost exceeds Rs. 1,500, it is done through the Public Works Department.

25791. Would it be practicable to leave to the village itself the provision of buildings for schools?—It would require greater sacrifice on their part than they would perhaps be prepared to make.

25792. The villagers would provide the building themselves at a very much less cost than that for which you, as a School Board, could do it?—We have tried the experiment, not exactly of demanding from them the materials for the construction of school buildings, but placing the money at their disposal for carrying out these works. At Narkhed, a very large town, there is a vernacular middle school with a training class; we find that the work, which is very substantial work, has been done at a smaller cost than would have been incurred by the Public Works Department.

25793. Was the work entrusted entirely to the people?—It was entrusted to the members of the School Committee, with only the ordinary supervision from the tahsildar and overseer, but not with the restriction that it must conform to particular rules, or anything of that kind.

25794. Whenever a school was established in a village would you be prepared to leave it to the villagers to provide accommodation for it?—It would be better that these schools should be built at a cost to be provided by the District Council, but through their agency; the collection should not be left to depend upon the will of the villagers.

25795. Would it be practicable and reasonable to entrust the execution of all local Public Works to the village?—Yes, if a village union or village panchayat is started it would be quite practicable, with assistance, of course, from the overseer.

25796. You would let the overseer interfere?—Expert assistance should be made available for them—not to interfere in financial matters, but in order to place at their disposal some expert assistance.

25797. Would not the interference of the overseer be fatal to spontaneous village effort?—If the overseer was their servant and not their master, I do not think it would.

25798. Would you propose that they should pay the overseer?—They should ask the District Council for the services of the overseer to some and supervise certain works which they are willing to undertake.

25799. You think that they would not object to that?—I think they would not.

25800. Because the overseer is the servant of the man who pays him?—The overseer should not have the giving of contracts or anything; if he had he would be all-powerful.

25801. He would not have power to give orders?—He would have power to advise, just as in private houses if you have a friend who is an engineer you can ask him, and he will say, "If you do so and so such and such a thing will happen."

25802. You think the overseer is a man who can be trusted to draw a line between advising and directing?—I should imagine so.

25803. In the matter of sanitation would you give the village any powers?—I would give the village panchayat the powers; at present the *mukaddam* is the man who has all these powers.

25804. Would you give them power to levy a rate?—Power to levy a small rate.

25805. Would you give them power to make rules?—Yes, I would give them power to do that also. There might be a power of veto left in the Government whenever there was anything in the rules that might prove oppressive or troublesome to the ordinary class of villages.

25806. Suppose the village said, "We do not want a staff; what we object to is your salaried servants with a badge coming round amongst us; we wish rather to make a rule binding each individual householder to keep the purlieus of his house clean." Would you give them power to enforce a rule like that on each individual householder?—Yes, I should see no harm in it.

25807. (*Sir Steyning Edgerley.*) When the Public Works Department work for you, do they charge a percentage?—Yes, I think it is about 10 per cent., except in the execution of works relating to roads.

25808. Could you get the work done for less than that by other agents?—Yes.

25809. As to the management of schools the actual administration is done by the deputy inspector?—No; he has to refer appointments, grants of leave and so on to the Council.

25810. It is done by the School Board?—Yes; the recommendations of the deputy inspectors are always attended to, but the School Board generally decides on each individual case after considering all the circumstances.

25811. They must sit very constantly?—Yes; we have to sit at least every month, if not oftener. In the ordinary cases of granting leave, or anything of that kind, the Secretary of the School Board in anticipation of the sanction of the Board passes orders, but in all other matters, such as promotions, adding to the staff and so on, the School Board has to decide at its meetings.

25812. Who is the Secretary; is he a member?—I am the Secretary; I am a member of the School Board and a member of the District Council.

25813. You practically have the administration of the schools in your own hands?—Yes.

25814. And the inspector has to come to you for orders about everything?—Yes.

25815. (*Mr. Meyer.*) What is the constitution of this School Committee, or School Board, as you call it; does it consist entirely of members of the District Board?—Yes.

25816. Is the deputy inspector of schools generally a member of the District Board?—He is not a member, but he is required to be present at the meetings.

25817. How does the Deputy Commissioner come in; does he attend the meetings of the School Committee?—No, he does not.

25818. Has he anything to do with primary education in the district?—Yes. Under the Education Manual the Deputy Commissioner has to be consulted in the starting of new schools or the abolishing of any schools; he as Head of the district has control and supervision over the acts of the deputy inspector, and through that agency he exercises his powers in that direction.

25819. He has to be consulted about the starting of any new school or the abolition of an old school?—Yes.

25820. Also about the raising of establishments?—That goes to him by way of a proposition statement for the enlargement of the items in the budget; he gives his opinion upon that and sends it on to the Commissioner.

25821. So far as it relates to the abolition or establishment of schools the finding of the School Board is not valid until it is confirmed by the Deputy Commissioner?—That is so.

25822. Have their findings to be also confirmed by the District Boards?—The School Board does not deal directly with the Deputy Commissioner; they place their proposals before the Council, and the Council incorporate them in their minutes.

25823. It is merely a committee of the Council?—It is provided by the Education Manual that its decisions should be reported to the District Council, not that they should be subject to the confirmation of the Council in every matter. No doubt if the Council considered any action of the School Board inconsiderate or ill-advised, they would record their opinion, and that opinion would prevail.

25824. You forward your proposals to the District Council and unless the District Council takes exception within a certain time they take effect; is that the procedure?—Yes.

25825. You desire to diminish the control of the Deputy Commissioner in respect of the education work of the Committee?—With regard to that matter about the veto of the Deputy Commissioner to the election of a member on the School Board. It seems anomalous that if a person is considered fit to be a member of the District Board he should not be thought fit to be a member of the Committee of the District Board.

25826. You say that the Deputy Commissioner has control in respect of the starting of new schools or the abolition of existing schools. Do you wish to keep that control, or to do away with it?—I do not think there is any necessity for that control.

25827. There is no necessity for outside control at all?—I think that, once the amount of the fund has been appropriated to certain objects, the District Council should have the power to spend it on those objects in the way it thinks best. Of course if there is objection upon any score the Deputy Commissioner can always advise, but he need not have the right of veto, nor should his confirmation be necessary.

25828. You have a good many backward classes in this province; are they represented on the District Councils?—As a matter of fact they are not, but there is nothing to prevent them getting representation if they chose.

25829. Do you think their wants in the way of schools would be adequately provided for if the District Councils and their Education Committees had an absolutely free hand?—The District Councils are quite willing to provide for the educational needs of these classes.

25830. You have in this province a Chairman, a Vice-Chairman and a Secretary of each Board. Have they all different functions?—The Secretary has certain powers under the District Council's Manual; he has financial custody and all that sort of thing; the issue of cheques by the Secretary up to Rs. 50 is permitted; if he has to spend larger amounts than that he has to get the countersignature of the Chairman, or of a member of the Finance Committee to the expenditure. For these various purposes they have the various powers.

25831. Where does the Vice-Chairman come in; has he any distinctive powers or does he merely represent the Chairman in the Chairman's absence, or when the Chairman delegates his powers?—That is his position; when the Chairman is absent he takes the chair; he is generally on the Finance Committee, and he discharges his duties in that way.

25832. So that the real executive authority is divided between the Secretary and the Chairman, with the Vice-Chairman occasionally representing the Chairman?—Yes, you may say that

25833. You desire that the District Councils should have full powers in respect of the raising of taxation?—My main contention is that the funds at the disposal of the District Council are quite inadequate to make them useful bodies, or to make people take a keen interest in their work. I therefore want a larger amount to be placed at their disposal, so that they may be able to carry out a larger number of works. With regard to taxation, they may raise some small taxes, but the collection of the funds that are to be placed at their disposal must be made by the Government, and the District Council should receive a certain percentage from the provincial revenues, which they might expend on objects such as education and meeting the sanitary needs of the villages and other purposes.

25834. A municipality is allowed to levy a house-tax, or a profession tax, or an octroi, as the case may be, within certain limits; is that what you propose for the District Councils, that they should have power to levy taxes within certain limits, or would you give them an absolutely free hand?—I would not give them an absolutely free hand.

25835. You would have specific legislation laying down the limit beyond which they should not go?—Just so.

25836. Did you not get a special grant from Government about three years ago amounting roughly to a quarter of the amount you received from the cess?—Our income from all cesses is something like Rs. 55,000; from Government we got about Rs. 17,000.

25837. Within the last three years your grants from Government have been considerably increased?—Yes; with regard to plague, for example, we got Rs. 4,000.

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25838. Apart from plague, have you not got a recurring contribution?—Yes.

25839. You mentioned the Dak Cess; that has been abolished as a contribution to Government and the proceeds given to the District Boards?—Yes, that is to say, the surplus after meeting certain expenses on the district post.

25840. Does not Government undertake most of the roads in this province?—There are what are known as district roads, class 1 and class 2; those are placed with the Public Works Department, and we have got to make a contribution to the provincial revenues for those roads. Out of the Rs. 35,000 Road Cess which we got we had to make a payment of Rs. 25,000 or so towards district roads in those two classes.

25841. It has been suggested that the provincial Governments should make over these roads to the District Boards, at the same time increasing their revenues; would you be in favour of that?—I do not think there would be any particular gain by transferring them as suggested.

25842. Is your position, then, that as long as the provincial Government manages the roads you do not see why you should pay?—My position is this, that with regard to these roads for which the contribution is demanded from the Council, they are really roads which are not utilised only by that class from which the Road Cess is raised; there is no reason therefore why a portion of the Road Cess should be utilised for these roads.

25843. You mean that your contribution should stop and that the Government should find the money from general taxation?—That is what I contend.

25844. Is there a Dispensary Committee?—Yes.

25845. That is outside the District Council, but you send representatives to the Committee?—No, we do not send representatives. Wherever municipalities start any hospitals or dispensaries they ask for contribution from the District Councils in order to pay for the treatment of the villagers who go there, with regard to whom the District Council may be considered responsible for the provision of medical treatment. But we have only two dispensaries started under the District Council (and that mainly through private liberality) where we have provided for medical treatment.

25846. In Madras the District Boards run dispensaries and they manage them; in Bengal on the other hand the dispensaries are managed by independent committees, though the District Boards contribute and are represented on the committees. Which system is in vogue here?—Here neither system is in vogue, because here there is only the provision for funds made by the District Council, and the rest of the management of the dispensaries like every other matter under the Medical Department of Government is managed by Government through the Civil Surgeon, not by us at all.

25847. Would it not be desirable to give Local Boards real power, instead of letting the District Council do everything?—Local Boards should certainly have real powers given to them, and as a matter of fact they have real powers; in order to enable us to frame our budget we send for, and get, from the Local Boards accurate information as to their needs, and we then allot to the different Local Boards what we think they should get, and they have power to spend that amount.

25848. But would you go a step further and give the Local Boards a definite part of the cess and let them run, say, schools and village roads within their own jurisdiction; would you delegate power to the Local Boards instead of everything coming up to the District Council?—The difficulty will be that there are some Local Boards in which there is greater need than in others, and the District Council can co-ordinate the demands of all these Local Boards and decide as to what works should be undertaken.

25849. You prefer the existing system?—I think it has several advantages.

25850. Has this system of having a Divisional Engineer been introduced only in this particular Nagpur Division, or throughout the province?—It is in the Nagpur division only for the present. It is an experiment.

25851. Is the sanctioning power of the Deputy Commissioner to the appointment of all School Boards required by law?—It is laid down in the Education Manual, which contains the orders of the Chief Commissioner under the powers conferred by the various enactments.

25852. Have not vaccinators been made a local establishment lately?—So far as I am aware, the vaccinators are not under us; we have to contribute to the Civil Surgeon's establishment, that is all.

25853. Do you have to go up for the sanction of the Commissioner for every re-appropriation you make?—Yes; I think there has been some change made recently in connection with the change made by the Government of India as regards incorporated accounts and things of that kind.

25854. Are you going to get more freedom?—I should suppose so. We have not got the detailed orders.

25855. When the Chairman, or you as Secretary, punish a municipal servant, does the appeal go to the collective Council, or does it go straight to the Commissioner?—It goes straight to the Council.

25856. Does it go on to the Commissioner from the Council?—So far as punishment is concerned, it is not final until it is confirmed by the Council.

25857. Then if it is confirmed by the Council the man appeals to the Commissioner of the division?—Yes, there is no provision specially with regard to that; it is only under the ordinary powers that the Deputy Commissioner has executive control and has revisional jurisdiction; if the Council is behaving improperly and so on, he may step in and supersede the Council.

25858. Are there many such appeals?—No, I am not aware of any such appeals.

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25859. (*Chairman.*) You are a pleader and President of the Raipur Municipality?—Yes.

25860. Have you been on the District Council?—No.

Every provincial Government should be vested with larger powers in the matter of spending money on the improvement of its internal administration with special reference to education, Public Works and irrigation. There should be a complete separation between the imperial and provincial finances, either by allotting revenues from some particular heads to the provinces entirely or by fixing permanently the proportions by which the imperial and the provincial Governments may share in the revenues from all heads. Provision has to be made for such emergencies as famine. Each province should have a sort of reserve fund to which the surpluses of prosperous years may be assigned and the present system of lapsing of unspent balances should cease.

With certain reservations I would like to give borrowing powers to Local Governments in cases of emergency, of course subject to the approval and security of the Government of India. The borrowing power of the provincial Governments will have a marked influence on the trade and money market, and much capital which now lies locked up in the outlying districts removed from the civilization of the Presidency Towns will thereby be invested in Government securities and trade. There is a large amount of silver lying idle in the coffers of *malguzars* and substantial tenants in many parts of the Central Provinces, and this capital does not find any outlet into the money market, simply for

want of facilities of investment and ignorance of the ways and means thereof. A provincial loan system with the prospect of ample security will put this locked-up capital into circulation and profitable investment, and will further have the advantage of teaching the people a little of enterprise.

In the matter of creation of new appointments and enhancement of salaries, particularly in the provincial branches, the Local Government should be the sole arbiter.

The present system of the same department being manned by the "Provincial" and "Imperial" men, doing the same duties but drawing different grades of pay, should be altogether abolished. I speak with special reference to the Public Works and Education Departments, where this invidious distinction is most marked. There may be two grades such as "superior" and "subordinate," and the former must be recruited from the latter.

Larger administrative powers should be given to Local Governments in the application of the general lines of policy of the Imperial Government to local conditions. For instance, in the Central Provinces, the Local Government should be given more latitude in the following matters:—Collection of land revenue; imposition and collection of forest revenue; imposition and collection of irrigation dues; imposition and collection of income-tax; and settlements. The restrictions imposed upon Local Governments by the Acts of the Imperial Legislature and by rules having the force of law may be relaxed in regard to the Forest Act, Income-tax Act, Arms Act, Excise Act.

A general Act of delegation like Act V. of 1868 will best serve the purpose.

The influence of the Government of India departments tends towards excessive rigidity. Each department of the Government of India should have at least one Assistant or Under-Secretary representing each province, but he must have local knowledge and experience. Important administrative reforms in the recent years are mostly due to the initiative of the Government of India. The Local Governments should be given a large degree of discretion in the matter of developing their administration, but it should not be left altogether to their choice to adopt a desirable reform brought to their notice from other provinces.

I am in favour of enlarging the administrative powers of the Local Governments, but an appeal should always be allowed to the Government of India. It would be positively harmful to require a certificate as to the fitness of the appeal from the very authority against whose decision the appeal is to be made. The rules regarding the right of appeal are not unnecessarily liberal, and, instead of curtailing the same, I would rather allow a direct appeal to the Government of India instead of through the Local Government, as at present.

Commissioners of divisions should be invested with final powers in the matter of suspension and remission of revenue to any amount. I would abolish the post of Settlement Commissioner and make the Commissioners of divisions the appellate authorities in the questions relating to Settlements. In mutations and nomination of *lambardars* the Commissioner should be the final authority.

In the following matters I would give final authority to Collectors and Deputy Commissioners:—Remission and suspension of revenue to the extent of Rs. 10,000; appointment and dismissal of village officers, such as *mukaddam*, *kotwar*, &c.; assessment of income-tax with the help of respectable assessors. Experienced Sub-Divisional Officers may be empowered to exercise all or some of the extended powers of Collectors and Deputy Commissioners as enumerated above.

The Commissioner should be given extended powers relating to the Court of Wards in taking up or relinquishing an estate under the Court. The Collectors and Deputy Commissioners should be constituted the Court of Wards, as virtually they are responsible for the management.

Divisional allotments are necessary in order to control the expenditure to a greater extent.

The position of the Commissioner is not sufficiently strong, though due weight is given to his opinions, but under the present system the Heads of Departments are quite independent of him and are not bound to agree with his views.

Officers are so much engrossed in their desk-work that they have hardly time enough to mix with the people. They should be considerably relieved of their office work, and people should be allowed free access to them to represent their grievances personally, and they should be treated with sympathy and consideration.

Many of the European officers do not possess sufficient knowledge of the vernaculars.

The administrative staff in many districts in Central Provinces is quite sufficient,—only a proper adjustment of the duties is all that is needed. No reduction of the district areas is necessary, but in places where the charge is heavy Joint District Officers may be appointed.

Transfers are unnecessarily frequent, and the tone of the whole administration is changed thereby. I think no District Officer should be transferred in less than five years at the lowest, unless there are very good reasons for the same, such as the unpopularity of the officer.

The following powers and concessions may be given to municipalities:—

Sole power of—

(1) Appointment and dismissal of all officers and servants without any interference by Government authorities.

(2) Unfettered power of reduction or retention of establishment or dismissal of unfit persons.

(3) Treating the Government property in the matter of taxation in the same way as private property.

(4) Power of abolition, reduction or exemption of particular taxes with respect to particular persons or properties without the necessity of sanction by the Local Government.

(5) Exemption of municipal process or applications from court-fees.

(6) Crediting to municipal funds the sale proceeds of the hides of unclaimed animals dying within municipal limits.

(7) Abolition of, or considerable reduction in, the rate of interest charged on loans granted by the Government and relaxation of rules regulating such loans.

(8) Relieving the municipalities of the cost of maintaining the high schools, district hospitals and district veterinary hospitals.

(9) The power of the Commissioner or Deputy Commissioner to suspend the operation of any resolution or order passed by a Committee should be confined only to those cases where the resolution or order has not been unanimously passed by the Committee and where its execution is likely to lead to a breach of the peace. I would, however, allow official control in all cases in which the resolutions of the Committee are passed by a bare majority.

(10) Removal of interference with municipal budgets except on very strong grounds.

(11) Gradual withdrawal of strict official control over municipal bodies, reposing more confidence in them and allowing a free hand to them as far as possible, subject, of course, to the guidance of Deputy Commissioners and Commissioners.

(12) Candidature of officials as members and office-bearers should be discouraged.

(13) The right of electing representatives to the Legislative Councils and Advisory Boards should be given.

(14) Exemption of the municipalities from the cost of Government audit.

The functions of the municipalities and District Boards may be extended in the following directions:—

(1) Institution of Boards of arbitrators in disputes relating to rights of easements in the towns or villages.

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(2) Institution of boards of arbitrators for settling petty trade disputes.
(3) Prevention of adulteration of articles of food.
(4) Powers regarding removal of public nuisance.
(5) Taking measures of prevention against epidemic diseases.
(6) Spread and encouragement of primary education.

There should be a Divisional Advisory Council for each Commissioner and a District Advisory Board for each Deputy Commissioner. I would constitute the Divisional Council by election from amongst the members of the several municipalities and Boards and also by including a limited number of outsiders representing the different classes and interests. I would constitute the District Advisory Boards by election from amongst the members of the municipalities and the Local Boards in the district and also by including a limited number of outsiders representing the different classes and interests. In respect of the following subjects responsibilities may be given to such Councils: — Education; relations of the officials with the people; public health and sanitation; agriculture; famine administration; and conduct of the people. I do not think the village communities in Central Provinces are sufficiently capable to dispose of petty civil and criminal cases.

25861. You tell us that there is a good deal of money lying idle in the coffers of *malguzars* and substantial tenants and so forth. Have you any reason to believe that loans for local purposes on the guarantee of the Local Government could be obtained?—I think so; the people have no spirit of enterprise at all; they do not know how to invest their money; they know only about investing their money on land, nothing else; that is why I believe local industries do not thrive—because of the want of the spirit of investment.

25862. If the Local Government came forward and said "We want a lakh for the purpose of building this tramway or making this irrigation work," would the local people put their hands into their hoardings?—Yes. I have had occasion to take the opinions of people. They do not know how to invest their money; that is the difficulty. If they find that there is very good security for the money that they invest, I have every reason to believe that they will come forward.

25863. With regard to income-tax, would people get off more lightly if the provincial Government had an absolutely free hand?—My complaint is that the income-tax is now being assessed every year. This tax is a very unpopular tax and it should not be assessed so often as that. If the Local Government were to consult the opinion of the people without being hampered by any rules of the Government of India it would be more conducive to the popular assessment of the tax.

25864. Could you possibly have an income-tax which was assessed for ten years?—Not ten years; the rule before was three years.

25865. No matter whether a man was making or losing money?—You generally find in practice that every year the total amount of assessment increases in every place, whether the people are losing or gaining.

25866. You say you want to see the Settlement Commissioner abolished; for what reason?—All questions connected with the settlement in a district can be more effectively decided by the Commissioner of the division than by the Settlement Officer.

25867. What you want is to give the Commissioner of the division a freer hand?—A free hand, and the right of hearing appeals, in place of the Settlement Commissioner.

25868. You suggest that final authority as to the remission and suspension of revenue should be given to the Commissioner?—Yes. To the Deputy Commissioner to the extent of only Rs. 10,000.

25869. With regard to extending the powers of Commissioners in respect of famine, what is unsatisfactory in the present position?—That the recommendations of the Commissioner may be set at nought by the Local Government.

25870. As a matter of fact, does the present system work unsatisfactorily?—In some cases it has happened that the Commissioners have recommended that famine works should be opened, and their recommendation has not been upheld.

25871. Would you like to see that matter finally in the hands of the Commissioner?—Not exactly finally, but he should be given more power.

25872. It is a matter rather of advice than of power?—In the result it would be more in the nature of advice.

25873. You are the Chairman of the Raipur municipality?—Yes; for about two years I have been Chairman; before that I was a member of the municipality.

25874. As Chairman, have you a pretty free hand in the management of the municipality?—Almost a free hand I should say.

25875. Your budget goes to the Commissioner?—Yes.

25876. Do you find he makes many alterations in it?—Yes, he does, in many particulars; for instance, we have cut down the grant that we used to pay to the high school; we thought that it was not our province to maintain the high school or to give any grant to it; our recommendation was not accepted.

25877. You thought he insisted upon your paying too much for education?—Not too much for education; so far as primary education was concerned we had nothing to say, but we said that the maintenance of the district veterinary hospital and the high school was not within the legitimate province of the municipality.

25878. By whom do you think they ought to be maintained?—By the provincial Government.

25879. Primary education you recognise as your charge, but not secondary education?—Secondary education does not come legitimately within the province of the municipality.

25880. Take the case of the dispensary; the dispensary was for the service of the people in the town?—It was for the service of the people in the town as well of the people in the *mufassal*; in the towns people have also to pay subscriptions over and above what is paid by the municipalities.

25881. They do that of their own free will?—Yes, but the *mufassal* people enjoy more advantages from the hospital than the townspeople; the municipality should be made to pay as little as possible.

25882. You think that the interference of the Commissioner in this particular was interfering with your liberty?—I do not say it was the interference of the Commissioner; that is the rule which has been in vogue for some time past.

25883. You want the municipality to have the right to say whether or not they will keep up the dispensary?—No; it is not for the municipality to keep it up; the municipality only makes a yearly grant of about Rs. 5,000.

25884. That does not represent the whole cost?—No, but that is too much, considering that the hospital exists for the whole district.

25885. You think you pay more than your share, that is what it comes to?—Yes.

25886. Do you do most of your work through sub-committees of your municipality?—Yes.

25887. Are you Chairman of all the sub-committees?—Not all, some of them.

25888. Do you get any grant from Government towards your expenses?—We get Rs. 3,000 for education.

25889. That is spent on the primary schools?—Yes.

25890. Do you get any other grant from Government?—Yes, we have only lately got a grant for the maintenance of the veterinary hospital of Rs. 300 a year.

25891. And loans?—Yes; we have to pay two loans, one was taken for the water-works, another for drainage; we have been paying our instalments regularly.

25892. You get them easily and cheaply?—Yes, but the interest that is charged is rather too much. In the case of loans the existing rules should be somewhat relaxed. We wanted to improve our market, and we wanted to go up to the Government for a loan of Rs. 30,000; Government promised it, but we could not take it up because we were required under the rules to repay it within ten years; we could not possibly repay it within ten years, and so we had to cast aside that improvement.

25893. Do you borrow your loans through the Local Government?—We borrow from the Local Government.

25894. Could you raise within the limits of the municipality a loan on the strength of the municipal revenues?—I think we could.

25895. You would have to pay a greater rate of interest for it?—Probably.

25896. That would not be so satisfactory perhaps as the present system?—No.

25897. You wish that there should be no appeal from any punishment which the municipality may inflict on its servants?—I think the Committee should have the final power. If the President punished any official he has the right of appeal to the Committee; the Committee should be the final Court of Appeal.

25898. With no further appeal beyond that?—Unless the opinion of the Committee is not unanimous; in that case I would give an appeal to the Deputy Commissioner. Beyond him the Act does not give any appeal in many cases.

25899. You think it ought to stop with the Deputy Commissioner?—I think so.

25900. But in the case of Government servants you think that they might go up to the Local Government?—Yes.

25901. Why do you draw a distinction between the two?—Because in the one case it is the Court of the people; if the Municipal Committee decides a case in respect of its own officer, they are the representatives of the people; but in the case of the Government servant it depends only on the judgment of one official.

25902. You object to the judgment of one man dismissing or punishing a man; do you think that if there were two authorities, each of whom agreed with the other, that would be sufficient?—It depends on the rank and position of the officer who is dismissed; if he is a menial officer drawing Rs. 15 or less, then I think an appeal up to the Commissioner ought to be sufficient, but if he is a high officer, drawing Rs. 100, you ought to give him the chance of going up to the Local Government.

25903. Not beyond the Local Government?—I think in the case of a man getting Rs. 100, not a Gazetted Officer, the appeal to the Local Government ought to be sufficient.

25904. What have you to say as regards panchayats?—With regard to panchayats, the people are not sufficiently advanced in education or enlightenment to take up petty civil and criminal cases, and decide them satisfactorily.

25905. (*Mr. Meyer.*) Do the village headmen, the *mukaddams*, elect to the District Councils?—I have no experience of that.

25906. These people, the village communities and others, to whom you refuse powers as being unsatisfactory, are at the same time the electorate to the Local Boards, to whom you desire to give very much larger powers?—Yes. When they sit on the Local Board or the District Board they will come into contact with the people of the whole district; they will be able to get over their local prejudices by coming into contact with the people of other places. To some extent they could not get over the local prejudices unless they were sufficiently well educated.

25907. You say that each province should have a sort of reserve fund to which the surpluses of prosperous years might be assigned. Is not that precisely what takes place now, that if a province has a surplus it goes to its credit?—If it is so, I have nothing to say.

25908. You desire to give the Local Government more latitude in regard to settlements. For instance, the present accepted principle is that the State share of the land revenue should not exceed 50 per cent. of the cultivators' nett profits. Suppose a Local Government said, "We are hard up, and we should like to take 60 per cent.," would you allow them to do that?—Certainly not; there should not be any hard and fast rule laid down by the Government of India in respect of these matters; local wants and local circumstances must be attended to first.

25909. That is exactly the instance I gave you. The Government of India have laid down the principle that the Local Government shall not take more than 50 per cent. of the cultivators' nett profits, and the Local Government wants to get rid of that principle; would you let them exercise their own discretion?—Of course not in that way.

25910. Only in the way of relaxing taxation, not of increasing taxation?—That is what I mean.

25911. You say that in mutations and the nomination of *lambardars* the Commissioner should be the final authority?—At present the application is made to the tahsildar, he makes inquiries and makes the nomination, the final order is made by the Deputy Commissioner, and there is a right of appeal to the Commissioner; further, there is a right of appeal to the Local Government also. In these petty matters one appeal ought to be sufficient.

25912. Might the Sub-Divisional Officer not appoint a *lambardar*?—The Sub-Divisional Officer is invested with the powers of the Deputy Commissioner in some cases.

25913. In that case the appeal would lie from him to the Commissioner?—Yes.

25914. If the Sub-Divisional Officer appoints the *lambardar* and somebody is dissatisfied with the appointment, might not the appeal go to the Deputy Commissioner as the immediate superior of the Sub-Divisional Officer?—But under the Land Revenue Act some powers are exercised by the Sub-Divisional Officer as the Deputy Commissioner.

25915. I am speaking not of the Act, but of common sense. When the Sub-Divisional Officer exercises a power and exception is taken to his action, the appeal, in Madras, for instance, lies to the Collector; do you see any objection to that in this province, apart from the provisions of the law?—I have no objection to it; I should think it would be much better.

25916. You say that Commissioners might have larger powers in regard to Public Works; have you thought out any specific recommendation?—Certain instances have come to my knowledge in which the Commissioners have absolutely no powers.

25917. Would you like to give the Commissioner a Public Works budget and give him powers of sanction within that budget?—No; but the Executive Engineer, in consultation with the Commissioner, might start some important works.

25918. Would you say that no work should be started in the division before the Commissioner has approved of it?—Yes, that is what I mean.

25919. You say also that you would like to give the Commissioner power with regard to "transfers of subordinate officers from one district to another in the division in the interests of the Public Service." What subordinate officers do you mean?—Extra-Assistant Commissioners and Assistant Commissioners, not Deputy Commissioners.

25920. Then you say that the Deputy Commissioners might similarly transfer subordinate officers from one *tahsil* or sub-division to another; do you mean tahsildars?—Yes, tahsildars and assistant tahsildars also, not Assistant Commissioners.

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25921. Then with regard to the Extra-Assistant Commissioner the position would be this. Government would post him to a division, the Commissioner would post him to a district, and the Deputy Commissioner would post him within that district?—I mean that, if necessary, instead of going up to the Local Government, the Deputy Commissioner might transfer an officer from one sub-division to another, or the Commissioner might transfer a particular officer from one district to another.

25922. Do your Commissioners, as Court of Wards, deal with encumbered estates when the proprietors are pecuniarily embarrassed?—Yes.

25923. You say that the Commissioners should decide as to taking up or relinquishing an estate under the Court; that relates to estates which are under management by reasons of the minority or the sex of the proprietor?—Yes.

25924. Would you object to the same powers in cases where the estate is taken up because the proprietor is of extravagant habits?—No, I would let the Commissioner decide in all cases whether estates should be taken up or relinquished.

25925. When estates are taken up, the entire management would be with the Deputy Commissioner?—Yes.

25926. Would he have to get sanction for his budget?—That depends on the question who is to constitute the Court of Wards; if he is to constitute the Court of Wards, then I think he has only to prepare his budget and send it to the Commissioner in the ordinary course.

25927. You desire that the municipality should have complete power to abolish or reduce or exempt from particular taxes without the necessity of sanction by the Local Government. Do you mean it might exempt a whole class of persons from taxation?—Not a whole class. I refer particularly to Section 41 of the Municipal Act. There is a section in the Municipal Act which empowers the Municipal Committee to "recommend" that a particular person or a particular property shall be exempted from payment of a certain tax. With respect to that word, the procedure now is that the Committee passes a resolution at a special meeting, and it has to be forwarded to the Local Government and the Local Government might not choose to accept the recommendation.

25928. But what is the general reason of exemptions?—For instance, in the case of a man who has made a munificent gift to the municipality, it might be thought graceful and advisable that his property should be exempted from taxation.

25929. The man gives you a large present, and you say, "In recognition of your munificence you need not pay any municipal taxes hereafter"; is that what you mean?—Yes, I can quote one instance at Raipur; we got 2 lakhs for our waterworks from the Raja there. He had only a small house; we wanted to exempt him from water-tax in recognition of our enjoying that boon through his munificence; that we have no power to do.

25930. If you carried out that principle very largely you might end by paying dearly for the munificence accorded to you?—That depends on the good sense of the community. There are very rare instances in which the Committee as a body are bound to be grateful to a certain person on account of the benefit that he has conferred on the community.

25931. You want the Government to give you loans more freely than they have done hitherto?—Yes, and at the same time I propose that the Government should relax the rules under which those loans are made.

25932. If the Government give you loans they must have some moral certainty of the re-payment of the loans?—Certainly.

25933. If your municipality has full control over its finances and can exempt persons from taxation, there may be a risk that they will not be able to pay back what they have borrowed from Government?—If the Government have confidence in the Municipal Commissioners there is no harm in their relaxing control in that way; if the Government found the finances of the municipality were wrong, they would refuse to grant a loan.

25934. If the Government is to lend money, at any rate it is entitled to see that you are in a position to repay the money?—Certainly.

25935. You say that in a particular case you wanted a loan for a market and you were required to pay it back within 10 years. Might not the Local Government have extended that period to 20, if it so desired, under the Act?—The Government of India rules are that generally loans for purposes of markets, etc., are to be repaid within 10 years.

25936. Are you not confusing two things, ordinary works, and emergency expenditure for plague and other matters? Under the ordinary Local Loans Act the Local Government has discretion up to 20 years?—Not in all cases; in cases in which loans are required for the improvement of markets and those things, the period is 10 years.

25937. Markets are profitable undertakings; if you are making a profit out of the market, can you not pay back the loan rapidly?—We may, but at the same time we have to see that we get a sufficient time for repayment; it is no use to take a loan for ten years when we think we shall not be able to repay it within that time.

25938. You say that among the functions of the municipalities and District Boards that might be extended are the institution of Boards of Arbitrators in disputes relating to rights of easement in towns or villages. Will you kindly explain that?—There are various questions about easements in the towns, and for the settlement of these questions people have to go to the Civil Court and fight out long and continuous litigation. In such matters there might be a sub-committee of the municipality to which they could be referred, say, under the Arbitration Act, and the Municipal Committee might decide; if their decision was made final it would do away with much litigation.

25939. You mean, made final without any appeal?—Yes; if it is an arbitration there should be no appeal.

25940. Would it be open to the parties to accept arbitration or to go to the Civil Court as they desired?—That is so, of course, in all cases.

25941. The arbitrators should be a Board representing the municipality?—Yes.

25942. How would your Board of Arbitrators for the district be constituted?—Out of the members of the District Council.

25943. Are there a sufficient number of members to go round all the villages and adjust disputes?—Only those members who come from the neighbouring parts of those villages would be expected to do the work.

25944. They are also to deal with the adulteration of food; are they to prosecute or to decide on prosecutions brought by the police?—In these matters certain municipalities, under their Acts, have been given certain powers, but here those powers have not been given.

25945. A municipality is occasionally granted preventive powers in regard to the adulteration of food, but when there is a particular case in question it has to be prosecuted under the general law?—Yes.

25946. Do you propose to eliminate that and let the committee of the Municipal Council decide cases?—I do not mean to take away the jurisdiction of the Courts; but municipalities should be armed with sufficient powers to make rules in respect of all these matters.

25947. Do you propose that these Advisory Councils should be purely advisory; suppose the Deputy Commissioner disagrees with the majority of his Advisory Council, what is to happen?—I should think that in respect of questions which are submitted to them the Deputy Commissioner or the Commissioner, as the case may be, ought to go by the opinion of the majority.

25948. But suppose he finds it impossible for him to accept the opinion of the majority, what is to happen then?—Then their opinion, of course, goes for nothing; but at the same time, in spite of all that, it would be beneficial, and it would make the Administration more popular.

25949. As a lawyer you know the difference between a case tried with assessors and a case tried by a jury; are these people to be assessors or are they to be jurors?—I should like them to be jurors.

25950. In that case, if the Deputy Commissioner disagreed, he must refer it to some superior authority?—Of course there must be a constitution in respect of these Advisory Councils, giving defined powers to the Commissioners and Deputy Commissioners and also to the members of the Advisory Council as to what is to be done in the case of difference.

25951. Would you introduce such Councils throughout the province or would you try them as an experiment?—In the first instance I should try them as an experiment in some selected districts and divisions.

25952. (*Sir Steyning Edgerley.*) Could the delegation of powers which your recommendations involve best be done from time to time by a general Act of delegation such as Act V. of 1868?—Yes.

25953. Would it be necessary, or desirable, to include in such an Act a provision for prior notification of intention to delegate?—I think so.

25954. Do you think, if that were done, that would be a sufficient safeguard?—I think so.

25955. You think there would be no public complaint as regards an Act of that sort?—I am not prepared to say that, but so far as possible there might be less chance of complaint.

25956. So far as your own judgment goes you think that that would be a satisfactory instrument for the purpose?—Yes.

25957. (*Sir Frederic Lely.*) You would take away the power of appeal against the dismissal of municipal employees, would that be popular?—Not just at present. It depends on the way in which you have to deal with the people; if they are educated, and if they have confidence in the committee, I do not see why there should be any reason for dissatisfaction.

25958. Would you have all the members of the municipality elected?—Some might be nominated for the different classes and interests.

25959. Would you give Government power to interfere in cases in which the municipality had defaulted?—Yes.

25960. Would you give them power to suspend the whole municipality in case of failure?—In the case of gross neglect.

25961. You suggest that the power of the Commissioner or Deputy Commissioner to suspend the operation of any resolution or order passed by a committee should be confined only, say, to cases where the resolution or order has not been unanimously passed, and where its execution is likely to lead to a breach of the peace. If it was unanimously passed, do you think he ought to interfere, even if it was likely to lead to a breach of the peace?—No, I do not say that; if it was likely to lead to a breach of the peace, in spite of its having been passed unanimously, he should have the power.

25962. What would be the exact result of the general Act of delegation which you have recommended?—All I can say is that there will not be the necessity of making so many notifications every time.

25963. (*Mr. Dutt.*) Suppose certain powers have been conferred on the Central Provinces Administration by law, and a general Act of delegation was passed, the result of that would be that the Chief Commissioner would be able to delegate any of his legal powers to any subordinate officer, either the Commissioner or the Deputy Commissioner, without any amending Act?—Quite so.

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25964. Would you like that, or do you think that specific delegation Acts would be preferable?—I think in respect to the delegation to subordinate officers there might be certain restrictions.

25965. Where it is desirable to delegate a power reserved to the Government by a specific Act, would you allow the Government to delegate that power simply by notification under a general Act, or by an amending Act?—I think by notification.

25966. You say you would abolish the post of the Settlement Officer and make the Commissioner the appellate authority in questions relating to settlement. Is it not desirable to have one Head of the province in settlement matters?—The Commissioners know more about their divisions than one man for the whole province could possibly do.

25967. What advantages do you expect from giving the Commissioner of the division appellate powers with regard to settlement matters?—He will be able to bring so much local knowledge to bear upon the questions that arise.

25968. Where does your Sub-Divisional Officer now live in this province?—At headquarters.

25969. Would you recommend that he should live in his own sub-division?—I like the present arrangement; I think that they should remain at headquarters, but as often as necessary they ought to go out on tour. That is the system now.

25970. Have you any reason to think that the Deputy Commissioner has not sufficient supervision over the police?—I do not know about the powers, but they do not exercise those powers.

25971. Ought they to exercise their powers more frequently?—Yes; and though it might not be called an actual appeal, there may be a sort of reference made in all cases from the authority of the Deputy Commissioner to the Commissioner. I would again rely upon the local knowledge which the Commissioner is likely to possess.

25972. Would you give the Commissioner power to transfer only officers in the Subordinate Service, or also officers in the Provincial Service?—Both in the Subordinate Service and in the Provincial Service.

25973. (*Mr. Hichens.*) Do you have to set aside a definite portion of your municipal income for schools and a definite portion for hospitals and definite portions for other things?—No.

25974. Can you spend as much or as little as you like on schools?—There is no definite division provided, but we know that the yearly expenditure on schools is so much, and that we have to allot in any case.

25975. But how is the amount arrived at?—We know very well how many schools there are, and what it costs to maintain them from our previous yearly budgets.

25976. You have to pay for all the schools?—All our primary schools.

25977. Plus the salaries and everything else?—Yes.

25978. Do you get a Government grant for general purposes, apart from education?—No.

(*The witness withdrew.*)

Mr. N. K. Kelkar was called and examined.

25979. (*Chairman.*) You are a pleader?—Yes. I reside at Balaghat. I have been a member of the municipality and Honorary Secretary since 1892 and a member of the District Council since 1896.

Municipalities in urban tracts and District Councils and Local Boards in the rural areas are the forms of local self-government obtaining in these provinces. Both have so far more or less failed to bring home to the people the importance of local self-government. The Government perhaps introduced these forms of local self-government in several places all over the province almost indiscriminately, and, having introduced these forms of self-government, they did not pursue a

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liberal policy in the matter of encouraging and fostering them. The time has come for the revision of the whole system both in form and substance from bottom to top. The system of elections has been a hopeless failure. The *mukuddams* primarily constitute the chief body of voters entitled to elect members to the Local Boards. Professional and mercantile men have also a right of election. But both these classes of men have got very little or no personal interest of their own at stake and are not likely to be affected or prejudiced by the mismanagement of a local body's affairs, and therefore one would naturally find both these classes of men taking no interest in elections. The incomes of Local Boards or District Councils are ear-marked and derived from Government direct by means of allotments or assignments of certain kinds of cesses and contributions. The cesses are imposed at settlement by Government officers without any voice or say on the part of people's representatives. Indeed, the District Council or Local Board possess no power of imposing taxes or of deriving income from other sources except contributions from Government. The fund technically called the local fund is only nominally so, since it is money belonging to, or carved out of, provincial revenues, and local officers of Government, acting under the settled policy of the Central Government, are always over-anxious to reserve to themselves exclusive and absolute control over the finances. Local self-government (barring perhaps in a few districts) has been a mere farce. Everybody looks upon it as one of the departments of Government, virtually managed by Government officers.

So far as District Councils and Local Boards are concerned the appointments, transfers, dismissals, &c., of school-masters are under their control. For want of adequate funds they cannot engage their own independent supervising staff and they have therefore in the main to depend and act upon the reports of the deputy inspectors of schools. The local bodies are supposed to make no change in the curriculum laid down by Government educational authorities. They are supposed to abide by the fee rules prescribed by Government. They are not supposed to use in school any books other than those appointed by Government. The scholarships though paid from the so-called local fund are absolutely in the giving of the circle inspector of Government.

As regards works, such as construction of roads, wells, buildings, &c., a district fund overseer is appointed to supervise these works. The Deputy Commissioner is supposed to appoint the overseer with the consent of the District Council. Under the standing orders of the Local Government the district fund overseer is to act under the orders of the Deputy Commissioner or tahsildar. The Deputy Commissioner and under his orders the tahsildar are primarily responsible for the execution of these works for which the District Council is to spend money under the orders of the Deputy Commissioner. Local bodies are not supposed to undertake any new works of, and above, certain values without the previous sanction of the Deputy Commissioner or Commissioner. The post of a Divisional Engineer is newly created with a view to help the local bodies with expert advice. The pay of this officer and of his establishment is wholly contributed by various local bodies in the division, but the appointment, dismissal, &c., of this officer is in the hands of the Commissioner. The ferries are auctioned by the tahsildars, who merely send the auction papers to the District Council for formal sanction. The arboriculture is managed by that officer. The District and Divisional authoritites have solely appropriated to themselves the financial control over the local bodies. The account rules laid down by the Comptroller are supposed to be adopted by the local bodies, who cannot keep accounts on forms other than those prescribed by the Comptroller. The District Council is supposed to purchase stationery from the Government Stationery Department and from nowhere else. A number of departments, such as Vaccination, Veterinary, Dispensaries, are made over to the management of the local bodies, although the local bodies do not possess expert agencies of their own to manage them. The vaccinators were ordered to be transferred to the control of the local bodies with effect from the 1st October, 1907, but with this transfer the Government has not transferred the supervising staff. Up to now the vaccinators though paid from revenue belonging to the local bodies, were provincial servants of Government. Though the payment used to be made by local bodies, the vaccinators were not subject to the control of these bodies, but the Government has recently decided to transfer the vaccinators' services to the local bodies. The Veterinary Department is pretended to have been placed at the disposal of the local bodies, but over this department also the Council's control is nominal.

It is only, say, once a month, or once in two or three months, that the members have the good luck of being called together with a view to attend the show of taking part in the deliberations of the Local Board or District Council.

My remarks about elections for Local Boards apply equally to District Councils, the office-bearers of which are for the most part salaried officers of Government. The first duty is to form electorates. For each patwari circle, or wherever that is not possible, for a group of two or more patwari circles, a panchayat should be formed. All the villagers in each village constituting the patwari circle or circles of a prescribed status or earning a certain amount of minimum income should have a right of vote to elect members to these panchayats. In the case of tenants it may be desirable to make their eligibility depend upon the payment of a certain amount of annual rent. Subject to the aforesaid restrictions, traders and merchants in the villages deriving not less than Rs. 120 annually may be eligible to vote. The voters may not necessarily be literate, but the panchas must be. In order to avoid any possible abuse on the part of villagers in the matters of election or in order to secure the services of the best men available in any locality who, for various reasons, may not like to stand as candidates at elections, either the District Board or the Deputy Commissioner may have a right of nomination. In Indian society instances of people unwilling to stand for election may be found in numbers. It will be long before people forget their differences which deter them from standing as candidates, but the number of nominated panchas should, on no account, exceed the elected. The whole body of panchas may consist of not more than seven in the proportion of five elected to two nominated.

These provinces in which the *malguzari* system prevails, and in which the *malguzar* is still looked upon in many localities as a family counsel or social guide in many walks of rural life, are most suited for the establishment of village panchayats. Under the present system the *malguzar* or other influential men in the villages hesitate to interfere as their position as village arbitrators is losing recognition in any quarter. Another reason which has prompted me to be so keen about the panchayats is the knowledge I have gained from the recent conciliation proceedings so marvellously carried to a successful termination under the guidance of Government officers. Government officers had to meet with difficulties and obstacles in the beginning, but very soon afterwards both the debtors and creditors cheerfully submitted to the Board's decisions and got what they could get in law courts without much trouble and with very little expense.

The panchas should be the primary agents for the direct execution of some of the duties vested in the present District Council or Local Board. In many parts of these provinces people will gladly accept the following duties:—Management of cattle-pounds and of small irrigation tanks or wells; construction and repairs of pounds, sarais, wells and school buildings; season and petty repairs to inter-village roads; village sanitation; management of markets; village and roadside arboriculture for which an agriculturist has some liking; management of village camping grounds; control and supervision of village ferries; and the settlement of petty civil and criminal disputes, including power to punish for offences against sanitation as well as

against the Local Self-Government Act, or the rules and by-laws made thereunder and also to compound such offences. The last should be the fundamental duty of the village panchas. Indeed, some permissive enactment may be passed making it compulsory for the people to refer in the first instance their disputes to the villages panchas and barring the jurisdiction of the courts unless the plaint or complaint is accompanied by a certificate from the panchas to the effect that owing to some difficult question of law or fact involved in the case, the case, in their opinion, is a fit one to be disposed of by a stipendiary tribunal.

In the execution of these duties the panchas should be subject to the control of no one except the District Council or District Board. On no account should the District or Divisional authorities interfere with the panchas, and the duty of the guiding officer should be to guide and advise and not to interfere. In case the Local Government consider that any panchayat is not working properly, they may call upon the District Board to dissolve the same and have a new panchayat elected.

The panchayats shall have an unqualified right to elect their own office-bearers, and they should act under such by-laws as may from time to time be framed by the District or Provincial Boards. The term of panchayat should be three years ordinarily for the present. From the above list of duties I have purposely omitted schools, as I have gained an impression from the working of the present School Committees that they can do very little practical work in the interest of education as such. They may look after the repairs, etc., but the education as such may be managed by a body of non-official experts.

If the panchayats are well established, there will be no need to have the present Local Boards. In order to make local self-government a success, it is necessary to have a deliberative body consisting only of non-officials for each district very nearly resembling the present District Councils. The village panchas from all parts of the district should have the right to elect members to this Board, but the elections may be supplemented by nominations by Government of non-officials to protect the interest of individuals otherwise qualified who, for reasons already mentioned, are afraid of running the risk of incurring failures at elections. The number of such nominated members may not exceed one-third the total number of members. No officer of Government may be allowed to take part in the deliberations of the District Council as that has so far hindered the progress of free and independent opinion of self-governing bodies. The members of the District Board or Council should have an uncontrollable right of electing their office-bearers. The number of members must vary according to the size and importance of each district.

My remarks with regard to official control apply equally to the municipalities also, but these bodies enjoy larger powers both in the matter of taxation as well as in the execution of some of the duties entrusted to them. Here again the same complaint is heard that municipality is a Government Department where everything is done or ought to be done under Government *hukum*. In the Municipal Committee also there should be no official element, all the office-bearers should be non-officials, and the power of electing office-bearers should be absolute.

The District Council should have the power to allot sums of money to each of the village panchayats for the efficient execution of the various duties entrusted to them. They should have the power of imposing sanitation taxes, levy bazar dues, cattle registration fees, to impose wheel-tax on all carts engaged in mineral and other traffic, not of course of agricultural produce, and also to charge broker's and weighman's fees. In addition to their incomes which the District Councils at present derive from school and road cesses, ferries, cattle-pounds, *nazul* lands, arboriculture and other miscellaneous sources, the District Council should have a right to receive from Government in the shape of tax a certain percentage on all revenues they derive from all sources in a district. The fund so constituted by these various means should be at the absolute disposal of the District Council. They must be at liberty to act without any sanction of the District or Divisional authorities or Heads of any Government Department, but subject to the control of the provincial Board hereinafter mentioned. Municipalities should have the same powers of raising and administering their own funds as the District Councils. The Government may have a right of inspecting accounts, watching the general working of the various local bodies. The Government officers may make suggestions, but because their suggestions are not carried out the Government should not interfere unless a strong case of real injustice or wanton waste is made out or unless it is apparent that a local body is unreasonably obstinate.

The different departments under the management of the local bodies in a district should be supervised by an inspecting staff of their own directly subordinate to them and paid from their funds. There need not be separate inspecting officers for District Boards and municipalities in a district. With a view to the harmonious working of these departments in a division, there may be divisional inspecting officers consisting of experts in the respective branches. These divisional inspecting officers should also be paid from contributions from the several local bodies in the division. The inspecting staff for the district and division would thus consist of—(1) *For a district*—a deputy inspector of schools; an Engineering Upper Subordinate; and a vaccination superintendent. (2) *For a division*—an inspector of schools; a Divisional Engineer; and a Superintendent of the Veterinary and Vaccination Departments. The transfer of these inspecting officers and even of the lower subordinates in different departments from one district or division to another in consultation with the local bodies concerned may be of great use and should be allowed as often as necessary.

The machinery of local self-government in a province, without a provincial body to harmonize the working of the different local bodies, would be incomplete. There should therefore be a provincial Board consisting of a representative for each division in the province elected by the different local bodies in it, having power to sanction the imposition of taxes; sanction by-laws; frame rules and regulations, including account rules for the guidance of the various departments under the control of the different local bodies; to sanction budgets and re-appropriations; to appoint committees of non-official experts to consider questions and make suggestions in connection with educational and other matters requiring professional advice; to transfer, appoint, dismiss and punish servants in the divisional inspecting staff. This Board will have a central office of its own with a paid Secretary and staff paid from contributions from different local bodies, and will decide questions in connection with the above-mentioned matters.

It would not be advisable to place minor municipalities in the district under the control and supervision of either a District Board or Council or even of the municipality at the headquarters. Every municipality, however small it may be, must be an independent body and must be left to manage its own affairs subject to the above remarks about Government help and guidance and control of the provincial Board.

It is not necessary for the District or Divisional Officers to have separate Advisory or Administrative Councils at least so far as local bodies are concerned. The District or Divisional authorities may consult such bodies on any point they like.

25980. You tell us that the income of the Local Boards and District Councils are derived from Government. In what proportion is the income derived from the Government?—The whole income is from Government.

25981. Some of the District Council income is derived from cesses?—But the cesses are realised by Government.

25982. What proportion does the income which is not derived from cesses bear to the income

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derived from cesses?—There is no fixed proportion; it varies with the districts.

25983. Suppose the District Council had the power of imposing taxes, would they raise money by taxation?—They would.

25984. For what particular purpose?—For all purposes generally, for roads, village sanitation, arboriculture, education, cattle-pounds and so on.

25985. We have had suggestions made to us that the resources of the District Boards are too small; you think that they would be made good by increased taxation if the District Councils had the power to do so?—Yes.

25986. Are not the Local Boards presided over as a rule by the tahsildars?—Yes.

25987. It has been suggested to us that the Chairman of the District Council has very little to do with the executive power; by whom is that generally managed?—The Secretary of the District Council has generally the executive power.

25988. Not the Chairman of the Local Board?—For all executive purposes, so far as the execution of works is concerned, all the works are executed through the tahsildar, who happens to be the Chairman of the Local Board.

25989. But he does it under the orders of the District Board?—Nominally under the orders of the District Board; he is supposed to do it under the orders of the District Board, but he does it on his own responsibility. The tahsildars in this province have appropriated to themselves all the functions of the local bodies.

25990. Even those of the District Council, of which they are not members?—In some districts the tahsildars are members of the District Councils, but not in all districts.

25991. You say that he shows a tendency to make his position felt; in what sort of way?—In every way. The members as a rule are supposed to do the work under their own supervision, and the money is given to them; but practically the tahsildar keeps the whole of the money himself, and asks the members to do the work just as if they were contractors.

25992. Do they do that work?—They do it.

25993. Are they glad to do it?—I am doubtful.

25994. How would you like to see the work done?—It should be done under the supervision of the members and through the District Fund overseer.

25995. Then you say that the tahsildar sometimes forces the local bodies to sanction expenditure?—Yes; they incur the expenditure beforehand and send to us a memorandum that they have incurred the expenditure, and we have to sanction it.

25996. But suppose the President of the District Council said "I am not going to pay," what would happen?—It would create friction, and the Deputy Commissioner would say "As you disagree with the tahsildar in this matter no works of yours at all will be executed"; that would be the result.

25997. Has that ever been attempted?—It has not been attempted; we sanction expenditure; that is all.

25998. Do you work through committees on your District Council at all?—Yes; we have sub-committees; we have a Public Works Committee, an Education Committee, an Executive Committee, and a Finance Committee.

25999. Who is the Chairman of these committees?—One of the members of the sub-committee is the Chairman.

26000. Not the Chairman of the District Council?—Not necessarily.

26001. But, generally speaking, is he?—Generally speaking.

26002. You rather suggest that the powers of the Local Boards have been extended at the expense of the District Council?—Yes. Nowadays there is a tendency on the part of the Local Administration to extend the powers of the Local Boards and to curtail those of the District Council.

26003. In what particular direction?—In every respect. They are supposed to be the masters; the funds are allotted to them, and they are no longer responsible for the expenditure of the District Council.

26004. Are the budgets of the Local Boards sent up to the District Councils?—They are.

26005. Have the District Councils any power of supervision over them?—To a very limited extent.

26006. But, notwithstanding that, you would lead us to believe that the Local Board is the master of the District Council?—Yes.

26007. Do you think that that is a good system?—No.

26008. It was suggested to us in another province that it might be well to abolish the District Council altogether, and have nothing but the Local Board. Would you agree with that suggestion?—We must have a deliberative body; I do not agree with that suggestion, especially as I am of opinion that there should be village panchayats or circle panchayats.

26009. It might be possible to very largely increase the powers of the Local Board and get rid of the District Board altogether?—Yes, but not now. It will take some time.

26010. Do you think it would be a good thing to do?—Not in these provinces just now.

26011. What is your opinion with regard to panchayats?—My suggestion is that there should be a panchayat for each group of a patwari circle consisting of about five to seven villages; in some cases it might be possible to have a panchayat for each village.

26012. What would be the population of such a circle of villages?—Generally it is less than 1,000 in a village. It would be about 5,000 to 7,000 people.

26013. You could entrust them with various powers?—Yes. My idea in giving these powers to the village or circle panchayat is that there should be so many Local Boards; I would give them all these powers which are at present exercised by the Local Boards.

26014. But the real duty of the panchayat should be the settlement of small disputes?—Petty, civil and criminal disputes.

26015. Would you make that decision of the panchayat final?—Final, with no appeal.

26016. Have the municipality at the present moment all the functions that they can usefully discharge?—I think they have.

26017. At present the budget has to go to the Commissioner?—In the case of minor municipalities where the population does not exceed 20,000; in other cases it goes to the Chief Commissioner.

26018. Do you wish the control of the Commissioner entirely removed?—Yes.

26019. Would the municipality be prepared to accept entire responsibility in that case?—It should do.

26020. At present the Government would come to the aid of a municipality that got into debt and could not discharge its liabilities?—In that way the Government must come to the assistance of the municipalities every time, but the control, which is at present exercised by the Divisional Commissioner, should be removed.

26021. Is that a logical position?—The question is, how the municipality got into difficulty. If it were necessary to meet public demands the Government must come to the assistance. Suppose, for instance, we want money for sanitation purposes, or for plague, the Government must of necessity come forward and relieve us.

26022. Even although you got into financial difficulties by your own folly?—Not by our own folly. If a municipality had got into difficulties by their

own folly, then it would be unreasonable to expect Government to afford pecuniary assistance.

26023. Then what would happen?—Then they must raise the money themselves by taxation.

26024. The Government should step in and take over the powers?—Yes, in some cases.

26025. You prefer that to the present system of control of the budget?—Yes.

26026. If your views were met as to District Boards and municipalities and panchayats, then you think it would not be necessary to have Advisory or Administrative Councils?—That is so.

26027. Otherwise, suppose the present system continues, what do you say?—Even if the present system continues, the District Officer should make use of the District Boards or District Councils as they exist.

26028. (*Mr. Dutt.*) You say that there is a tendency to appoint Government officers to the post of Secretary of the District Board?—Yes.

26029. Who appoints the Secretary?—The Commissioner; he is nominated by the Deputy Commissioner, and his appointment is subject to the sanction of the Commissioner.

26030. And the Government generally appoints officials as Secretaries to the District Councils?—Yes.

26031. Do you think that that practice should be changed?—Yes for this reason; all the executive power is placed in the hands of the Secretary, and therefore it should be in the hands of a non-official. The District Council should have power to appoint their own Secretary.

26032. You say that the members of the District Council when they come to a meeting do not know beforehand what are the subjects for discussion. When a notice is sent round, does it contain a statement of the subjects which are coming up for discussion?—No, never.

26033. Is it desirable that it should?—Yes.

26034. As a rule do most of the members live in town, or do they live in the interior?—In the interior.

26035. Do many *malguzars* live in the villages?—Yes.

26036. What position would you allow to these *malguzars* in the panchayats formed in those villages?—Not any particular position; it would go by personal qualification; because he is a *malguzar* he should not have any particular position or any particular hand in the government of the village.

26037. You have also said that Educational Officers and others should help in the formation of these panchayats. Would you approve of the idea of appointing some special officer to go round and create these panchayats and supervise their working?—I would dislike the idea of appointing a naib-tahsildar to educate these panchayats. I would like an experienced and sympathetic officer having at least ten years' experience, not below the rank of an Extra Assistant Commissioner on Rs. 500.

26038. Should these panchayats exercise their powers subject to the supervision of any officer, or only subject to the supervision of the District Council?—Subject to the supervision of the District Council.

26039. Will the District Council be able to supervise the work of all the panchayats in a large district?—I think it will.

26040. Do you desire that the decisions of the panchayats in petty civil and criminal matters should be final, or should they be subject to appeal?—I have already said that they should be final.

26041. You say that panchayats should have the power of imposing a sanitation tax; in what form should that tax be imposed?—A sanitation tax must be a personal tax.

26042. Would the villagers not grumble at it?—Every tax is disliked by the villagers or by any persons; nobody likes the idea of taxation; but we cannot make any improvements without money.

26043. Would that not endanger the success of your scheme of panchayats?—I do not think so.

26044. Eventually they will see the benefit of it, and the unpopularity will disappear?—Yes, and therefore we should select at first only the most advanced villages where there will be the least probability of grumbling.

26045. You say that the municipality should have the same powers of raising and administering their own funds. Do not the municipalities raise their own funds now?—They do, but they are subject to the control of the Divisional Officer and Chief Commissioner. We are not supposed to impose any tax except with the previous sanction of the Chief Commissioner.

26046. The municipal law enumerates a number of taxes; you want to invest the Municipal Commissioners with the power of imposing any tax within that list?—Yes.

26047. And you do not think there is any danger in doing that?—No.

26048. Who appoint the Secretaries to the municipalities?—The Commissioners of Divisions.

26049. Are those Secretaries Government servants or non-officials?—Some of them are paid Secretaries; they are paid by the municipalities themselves; some are Honorary Secretaries and some Government servants.

26050. But who appoints those who are paid?—They are appointed by the municipality; it is only the appointment of Honorary Secretaries that is subject to the sanction of the Commissioner. The appointment of a paid Secretary is not so subject.

26051. You have spoken of the poverty of the municipalities and of their inability to undertake large sanitary reforms. Is it within your knowledge that the municipalities have received any contributions from the Government for specific sanitary reforms?—It is not within my knowledge.

26052. When large sanitary works are undertaken may the municipalities reasonably expect some help from Government?—Certainly.

26053. Are you aware that the District Boards have received contributions from the Government?—Not to my knowledge.

26054. (*Mr. Meyer.*) Do you have this organisation of a Chairman and Vice-Chairman and a Secretary for every municipality and District Board in the province?—I have never heard of any such post as that of Vice-Chairman of a District Council. It is only the Nagpur District Council that has that post.

26055. The ordinary District Council has a Chairman and a Secretary?—Yes.

26056. Is the Secretary generally a paid Secretary?—No. He is generally a non-official; he gets no special pay for doing this work.

26057. Suppose he is an Extra-Assistant Commissioner, he gets paid as Extra-Assistant Commissioner, and he gets no allowance for acting as Secretary to the municipality?—No.

26058. And any non-official gentleman of course gets nothing for acting as Secretary?—No.

26059. Then the tahsil Board has also a Chairman and Secretary?—Yes; the tahsildar is generally the Chairman, and the naib-tahsildar is generally the Secretary.

26060. Are not your municipal taxes laid down by a definite Act?—Yes.

26061. Did you say that you have to get the specific sanction of the Commissioner year after year to levying a house and land tax at a certain percentage?—The *haisiyat* tax.

26062. What is that?—I call it a municipal income tax.

26063. It is a sort of tax on occupations?—Yes.

26064. Your chief income is derived from house and land tax, tolls and market dues and so on?—Not necessarily; in the minor municipalities we

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get the larger portion of income from the *haisiyat* tax.

26065. You do not have to go up year after year to levy the house tax?—No.

26066. Once you levy it at a particular rate, it goes on being levied until you find it necessary to alter the rate?—Yes.

26067. As regards your panchayats, you propose to give these panchayats considerable powers. They will be petty judges; they will have to deal with sanitation and markets and the construction of pounds; will not the position be rather sought after?—They will take the place of the present Local Boards. My idea is that the area covered by the present Local Boards is too large.

26068. We have it from other witnesses that the Local Board is merely the agent of the District Council; the District Council agrees that a particular market or school shall be established, and the Local Board is told to see to it; is that the case?—If that is so, it is better to have as many agents as possible.

26069. Are these panchayats in their circles to be bodies having a real power to discriminate, to say, "We will have a market here and not one there; we will dig a well or we will not dig a well"; or are they to be under the control of the District Council?—They would be under the control of the District Council, but once the power is given them they will be the absolute masters.

26070. Take the question whether a well is to be made in the village or not; the panchayat is to decide upon it?—Yes, subject to the funds at their disposal.

26071. Is there not likely to be a good deal of intriguing and wire-pulling in respect of the panchayat elections?—No. In case there should be any wire-pulling I have given power to the District Council to make nominations, to protect the interests of individuals who might suffer by wire-pulling.

26072. There is a certain amount of wire-pulling in municipal elections?—Yes.

26073. You think that that would not be repeated in the panchayat elections?—I have guarded against it.

26074. You propose a franchise; for instance, you say that merchants and traders deriving not less than Rs. 120 annually may be eligible to vote; would that be practicable; who is to find out whether they get Rs. 120 or not?—The District Council would find out.

26075. Would they do that accurately?—I think so; when you have to fix an income, of course it is only approximate; no accurate estimate is ever possible.

26076. Would not the low-caste people be cut out altogether?—I have given the power of voting to all persons in the village, provided they are tenants or professional men.

26077. You say "In the case of tenants it may be desirable to make their eligibility depend upon the payment of a certain amount of annual rent"; will not that cut out most, at any rate, of the low-caste people?—No, I do not think so; generally they are tenants in this part of India.

26078. Suppose that in particular villages they were cut out; would that be satisfactory?—If they were otherwise qualified, then the District Officer or the District Council would come to their relief, and they would be nominated.

26079. You say that the District Council should have pretty large powers of taxation; who is to enforce the taxation?—They would enforce it by their own agency.

26080. These are to be non-official bodies; the Government is not to have anything to do with them?—Just so.

26081. Suppose (it has happened and it might happen again) the people object to paying a sanitation tax or a cattle registration fee; what is to be done?—They must have power to realise the amount.

26082. The Government is to compel the people to pay the taxes that these bodies impose?—Yes, just as in the case of the municipalities.

26083. But, at the same time, it will get all the odium of levying the tax, while it will have no control over the imposition of the tax or the way in which it is to be applied?—The District Council would bear the odium.

26084. If the tax is levied by means of Government servants will not the people still blame the *Sirkar* for the imposition of the tax?—Not necessarily.

26085. You say further that the Government is to contribute to these bodies a percentage of all the revenue derived from all sources in the district. Is that a practical method; would it not lead to grave inequalities? All the *ganja* cultivation in these parts is concentrated in Khandwa; consequently Government derives a large amount of revenue, in that particular district, from *ganja* which is consumed all over the province?—In such cases you may have to make exceptions.

26086. The Deputy Commissioner is to have nothing to do with these Boards?—No.

26087. Who will become the principal power in the district—the Chairman of the District Council?—The Chairman and Secretary of the District Council, so far as the affairs of local bodies are concerned.

26088. The Deputy Commissioner will be a simple collector of revenue, and a policeman to keep the district quiet for the benefit of the Chairman of the District Council?—And otherwise the adviser of the District Council.

26089. Things being as they are now, is that a practical policy?—Yes, I think so.

26090. Have you read anything about local self-government in England?—Not much.

26091. Do you think that in England municipalities and Local Boards are allowed the free hand that you desire to give to these bodies?—I do not know.

26092. Who is to control the Divisional Inspecting Officers?—The provincial Board.

26093. You speak about the provision of a Divisional Engineer; is that being carried out throughout the province?—No, only in the Nagpur Division.

26094. You seem to look upon that rather as a grievance to the District Council?—No; his appointment and everything is under the control of the Commissioner.

26095. May it not be looked at as the initiation of a policy which may eventually lead to each District Council having its own engineer?—Yes, probably.

26096. In that case it would be rather an advantageous policy?—It might.

26097. As regards vaccinators, they have now been made a local service, have they not?—Yes.

26098. They were on a provincial list?—They are on a provincial list.

26099. You say "they were ordered to be transferred to the control of the local bodies with effect from the 1st October, 1907"?—That is to say, they are District Board servants instead of provincial servants from that date.

26100. Is not that, from the point of view of local self-government, a good step?—It may be a good step provided we are able to control it. The vaccination superintendent will be a Government servant, and the vaccinators will be under the control of their superintendent and the Civil Surgeon.

26101. Still, their appointment and dismissal will be transferred to the District Council and its Chairman?—That is no control at all.

26102. At any rate it is the beginning of a possible control?—It may be a beginning, but in other directions it might be a disadvantage; we cannot pay pensions to these men.

26103. Is there anything to prevent you, if you have the means, starting provident funds for your employés?—There is nothing to prevent us, but the practice is that we never pay any pensions to any District Council servants.

26104. As regards the veterinary work, you say you have not enough power there; what would you like to have?—The Hospital Assistant is subject to the control of the divisional inspector and superintendent; he is appointed and transferred and his leave is granted by the superintendent.

26105. Then in this, as in all cases, your general policy is that the Board should have the control of the establishment?—Yes; at present we are merely the payers; we have simply to cash the cheque on the first of the month according as the bills are received.

26106. (*Sir Steyning Edgerley.*) One suggestion you make regarding the grant of power of taxation to District Councils is that that is the first step in producing an interest amongst the electorate as to who are elected to the District Council?—That is one of the steps.

26107. Because then the Council will have power to hurt them; is that the reason?—Yes, I have already stated that that power is generally held by the people.

26108. Could you give us the names of, say, two districts in these provinces where you think your experiment could be tried with a good prospect of success?—You mean about taxation?

26109. About the whole scheme; it would be a slow growth, but which two districts, if you had a free hand, would you begin with?—With regard to the panchayats, my idea is that they should be started in backward districts like Balaghat or Bhandara.

26110. You would begin in the backward districts with the panchayats?—Yes; there the people have to unlearn very little and to learn much; I would therefore try the panchayat system in districts like Balaghat.

26111. Would you begin the District Council system until you got your panchayats in working order?—Yes.

26112. Then what would you do with what you would call the forward districts; would you leave them alone?—No, they must go by themselves; if they see that the panchayats in other districts are doing real good for the people then they must apply to introduce them themselves.

26113. I suppose you would want a very elastic Act to supply these powers?—No doubt.

26114. Would you do it chiefly by making rules?—I think some enactment is necessary.

26115. But what form should the legislation take; would you have a general Act with rule-making power?—Yes, a permissive enactment.

26116. (*Sir Frederic Lely.*) Have you ever lived in a village?—I have not actually lived in a village, but I have come into contact with villagers often. I have talked to the villagers about the panchayat, and they seem to approve of the idea.

26117. The panchayat system that you propose is not based on the single village?—That is because in this part of the country it is not possible to have a panchayat for each village, but there may be some villages in which a panchayat might be established.

26118. It is no part of the old village system of the country?—No.

26119. The essence of the old village system is, a number of people living together who are driven by common interests to joint action; but that principle is abandoned when you group separate villages together, each with an interest of its own?—The villages in this part of the country have practically a common interest.

26120. The separate villages have common interests, but they have not the common interests of people living together side by side?—They have in this part of the country; they have to pay the same taxes, the same cesses, the same land revenue.

26121. But they have not the same interest in the common affairs, the common well, the common tank, the common school and so forth?—No; they might in the case of the school; there may be a school for one or two villages.

26122. However, your panchayat is based on altogether novel lines?—Yes.

(*The witness withdrew.*)

Rai Sahib MATHURA PRASHAD was called and examined.

26123. (*Chairman.*) You are a pleader, of Chhindwara?—Yes. I am Honorary Secretary of the District Council, a member of the Municipal Committee, a member of the Dispensary Committee, and Vice-Chairman of the School Committee. I have been such in various capacities for the last 16 or 17 years.

The right of appeal should not be curtailed nor should a certificate from the authority passing the order appealed against be insisted upon. Officers of Government should certainly be allowed to approach to the higher authority with their representation against orders affecting them personally, inasmuch as to most of the officers severe punishment means substantial loss in honour, reputation and prestige. But I would confine the right of appeal to the case of officers of superior Services. The officers of inferior grades should be allowed to appeal to their Departmental Heads only against the orders passed by District or Departmental Officers. In the case of superior officers appeals to the Local Government or Government of India should be made permissible. All Government servants should be divided into classes, and the right of appeals should be regulated according to the classes to which they belong. Thus—

(*a*) Power of suspension, reduction and dismissal of all menial servants in the district be granted to the officer under whom they are serving.	Right of appeal to Deputy Commissioner.
(*b*) Power of appointment, suspension, reduction and dismissal of all clerks drawing salary up to Rs. 50 per mensem be granted to the Deputy Commissioner.	Right of appeal to Commissioner.
(*c*) Power of appointment, suspension and dismissal of all clerks above Rs. 50 be granted to the Commissioner.	Right of appeal to Chief Commissioner.
(*d*) Cases in which the power of appointment, suspension and dismissal is reserved to the Chief Commissioner.	Right of appeal to Government of India.

Orders passed on the first appeal to be treated as conclusive, but to be liable to revision by higher authorities. Executive Officers of Government do get sufficient opportunities for personal contact with the people, but they are very seldom seen to make use of such opportunities. This state of things is attributable to the following causes:—The want of inclination among European officers to mix with the people and to learn their manners and customs; want of sufficient time; and want of a thorough knowledge of the language spoken by the people of the country.

The Deputy Commissioner or other Executive Officer, when out on touring duties, should invariably consult the principal residents of the town

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or village about the working of the Forest Laws, Excise Rules and police, &c.; when at headquarters he may see or meet only members of the District Council and Municipal Committees, inasmuch as the latter represent the town and the former represent the entire population of the district. If the Deputy Commissioner is unable to spare time for granting interview to each member of the local bodies separately, let him come and attend the meetings with a view to discuss matters with them and exchange ideas. There are no existing obstacles in the way of Executive Officers coming in personal contact with the people. The whole thing depends upon the personal inclination of the officer. Deputy Commissioners are much overworked, and consequently they cannot spare time to meet the people. Relief should be given in the form of either dividing the district or creating smaller charges or sub-divisions to be put under the control of Sub-Divisional Officers. To give more Assistants to a District Officer and then allowing them to stay at headquarters will not render any relief to him.

Most of the European Executive Officers do not care to study the vernacular language of the district in which they are working. The mere passing of departmental examinations in vernaculars at the very commencement of their official career is not sufficient guarantee of their acquaintance with the language.

Most of the districts may be divided into a larger number of tahsils or sub-divisions, and each tahsil should be put in charge of a responsible officer not below the rank and position of an Assistant Commissioner or Extra-Assistant Commissioner. At present the tahsildar gets a salary varying from Rs. 130 to Rs. 250, and for this pay educated men of good family connection cannot be secured.

If larger powers are granted to Commissioners, Collectors and other local authorities, greater care will certainly be involved in their selection.

District Officers should not be too frequently transferred from one district to another. In the Seoni district, which is quite close to Chhindwara district, in the course of a single year several Deputy Commissioners were posted and transferred. A District Officer should not be removed from the charge of a district for at least three or four years. If his transfer is inevitable, then an Assistant Commissioner, who has worked in that district for some time, should be chosen in his place.

I would propose that the following powers can be safely granted to municipalities:—

(*a*) Power to levy tax.

(*b*) Power of punishing and dismissing the servants should be absolutely granted to the municipality and no appeals should be entertained by the Deputy Commissioner or other higher officer.

(*c*) The present control and supervision by the Deputy Commissioner may be taken away, but the Commissioner's power of supervision should be retained.

(*d*) The Committee be allowed to prepare its own budget and to alter the figures in the budget without any sanction from higher authorities.

(*e*) Office-bearers of each municipality should be, as far as possible, non-official gentlemen.

(*f*) Municipalities should be entirely left to administer their own finances and manage the institutions which they are required to maintain.

(*g*) A municipality may be asked to appoint an Arbitration Board for the disposal of petty civil cases.

I am not in favour of more powers being granted to District Councils and Local Boards than those which are now possessed by them, but these bodies should be freely allowed to manage the institutions for the maintenance of which they have to incur expenditure out of their funds:—

(*a*) The Vaccination Department, though paid for by the District Council, is managed entirely by the Civil Surgeon;

(*b*) The Civil Veterinary Department is also maintained by the District Council, but it is entirely under the control of the Veterinary Superintendent.

The finances of the District Councils are extremely limited, and it is very difficult for them to manage efficiently all the institutions in their charge, or to assume additional responsibilities involving expenditure of money which would amount to neglecting other institutions. The area occupied by a tahsil is generally included within the jurisdiction of a Local Board. This area, comprising many villages, is too large to be properly administered by a Board, and one Local Board should be established for every 150 or 200 villages. The tahsildar or Sub-Divisional Officer for each tahsil will be the *ex-officio* President with a local Vice-President and a Secretary. All these Local Boards will be directly under the subordination of District Council as hitherto, and sums will be set apart annually by the District Council for expenditure by each Board.

I am in favour of the creation of a small Administrative Council to assist District Officers only and not to assist the Divisional Officers. The members of this Council will come in direct touch with District Officers and other higher officers of Government. They will be most useful in removing any misunderstanding which might be created in the minds of the people regarding any measure or action of Government. They will also be in a position to represent to the authorities the real wants and grievances of the people. The following may be the members of the Administrative Council:—Deputy Commissioner; Civil Surgeon; Forest Officer; District Superintendent of Police; one non-official member returned by the district municipalities; if there are more than two minor municipalities one non-official member to be returned by such municipalities; two members to be returned by the District Council; and one member elected by the local Bar. The Deputy Commissioner to act as *ex-officio* President. All members of the Administrative Council should have a right of private interview with the Commissioner, Deputy Commissioner and all Heads of the different Departments in the Central Provinces. Members should have a right to put questions to the Deputy Commissioner or other departmental superiors through him. Non-official members should be entitled to travelling allowances when attending the meetings of the Council. All administrative matters of the district not being secret State matters of confidential character may be brought for discussion before the Administrative Council, including the supervision over the affairs of municipalities and District Councils and Local Boards.

If my opinion about the creation of Administrative Council is not approved, then I should certainly consider it expedient to invest District Boards with powers of supervision and control over smaller municipalities. This should take the place of official control over the affairs of minor municipalities. But these municipalities must contribute towards the cost of maintaining an establishment for the supervision of their work.

The idea of giving the village communities certain powers in the disposal of local affairs is a good one and deserves a trial. A number of petty disputes are even now disposed of by caste panchayats and the grant of powers to the village communities will be a step towards the organization of village panchayats on a proper footing. A trial should be made on the following lines in certain parts of the district, and if successful might be extended in other parts of the district:—The Deputy Commissioner may nominate a number of persons not exceeding five or seven from amongst the permanent residents of the villages for every group of villages comprised in a patwari circle. Such persons should be selected with due regard to their position in society, education and landed property. Headman of each caste should be entitled to preference over others. These panches should be responsible for the sanitary condition of the villages within their group and also for the inspection of schools in their circle. The village chaukidars or *kotwars* should be under their charge, and they should help the schoolmasters in securing

proper attendance of boys at school. I would not put any affairs relating to revenue and police in their charge, as the grant of power with regard to these matters might lead to mischievous results. They should have a *Sir Panch* (President) and a *munim* (Secretary), who must be a literate man. Petty criminal cases, such as assaults, wrongful confinement, criminal trespass and the like, may be handed over to them for trial. Petty civil cases in which the amount of claim does not exceed Rs. 15 or Rs. 20 may be also handed over to them for disposal. If the village panchayat is unable to take up and decide any case which they are competent to dispose of, they should give a certificate to this effect to the parties. With the help of such certificates the parties can have their cases decided before Civil or Criminal Courts established by Government, which should, in the absence of such a certificate, be incompetent to entertain any case which ordinarily falls within the jurisdiction of the village panchayat. All these village unions should be put under the supervision of Local Boards except with regard to matters appertaining to the disposal of civil and criminal cases. An Act of the Legislature may be passed enacting these panchayats and giving them necessary powers.

26124. You tell us that the right of appeal should not be curtailed; that is so far as Government servants are concerned. Would you place any restriction on the right of appeal of municipal employés?—There should be no right of appeal against a municipality dismissing a servant of theirs, for the simple reason that there it is not one man who dismisses, but there are so many members bound together in coming to a certain decision; so that properly speaking it is simply a decision by a jury, and there should be no appeal against that decision.

26125. A decision to dismiss by a municipality might be carried by one vote?—It is generally carried by a majority.

26126. A majority which might consist of one vote?—Still there might be a certain number of votes in favour of the dismissal; it might be by one vote.

26127. Suppose, for instance, the Deputy Commissioner desires that a man shall be dismissed; he carries his case to the Commissioner and the Commissioner agrees that the man ought to be dismissed; would that satisfy you?—That would satisfy me; there should be only one appeal.

26128. You tell us that Executive Officers are very apt not to take advantage of their opportunities of mixing with the people of the district. Do you find that that applies not only to Europeans, but to native officials?—With native officials the cases are different; there are certain circumstances in which they are bound to mix, being of the same society.

26129. But do you find that they are inclined to be stand-offish too?—There may be individual cases, both among Indians and among Europeans, of men who prefer to lead a life of solitude, and for these no rules or regulations can be made; but, especially European officers of Government, if they simply attended the Municipal and District Council meetings, that would help them a great deal. In my experience of 16 or 17 years I have not seen a single Deputy Commissioner attending a meeting of the Municipal Council and discuss with the members the various subjects brought before them, or explain to the members the intentions and aims of Government.

26130. Has he any right to attend?—He has the control of all affairs in his hands, why should he not attend? As a controlling officer he has the right to attend.

26131. Would it not be possible for some member of the Municipal Committee to get up and say, "This is a meeting of the Municipal Committee, and no persons who are not members of the Committee have a right to be present"?—Exactly; the Deputy Commissioner has no right of vote. Anyone can attend. He could not take any part in the meeting

26132. Then what would be the object of his attending?—His object would be that he would be in a position to explain certain matters over which the members found difficulty immediately.

26133. If he could take no part in the meeting, how could he explain to the Committee what the intentions of Government were?—We have seen it by personal experience; the present Deputy Commissioner has been to our Municipal Committees and explained matters to them, producing a good deal of effect.

26134. Suppose the Divisional Officer was a member, even Chairman, of the District Council, would that produce a better state of affairs?—No, I do not think so. Already there is one official who is an office-bearer on the District Council.

26135. Who is that?—Either the Deputy Commissioner himself or the Assistant Commissioner.

26136. What as?—As Chairman.

26137. Do not most District Councils elect a non-official Chairman?—No, most of them elect official Chairman.

26138. There is no obligation to elect an official Chairman?—There is no obligation.

26139. In most District Councils do they elect an official or a non-official Chairman?—According to their desires; the Commissioner has simply got the power of conferring.

26140. You told us that there was always an official present at meetings of these Councils; who is that official?—The Assistant Commissioner.

26141. Is he present officially or as an elected member?—As a member nominated by Government.

26142. But he is never the Chairman, or practically never the Chairman?—In some districts he is the Chairman, in others not; in my district he is the Chairman of the District Council.

26143. Has he been so long?—Yes, for the last 16 or 17 years.

26144. Elected by the members of the Council?—Yes.

26145. Is there a desire on the part of the people of the district to meet the Deputy Commissioner in a social and friendly manner?—They are always ready to meet him; that is the desire of the educated class.

26146. Do you think the charges are too large; is the district area or tahsil area too great?—In some cases the district area is too great; and in some cases the tahsil area also is too great.

26147. That may be one of the difficulties in the way of intercourse and knowledge of what is passing among the people?—That is one of the difficulties, no doubt.

26148. With regard to the municipalities, is their power wide enough?—I propose that the municipalities might be given power to levy taxes. According to the present system we are simply given some outlines according to which we have to go, and we have to regulate our expenditure accordingly. In 1909-10 we may want Rs. 10,000, and in the succeeding year we may want only Rs. 5,000; we should have power to raise the Rs. 10,000 in the one year and only Rs. 5,000 in the next year.

26149. You wish the Municipal Committee to prepare its own budget; should all control of the Commissioner be removed?—No, not all control, the Commissioner should be allowed to retain control, but to a limited extent.

26150. What should that limit be?—According to the present state of things he is required to exercise large powers of supervision; he has the power of curtailing expenditure on certain heads and increasing expenditure on other heads, that power should be reserved to the municipality.

26151. Then what should be the power of the Commissioner?—The power of control; that is, to see whether the Municipal Committee is doing its work properly—general power of supervision.

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26152. You say that the budget should go to the Commissioner; if he is not allowed to alter any of the details of the budget, for what purpose should it go to him at all?—For record in his office, giving information that a certain Committee is going to spend its income in the year according to such and such details.

26153. But if he has no power of altering the details, what is the good of telling him whether they are going to spend so much or not?—The general controlling powers might be retained by the Commissioner. If the Commissioner thinks that certain work is required to be done and the Committee have neglected it, the Commissioner should have power to order that work to be done.

26154. Suppose the budget represented an expenditure of Rs. 3,000 on education, and the Commissioner thought they ought to spend Rs. 5,000, would you give the Commissioner power to order the Committee to carry out the work?—Any such power must be reserved by the Committee only, because the budget is prepared after proper consideration by all the members who have local knowledge.

26155. You said a moment ago that the Commissioner was to have power to order the Committee to spend the money if he thought they were not carrying out the work?—To that extent, according to the figures in the budget.

26156. Is that any real control?—I should think so.

26157. At the present time the Commissioner can order the municipality to carry out the work; under your scheme he would not have the power to order them to do it?—He would have power to order them to do it.

26158. Only if it was in the budget?—Exactly.

26159. But suppose it was necessary work, and the municipality for some reason decided not to do it; all it would have to do would be to leave it out of the budget?—All I can say is that, if it is a necessary work, the municipality will not leave it out.

26160. It might be thought very necessary, and yet members of the municipality or the majority of them might leave it out of the budget?—Then you can only say that opinions differ.

26161. Then there would be no real control by the Commissioner over work outside the budget, however necessary it might be?—If we are to be guided by the opinion of the Commissioner in that way he will have no control.

26162. Would you give District Boards any further extension of powers?—The powers at present enjoyed by them are sufficient.

26163. You make a proposal for a small Administrative Council; how many members ought there to be?—Nine.

26164. Do you think it would be easy to get from every district nine members in addition to those who are serving on the District Council?—I put down two members to be returned by the District Council.

26165. You think it would be easy to get them to do their work on the Administrative Council as well as their ordinary present work?—At the same time I say that, if you are going to have the Advisory Council for the whole district, then the question whether there ought to be a District Council for the whole district will have to be considered very seriously; because there is no use in having two bodies, the members of which will be practically the same, sitting in one district; one is quite enough. If you are going to have a District Council, you must give them full powers; if you are going to have an Advisory Council, you must put all the Local Boards under that Council.

26166. With regard to these panchayats, the duties of which you set out, ought they to be experimental?—They should be introduced in certain selected tracts of the district, not in all.

26167. Would you agree with the previous witness that they ought to control a group of villages, rather than one particular village?—If one village itself is large enough, then there might be a panchayat there.

26168. What would you put as the size of the village?—Not less than 5,000 population.

26169. (*Sir Frederic Lely.*) Ought the District Councils to have more power than they have at present in the management of the schools?—I think they have sufficient powers.

26170. Or more power in regard to the management of roads, repairs of roads, and so forth?—They already have sufficient powers.

26171. And in the management of dispensaries?—They simply grant a contribution from the District Fund.

26172. Ought they to have more hand in the management of dispensaries?—Yes, they might be given more hand in that.

26173. How far would you go?—It is a department which must be managed by expert opinion only, that is to say, the Civil Surgeons; but the District Council might be associated with the Civil Surgeons in the management of these institutions.

26174. In the form of visiting committees?—Yes.

26175. (*Mr. Dutt.*) Practically the whole of the work which the District Officer now does would have to be done by four officials and five other non-official members of your new Council; is that practicable?—What I meant was that excluding certain works of a purely administrative character, for instance, the employment or suspension or punishment of clerks, other work may be entrusted to the Council.

26176. Still, a large proportion of the work which occupies a great deal of the Deputy Commissioner's time now will have to be done by four officials sitting together with five non-officials; would there not be a great waste of time in respect of all those officers, and would they be able to find time to do it?—If in certain districts it was not found practicable, certain work might be taken off and handed over to the Deputy Commissioner to be discharged by him personally; then the question comes in whether the District Council is necessary. It is not practicable to have two bodies of equal standing in a district.

26177. You say that, if such an administrative body is not formed, then you would consider it expedient to invest District Boards with powers of supervision and control over smaller municipalities. Is it not the fact that the scope of the work which the District Board has to do now is quite different from the scope of the work of the smaller municipalities?—I do not think so; their functions are just about the same; the nature of the work is almost the same. The municipality have to manage cattle-pounds; so has the District Board.

26178. Will not the smaller municipalities raise objection?—I think not, because most of the members will be amongst them.

26179. Do you think that a District Board with the power of raising taxes according to its necessities would be a popular body?—It might be unpopular to some extent.

26180. But in spite of the unpopularity you would invest the District Board with that power?—I have not said that District Boards should have the power of raising taxes; I said that about municipalities.

26181. Do you think that municipalities with the power of raising taxes without the sanction of Government would be popular bodies?—Yes; even now the municipality have to raise taxes; the Government simply prescribes a certain standard above which we cannot go—Re. 1-9-0 per head on such and such an item; we might have the option of making it less than Re. 1-9-0, but we could not go higher.

26182. Would you invest municipalities with power to raise any taxes beyond those mentioned in the Municipal Act?—Not unless there is necessity for large expenditure.

26183. Would you allow them to impose fresh taxation?—There would be no harm in their consulting the Government.

26184. You think the advice of the Government should be taken?—Yes, there is no harm in that.

26185. There are maximum limits which you have fixed with regard to those taxes. Would you empower the municipality to exceed those limits without the sanction of the Government?—Not in all cases; for instance, in certain cases where a municipality has incurred a heavy debt and wanted to pay it off the Government probably would allow that.

26186. Is it your opinion that when a municipality imposes a new tax not included in the schedule, or wants to exceed the maximum limit, it ought to take the advice of the Government before doing so?—Yes.

26187. (*Mr. Hichens.*) With regard to District Boards you think it is not desirable that they should be asked to contribute where they have not the administrative responsibility, as in the case of the Vaccination Department; would it be practicable to give District Boards complete responsibility in regard to the Vaccination Department, and give them the appointment and dismissal of the officers concerned?—If you give them the powers of appointment, dismissal, and suspension, they will have to be guided more or less by the advice of experts, just as in the case of school management.

26188. Have they not the staff to do that?—No.

26189. That being so, would you like to have the vaccination work taken from the District Boards and put under Government again?—The vaccination work is not done by the District Boards; it is paid for by them, but it is done by the Civil Surgeon.

26190. We were told by a previous witness that the District Board has a certain control over the Vaccination Department?—So far as my knowledge goes, they have no control except the payment of the establishment charges.

26191. Cannot they arrange what the fees shall be?—Their advice is taken and they give opinions from time to time.

26192. Cannot they decide?—Yes, they do decide such matters, as proper fees when the Hospital Assistant deals with cases privately.

26193. Would you like the District Board to pay no contribution and to have nothing to do with the Vaccination Department. No, it is one of the departments, and a necessary one, which they should deal with. It should be paid for by the District Board and their opinion should be taken.

26194. We were told by the last witness, that in practice pensions were not paid to the officials of District Boards; is that your experience?—As far as my knowledge goes, pensions are paid, and also gratuities in certain cases and rewards, but in all such cases the sanction of the Local Government has to be obtained, and without that sanction we cannot pay anything.

26195. Is it in your power to recommend to the Local Government that schoolmasters for instance should get a pension?—Yes.

26196. Do you in practice?—Yes, we do, and in my district certain schoolmasters have got pensions, rewards, and gratuities.

26197. Do most of them get pensions?—Not most of them; it is only recently that we have started it.

26198. (*Mr. Meyer.*) You want every tahsil to be under an Assistant Commissioner or an Extra-Assistant Commissioner? Therefore the tahsildar would disappear as such?—Yes.

26199. And the officer in charge of a tahsil would do the tahsildar's work as well as the work of the Sub-Divisional Officer?—Practically, there would be only one man called the Sub-Divisional Officer.

26200. Would it not give him more work? For instance, the tahsildar takes second and third class magisterial cases; if you had one man, he would have to take all magisterial cases from first to third?—It depends on the Government.

26201. Still, as far as magisterial work is concerned, you would have your number of Magistrates reduced?—Yes, at headquarters.

26202. Would not the number of Magistrates throughout the district be reduced?—No; I do not think so.

26203. You have four tahsils in the district; and, say, three sub-divisions; therefore, you have four tahsildars and three Sub-Divisional Officers, that is seven Magistrates; if you only had four Sub-Divisional Officers you would have less Magistrates?—Yes; truly.

26204. You say that the present control and supervision by the Deputy Commissioner over municipalities should be taken away; what is his controlling supervision?—His present control practically amounts to nothing. We have to submit certain proposals for sanction, and they are simply forwarded to the Commissioner. The Deputy Commissioner has practically no control, and if it is taken away it will not matter much.

26205. At present you require the Commissioner to pass your budget, and the matter goes through the Deputy Commissioner who can forward it with remark or without remark; would you have it go straight to the Commissioner without its passing through the Deputy Commissioner?—There is no harm in its going through the Deputy Commissioner.

26206. Who might make his remarks as before, so that practically it makes no difference?—There should be a rule that the Deputy Commissioner should have no power of interfering with any mode of expenditure or administration.

26207. In the case of an emergency, if a municipality does anything irregular, or is in an insanitary state, should he have the power to move?—He ought to keep that power.

26208. You say that your Local Boards deal with too wide an area at present, and that only one Local Board should be established for every 150 or 200 villages; does the existing tahsil include more than 150 or 200 villages?—Yes; in my district there are three Local Boards, one comprising 900 villages, another 600 villages, and another 500 villages, and you can easily imagine whether a Local Board can exercise control over 900 villages.

26209. (*Sir Steyning Edgerley.*) What sort of villages are they?—Some are big and some are small, and the area is very large.

26210. So that your proposal would materially increase the number of Local Boards?—The number of Local Boards, and, of course, I propose the Sub-Divisional Officer in the place of the tahsildar.

26211. Supposing the majority of the members of the Administrative Council which you suggest differed from the Deputy Commissioner, is he to have the power of over-ruling them?—On certain matters; differences of opinion might be referred to the Commissioner and due weight should be given in certain cases to the opinions of the members.

26212. Would you treat your Administrative Council as assessors or as a jury?—I would have a combination of the two; for instance, in certain matters, in which members are supposed to have knowledge, I would take their opinion. Suppose a case of scarcity from famine, in that respect the opinion of the members must prevail, whilst in other matters the opinion of the Deputy Commissioner might prevail.

26213. Would there be schedules practically showing in what matters the Deputy Commissioners should have authority, and in what matters the opinion of the members of the Board should prevail, unless a particular matter was sent up to Government?—Yes.

26214. Do you think 150 villages is small enough for a Local Board area?—I do not think it is small enough.

26215. We have been told that it should be made a patwari circle of 8 or 10 villages?—That is too small.

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26216. If you had a free hand, what size would you make it?—I would like a group of not more than 150 villages, while in certain cases it might be 100 and in others 50, according to the population.

26217. Would it be a good thing to break up your tahsils?—The tahsils would remain the same.

26218. But would it be a good thing to break up the tahsils to that size for executive purposes?—No.

26219. With regard to panchayats, where could you begin with them?—I think we might begin with a district like Wardha.

(*The witness withdrew.*)

Rao Bahadur R. N. MUDHOLKAR was called and examined.

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26220. (*Chairman.*) You are an advocate of the Court of the Judicial Commissioner in Nagpur?—Yes. I was a member of the Berar Municipality for over 18 years, and I was also connected with the Committee appointed for the purpose of framing the rules for the District Boards and municipalities under the District Boards and new Municipal Law, and when they came into force in Berar. There were several occasions when I had to give opinions with regard to administrative matters.

Where there are Governors in Council, the provincial Governments should have, in regard to expenditure from provincial revenues, the same higher powers as have recently been given to the Government of India. To Lieutenant-Governors, who have got Boards of Revenue to advise them, a similar increase of power might be given. But it is questionable whether it would be expedient to do so in the case of the smaller Administrations. The evil of over-centralization can be remedied in the case of the Central Provinces by altering the form of the provincial Government constituting it a Lieutenant-Governorship with the addition, if possible, of Sambalpur and Chota Nagpur, the construction of feeder railway lines, light tramways or provincial irrigation projects. If local bodies like municipalities and District Boards can be empowered to rase loans, and if they do often raise loans, there can be no objection on principle to provincial Governments being given power to borrow, subject to the previous sanction of the Government of India, for in the Madras Presidency the District Boards are by law permitted to borrow money for purposes of a district railway and to impose a cess for repayment of the loan. Loans raised by provincial Governments will have to be guaranteed by the Government of India.

As regards the Central Provinces and Berar, the liberal help which the Victoria Technical Institutes of Nagpur and Amraoti have received and the satisfactory basis on which their constitution has been based, are due to the sympathy and support of the Local Government, the action the Government of India had proposed to take being very unsatisfactory. But speaking generally, in cases concerning the grant of higher rights, privileges and concessions to the people any discretionary power left to the local authorities has oftener been exercised towards curtailing such privileges or minimising the concession than otherwise.

The influence of the departments of both the Government of India and of provincial Governments is in the direction of rigidity and uniformity; they take a too departmental view of things, and they are often too much dominated by considerations of revenue. For instance, in Berar as in the rest of the Deccan the village *patelships* and patwarishipss belong to *watandar* families whose hereditary claims to them have been very properly recognised by the Government ever since the commencement of British rule. The tendency, however, of the modern Secretariats and even officers of the Revenue Department is to put them on a level with removeable and paid servants, and to interfere with their long existing rights. The regulations framed under the University Act and especially the controversy about 15 or 16 being the minimum age for the Matriculation Examination is another instance. When Berar was joined to the Central Provinces the proposal was made that the standards, text-books and curricula in the schools of Berar should be the same as those in the Central Provinces. It was after some efforts that the Berar standards and curricula, which, especially in the vernacular schools, were higher than the corresponding ones in the Central Provinces, and the Marathi text-books, which were in every respect superior, were allowed to be kept. In the desire to secure uniformity standards have now been drawn up which have lowered efficiency and Marathi books have been prepared, the style of which is inferior and the grammar at times questionable. As to the predominance of the standpoint of revenue the administration of the Forest and Excise Laws affords numerous instances. The contraction of the grazing area in Berar, their disforesting, the abolition of the old district forest system, the increased rigour of the forest administration are greatly felt by the people.

The right of appeal, whether it is in regard to administrative action or orders personally affecting officers of Government, is a most valuable check on ill-considered or hasty measures and decisions based on *ex-parte* statements. Neither in regard to appeals to the Government of India or the Local Governments should there be any curtailment of the existing right.

The officers of the Revenue Department have not sufficient opportunities for personal contact with the people. Of course they have far more occasions than officers of the Judicial, the Educational and other Departments have, and in the majority of cases those occasions are fairly availed of, though there are even among Executive Officials men who by temperament and habit find a difficulty in mixing freely with strangers. The present generation of Executive Officers do not move among the people to the same extent that the old type of Anglo-Indian officials did. The main difficulties in the way of greater contact with the people are (*a*) judicial duties, (*b*) heavy correspondence and writing work, (*c*) municipal, District Board and other miscellaneous work, and (*d*) race aloofness. The increasing burden of correspondence and writing work is generally admitted, and the District Officer should cease to be a member of Municipal and Local Boards, his powers of control being exercised from without and not from within.

I do not think that the language difficulty, great though it is, is the real barrier. The thing really wanted is sympathy and an appreciation of the situation which has arisen by the working of the principles of Western civilisation, the influence of Western science and Eastern thought and the progress of education. The influence of racial distinctions, caste considerations and divergencies in social manners, habits and customs in interposing barriers between the European officers and the Indian gentry and commonalty can be more easily pointed out than checked. No suggestions can be made in regard to the religious difficulties. But as they do not prevent free social intercourse between Hindus and Muhammadans there is no reason why they should come in the way of a more frequent mixing of the European and Indian communities. The aloofness of Indians is in the majority of cases due to shyness.

The powers given to District Boards and municipalities in Berar are sufficiently comprehensive to give them a large field of usefulness. The rules, however, framed by the Local Government have considerably curtailed that power, and these bodies do not enjoy the measure of independence which is allowed to them by the laws themselves. A few instances deserve to be quoted for showing how little free scope is often left to local bodies and how much interference there is from provincial departments:—

(1) When the Municipal Law of 1886 came into actual operation in Berar and elective municipalities were formed, each Municipal Committee framed rules of management to suit its peculiar circumstances.

The system was working fairly. After a time, however, the Local Government considered that there should be uniformity in the rules of the various municipalities, and accordingly they were all asked to adopt certain rules framed, it would seem, in the Berar Secretariat at Hyderabad.

(2) Under the terms of the law a Municipal Committee would seem to be free to execute its Public Works through such agency as it might consider suitable. Under the rules framed by the Local Government, however, works, the costs of which exceed a certain amount, must be approved by the Public Works Department and works above a certain value have to be carried out by the agency of the Public Works Department. A large commission is charged by that department for the help given by it.

(3) Even in such matters as the maintenance, at a cost of a few hundreds of rupees annually, of a public garden which had been in existence for years, peremptory orders are issued which the Committees are enjoined to obey. They are told to get their printing done through this or that press, and when they point out that they are getting the work done locally in a better style and at cheaper rates, their representations are resented.

(4) The complaint is often made, and with justice, that they are mere disbursers of bills for expenses which they are not allowed to question or control. The large amount which the Amraoti municipality was called upon to pay towards an infructuous "city survey" entrusted to the Public Works Department is a fair sample of such cases.

What is necessary to be done is that the freest scope should be allowed to municipalities and District Boards, that there should be as little direct interference of Government departments and Government officers as possible, that the District Officers should as a rule not be on these Committees and Boards as members, but should exercise their supervision and control from without. It might be that now and then these bodies might commit mistakes. But so long as they work regularly, honestly, and zealously and the funds entrusted to them are really applied to public purposes, they should not be interfered with. If village unions or local sub-committees for special purposes are formed, there is little reason to fear that even in rural areas such works as are usually carried out through District Board funds, such as the construction and repair of ordinary district roads, village schools, *chavadies*, sarais, pounds, &c., will not be as well and as economically done as at present.

The District Boards should be entrusted with the function of the employment and control of the village police, *i.e.*, the *jaglia* force; and both the municipalities and the District Boards should be given control over the disposal of the public sites within the areas of municipal towns and villages. Before these bodies, however, can do substantial good to the areas entrusted to their charge the funds at their disposal will have to be largely increased. As in England and in other European countries, large subventions should be given to local bodies from the imperial and provincial revenues.

Sub-Divisional or Local Boards, like the *taluka* Boards existing in Berar, perform little actual work at present. With *talukas* consisting of 300 or 400 villages interspersed over a wide area much cannot be expected to be done by one non-official body in the way of executive work. The only feasible way of enlisting the effective assistance of the public-spirited amongst the people in the discharge of such work is to have small committees consisting of a half-dozen reliable men selected by the District Boards for an area with a radius of not more than four miles, to whom should be entrusted the execution of Public Works and the maintenance of sanitation within that area.

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The chief thing to which the attention of both the Government and the people should be directed is the revival of the village union. The old class of village unions cannot be revived, but there should be in each village a body selected entirely by the people to whom their local affairs might be entrusted. The experiment should be tried in one or two of the advanced districts, in villages having a population of over one thousand and not forming part of a municipality. All people paying Rs. 20 and above as land revenue or owning a house of the value of Rs. 200 should elect twenty-five people to form a general committee for the village. Their assistance should be taken in the organisation of rural co-operative credit, the distribution and collection of takavi advances, the granting of famine relief, and in times of famine or great scarcity for finding out who are the deserving objects of the suspension or remission of the land revenue. A village tribunal should be created for the trial of all simple money suits of the value of Rs. 50 or under or for the recovery of rent or mesne profits of like amount. The parties living within the jurisdiction of the village union should be under an obligation to bring his cause before this tribunal which should consist of two persons selected by the plaintiff and two persons by the defendant out of the twenty-five members constituting the village representatives or elders. There should be exemption from court-fees and parties and witnesses must be bound to obey the process of the tribunal. Petty criminal cases about slight hurt, assault, abuse, &c., should be triable by them and they should be invested with power of inflicting a sentence of fine not exceeding Rs. 10.

It would be distinctly an advantage both to the Government and to the people to have Advisory Councils to assist both District and Divisional Officers, or at any rate to have District Advisory Councils. A District Advisory Council should consist of twelve members including the District Officer, six of whom should be *ex-officio* and nominated, and six elected thus: two by the non-official members of the District Board, two by the non-official members of the municipalities, one by landowners paying Rs. 200 and above as land revenue in raiyatwari tracts or Rs. 1,000 in zamindari tracts or holding rent-free land yielding an annual income of Rs. 2,000, and one by persons paying income-tax on an income of Rs. 2,000 a year. Every question of importance relating to administrative measures or contemplated legislative action should come before this Council, such as land revenue; surveys and settlements, or revision of the same; organisation of famine relief; suspension or remission of revenue in times of failure of harvests; the general wants of the district; promotion of good feeling and harmony between the different communities and sections in the district, especially in times of excitement; improvement of agriculture, industry and trade; promotion of education, health and sanitation; the protection of life and property and preservation of peace and order. The Council should meet ordinarily once every quarter, and the opinion of the majority should carry weight, though the District Officer may, disagreeing with them, pass orders otherwise.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

For giving full effect to the policy of the decentralization in regard to financial and administrative matters the present system will have to be materially altered. The process of centralizing all authority in the Governor-General which came into marked prominence from the Government of India Act of 1833 will have to be revised. While reserving to that authority all power in regard to peace and war, the making of treaties, questions affecting the foreign relations, the military and naval defences of the country, the public debt, the relations with the Feudatory Princes, matters of policy and principle, of general application to the whole country, control over such Imperial Departments as Railways, Telegraphs, Post Office, &c., and general power of supervision and the power of direction and control in cases of emergency, the provincial Governments should have a free hand in

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all matters pertaining to the internal administration and domestic concerns of the province, subject to the limitations laid down by 13 George III., c. 63, Ss. 9, 3 and 4 Will. IV., c. 85, S. 39. But before the provincial Governments can be invested with these larger powers they should be raised to the same position as the Governments of the Presidencies of Madras and Bombay in the first quarter of the last century. The whole of India Proper should be divided into five presidencies, at the head of which should be a Governor and Council.

26221. You think that Local Governments could raise loans, but that they would have to be guaranteed by the Government of India. Would that be a sound proposal?—I do not see that there would be any difficulty about it.

26222. What might be the position of the Government of India if they had to guarantee somebody else's loans?—The Government of India would only be delegating a portion of its power, practically, to the Local Government, and the Local Government in that way would be, as it were, a part of the Government of India kept aside for certain administrative purposes.

26223. Is it your view that these local loans could only be raised if they were guaranteed by the Government of India?—There would be difficulty otherwise in securing money on equally favourable terms.

26224. With regard to municipalities or District Councils is there anything you wish to add to the evidence which has been given here to-day?—No; I have nothing to add to what I have already said.

26225. Are you in agreement with the last witness, who said that he thought if an officer, being dismissed, had one clear appeal above the decision of the officer who dismissed him, that would be satisfactory?—No, I am not, because I can give instances where justice has been done by the Local Government where the District Officer and the Commissioner did not give a man the justice which he thought was due to him, and there can be cases quoted where it has been only on the second appeal that justice was obtained.

26226. Or at all events, what was thought to be justice?—Of course the view of the ultimate Court of Appeal must prevail.

26227. Are racial distinctions and caste considerations and manners and customs and so forth an insuperable bar to greater intercourse between officials and the general public?—I think they can be bridged over.

26228. Do you find they are more noticeable when an officer first comes out to this country, or later on?—I can lay down no rule with regard to that, because fortunately it has been my experience to be brought into contact generally with officers who have been very liberal in their sentiments. I have heard of cases where there has been more than a disinclination to mix with Indians, but there have been few cases in the province in which it has been my lot to live, and I have never met with any difficulties.

26229. How do you think that the funds of the District Boards ought to increased, by taxation or by an increased contribution from Government?—So far as increased taxation is concerned, municipalities in Berar have not shown any disinclination to increased taxation whenever it is demanded in the interests of education, sanitaion, or Public Works, but the difficulty is the smallness of the area and the general condition of the people in consequence of certain items of revenue which they have been deprived of and which they had been enjoying for a number of years. They used to get the land revenue, and the proceeds from the sale or lease of sites within their limits, but in 1896 it was decided by Government that all the lands would be taken up by them, and the municipalities were only given a ten years' enjoyment of the rental; from 1906 that also has been discontinued. That was a source of revenue which they formerly enjoyed and which might well be given back to them. Similarly with regard to sites in villages, the District Boards might be permitted to take the revenue from them.

26230. Are you speaking now of Berar?—Yes, I am only speaking of Berar.

26231. Do you think the restoration of those two sources of income would meet your difficulty?—No, for instance the Local Boards in England get a portion of the probate and excise duties, and a proportion of other sources which, in this country, form part either of the imperial or the provincial revenue.

26232. Would the people in this country like the taxes which we pay in England imposed for the purpose of providing local authorities with greater revenues?—I suppose we have many of the taxes already existing in England.

26233. (*Sir. Steyning Edgerley.*) You think that if there is to be a considerable delegation of power between the Government of India and the Local Government it would be a matter of some importance what the constitution of the Local Government is. Is your preference for a Council Government?—Yes, my preference is for a Council Government, and next to that a Lieutenant-Governor with a Council.

26234. Would you be more prepared for delegation if that constitution were adopted in your own province?—Yes.

26235. It would be more expensive?—Yes, no reform can be obtained without expense.

26236. With regard to borrowing it has been suggested elsewhere that the same result as you suggest might perhaps be secured by the Local Government guaranteeing interest; for instance with regard to the feeder railways mentioned; could they be financed on that basis by private capital?—Speaking with regard to my own province, the people are not prepared to subscribe to them on their own responsibility.

26237. Would not a Government guarantee be sufficient to get the works through?—No, not locally.

26238. Briefly you think that municipalities and District Boards ought to be given full statutory powers, and District Officers ought to help and aid from outside without being members?—Yes, I think so.

26239. As regards Local Boards, are you inclined to abolish them?—No, I do not think so.

26240. Then what do you mean by saying that for Local Boards you would substitute panchayats?—I mean that Sub-Divisional or Local Boards, as they are called, are according to law the agents of the District Board, and they are supposed to carry out the works and other things sanctioned by the District Board, but the work has to be carried out over an area covering 300 or 400 villages, and practically it is done by the tahsildar, or if it is in regard to Public Works, by the overseer; the members of the Boards themselves take very little part in any of the active work.

26241. What is your remedy?—My remedy is to have sub-committees of the existing Local Board in charge of small areas.

26242. Would you say that attention ought to be given to the revival of village unions, and above them there should be Local Boards?—I would only have village unions for those villages which have a sufficiently large population; then they would practically be the agents of the District Board for those villages; for the villages which have smaller populations I would have sub-committees.

26243. You would not try and spread the unions all over the district?—Not now. Of course the experiment has to be tried and it can only be judged of after 10 or 15 years.

26244. If you could get a scheme of small village unions they would gradually take the place of your sub-committees?—Probably, after 15 years they might.

26245. (*Mr. Meyer.*) You think that the chief thing to which the attention of Government and the people should be directed?—It is one of the chief things.

26246. Do you know the Central Provinces well or only Berar?—I have only seen some portions of the Central Provinces very occasionally.

26247. In Berar does the Sub-Divisional Officer live in his own sub-division?—Not always, but he does in some places.

26248. Which do you think the better system—that he should live entirely in his own sub-division or that he should live at district headquarters?—I should prefer the Sub-Divisional Officer to live in his sub-division.

26249. Would you like the powers of Deputy Commissioners and Sub-Divisional Officers and tahsildars increased in regard to revenue matters?—Their present powers are sufficiently wide.

26250. Are not the Berar land laws rather restrictive; do they not require a number of things to come up to the Commissioner?—They only come up to the Commissioner in regard to appeals, and in regard to appeals I would not have the right curtailed.

26251. You have made several references to Bombay—are you a Bombay man?—My family comes from Bombay, and I received my education in Bombay and am in considerable touch with it.

26252. Has the Deputy Commissioner in Berar as much power as a Collector in Bombay?—Under the Berar Land Revenue Code the powers are almost the same—our Land Revenue Code is taken almost word for word from the Bombay Code.

26253. Does an appeal from a Sub-Divisional Officer go to the Deputy Commissioner or to the Commissioner?—It goes to the Deputy Commissioner.

26254. With regard to borrowing powers, you are aware that the great difficulty in India at present is to get enough money for productive works. If Local Governments start independent borrowing, would not the market of the Government of India be affected, and they be able to raise less money?—There is a portion of the capital of the country which is very chary of venturing into doubtful or experimental undertakings, and that is the savings of Government Officers or even of the professional classes who are not willing to go into commerce or trade but who would be content with obtaining a fair rate of interest for their money; if undertakings were guaranteed they would probably be taken up by many of these persons.

26255. It is open to anybody now to subscribe to the Government of India loans which come out once a year?—It is necessary to give Local Governments this power in order that provincial works may receive that attention which they deserve, and the money for them should as far as possible be raised locally.

26256. Would not that affect the Government of India loans?—I do not think so.

26257. Will it tap fresh capital?—To some extent.

26258. If it did encroach on the Government of India capital, would it not mean that railways and other works were being delayed on account of the construction of local works of a less productive character?—I should think the works I have mentioned would be of a more productive character than the works which have been carried out.

26259. Is there not always an enthusiasm in a locality in favour of a particular work, and a tendency to take rosy views with regard to it?—I cannot know exactly what the official opinion on the matter is.

26260. Generally are you of opinion that on the whole the Government of India is more progressive, and enlightened, shall we say, than Local Governments?—They are more desirous to make concessions.

26261. And in some cases when the Government of India has desired to advance, the Government of Bombay and other Governments have stood in the way?—I have stated the fact.

26262. Coming to your province, you instance Berar and say that there was an attempt to force Central Provinces hand-books in Berar, but is that the case any longer?—It has been done again.

26263. But, as a Berar man, do you think the effect of administrative amalgamation of Berar and the Central Provinces is to force the Central Provinces standards upon Berar?—I do not say it is so in every respect, but there is that tendency, and it has to be fought against very strongly.

26264. You say that the Collector or Deputy Commissioner should absolutely cease to be a member of municipalities, local bodies and District Boards. Do not those bodies deal with matters which it is most important for him to be acquainted with, such as education, the sanitation of his district, and so on?—That he can learn; he can find out whether they are doing the work properly or not, and there are means by which he can keep them straight from outside.

26265. Would it not be easier and better for him to be inside the Council?—I prefer him to be outside, because it is necessary for the political and general education of the people and for the work also being carried out with greater zest.

26266. You think they would be more zealous if the Deputy Commissioner was away?—I mean to say that otherwise it becomes too officialised.

26267. Might it not be said on the other hand that the Deputy Commissioner would become deofficialised by taking into account the feelings of the people whom he meets?—With regard to that it was intended that these local bodies were to be established for the purpose of political education.

26268. Do you intend that the municipal budgets and Local Boards budgets should come up for approval as at present?—For criticism, and of course if they are going wrong and there is any dereliction of duty and they are doing things they ought not to do, then the Deputy Commissioner could exercise his powers of control.

26269. Are you generally satisfied with the existing powers of control?—The powers of control are sufficiently wide, speaking of Berar.

26270. It is not the law you complain of so much as instances in which the rules have been worked?—And the rules themselves.

26271. In such matters as the raising of taxes or finances generally, do the local bodies require more outside control?—The local bodies were inclined to have a mode of taxation at first which was suitable to them and there has been considerable friction with regard to that. My opinion goes with the local bodies, and that they were prepared to tax themselves in a manner which they considered most suitable for themselves.

26272. You think it is necessary, if you have self-government and lay down a tax, that they should have a fairly free hand in dealing with it? Yes.

26273. You say that provincial Governments should have a free hand in all matters appertaining to the domestic concerns of a province according to section 39 of the Regulating Act of 1773—that is to say they are to obey the orders of the Governor-General?—Yes.

26274. So that it is only a question of degree as to the extent to which the Governor-General in Council should issue instructions which the Local Government must obey?—It was a general power of supervision and control which does not mean going into small details entirely taking away the powers of the provincial Government.

26275. Speaking generally, you would like provincial Governments to have a freer hand in matters of detail, but the general policy should be laid down by the Government of India, as at present?—Yes.

26276. (*Mr. Dutt.*) You refer to the grant of larger legislative powers to the provincial Governments—do you recommend that?—I mean that with regard to questions of general principles and policy, the Government of India and the Government in England lay down the general policy; in regard to matters of detail, in regard to financial

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control, larger power should be given to the provincial Governments, provided that they are raised up to the status which I have suggested.

26277. Until then you would not grant them larger powers than they at present possess?—In my own province it would not be expedient, but it would be different with regard to Madras and Bombay.

26278. Then you say that Local Governments have very often restricted or minimised the legal powers of local bodies; how do you reconcile that with the recommendation for the grant of larger powers?—I refer to larger powers in regard to matters of monopolies on questions of principle and policy.

26279. Has there been a contraction of the grazing area in Berar?—Yes.

26280. What do you ascribe that to?—I rather ascribe it to the zeal of the Forest Department.

26281. Is it not partly due to the extension of cultivation?—First of all the land had to be disafforested, then it was thrown open to cultivation, but the disafforestation had to be done under the orders of the Local Government.

26282. So that practically it is not due to any direct action of the Forest Department, or their including agricultural land in forests?—It was because it ceased to be grazing land and was thrown open to cultivation, and therefore it was taken under cultivation.

26283. And you think it should have been kept as forest land?—Yes.

26284. What kind of question would you refer to the Advisory Councils for their opinion and advice?—Every question of importance relating to administrative measures should come before them, such as land revenue, surveys and settlements.

26285. That is to say only large questions would go to the Advisory Councils and not small details of administration?—Quite so.

26286. Would it be one of the functions of the Advisory Council to settle disputes between different communities and different creeds?—Yes, to exercise their influence.

(*The witness withdrew.*)

Dr. H. S. Gour was called and examined.

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26287. (*Chairman.*) You are a barrister-at-law at Raipur?—Yes. I was Secretary of the District Council for 8 years.

On the right of appeal I am of opinion that there should be no curtailment; on the other hand, the present system of appeal is one which might be greatly improved. If pleaders are given audience in appeals submitted by them, they will give greater satisfaction to the appellants, and inspire more confidence in the judgments of the Executive.

As regards the right of officers of Government to appeal against orders affecting them personally, some curtailment is necessary. The present practice appears to be to first appeal as far as an appeal will go, and then to memorialise as far as memorials are permitted. This practice is as subversive of discipline as it tends to increase the work of Government. Inquiry into the conduct of Government servants should be made carefully in the first instance giving the officer affected the right of defending himself by pleader, the procedure being otherwise made as far as conformable to judicial procedure. Then there should be only one appeal to the higher officer—the Local Government, the Government of India being, of course, given the right of revision and pardon.

The appointment of an officer to the responsible post of a Commissioner should never be made on the ground of seniority. It should be an invariable reward for merit. It will greatly improve the rank and file and add a fresh incentive to good work. Assuming then that Commissioners and Deputy Commissioners are in future appointed by selection and not promotion by mere seniority, there is everything to be gained by granting them extended powers.

If a Financial Commissioner is appointed, I should be in favour of transferring to him all the revenue powers at present possessed by the Chief Commissioner. I am not in favour of transferring the power of final decision to Commissioners and Deputy Commissioners except in matters of detail. All the important powers must remain with the Chief Commissioner, or the Finance Commissioner. As a matter of fact, in matters relating to revenue, I think the powers are now equitably apportioned between the several officers. Sub-Divisional Officers might, however, be given some additional powers; for instance, to sanction sales of excise and ganja monopolies and assess and remit income-tax. The Deputy Commissioners in these provinces possess powers, some of which are defined while others are undefinable, and they wield powers the extension of which would not be desirable. But as regards the Commissioners, their responsibility and duties might be advantageously defined. There are no Commissioners in the Madras Presidency, but I do not suppose Madras is a more benighted province than the Central Provinces. They should be entrusted with considerable powers which they should be left to exercise with the assistance of their Administrative Councils. But without such Councils, it will be a mistake to enlarge their powers.

The formation of Administrative Councils is a *sine qua non* of efficient administration. But they should be formed in a generous spirit of giving the educated representatives of the people a living voice in their deliberations. Such Councils might consist of five elected representatives of the division, the electorate consisting of all literate persons above the age of majority. I am not in favour of class representation, for it leads to mutual jealousy, and is otherwise opposed to the spirit of modern India. Their powers would be to sanction and allocate (1) expenditure on local works within the limits of the division; (2) to sanction the suspension and remission of revenue; (3) to control the police; (4) to regulate expenditure on Public Works, irrigation, sanitation, and other departments of Governments; (5) to supervise the work of District Councils and municipalities; (6) to visit jails and hospitals and to see to their proper administration. If Administrative Councils are constituted on these lines and *if provision is made only for the election of educated representatives* by only a literate electorate, there should be a change in the administration of the country which will immediaately give a *quietus* to clamorous discontent. The Commissioner in Council may then be safely given powers of general administration which will lead to the smooth working of Government and effectually carry out the policy of decentralization.

In matters relating to the Court of Wards the powers which the Deputy Commissioners possessed under the old Act have since the passing of the new Act been bodily transferred to the Commissioner and the Deputy Commissioner as such has ceased to possess any power at all. The Deputy Commissioner is really the man on the spot, and he should not be a mere reporting and recording machine. As it is, the Deputy Commissioner is really the power behind the Commissioner. The former proposes and the latter sanctions as a matter of course. The Deputy Commissioners should be entrusted with all the powers they at present possess by delegation. They may be further empowered to appoint guardians, pass orders as to the custody, education and residence of Government wards, to let a ward's property up to a certain extent, while the Commissioner in Council might be empowered to mortgage, sell or exchange the property of his ward, sanction adoption and decide on questions of succession. The Commissioner in Council may be empowered to incur an expenditure up to Rs. 5,000, the Deputy Commissioner being empowered to incur an expenditure up to say Rs. 2,000. He

may also be permitted to take a loan up to a like amount.

Executive Officers do not possess sufficient opportunities for personal contact with the people. They regard themselves rulers of the people and of the ruling race, and consider it beneath their dignity to associate with the people or even know them outside their official duties. The difference in their habits and manner of living and their mode of thought also contributes to the gulf that exists between the European Executive Officers and the people. And this aloofness has grown rather than decreased in recent times. The case of Indian Executive Officers and the people is different, for they live and move amongst the people who trust and look up to them.

The invidious distinctions that the Government itself makes between a European and an Indian encourages its subalterns to think that there is somehow an irradicable difference between the two races. I have myself seen a European cooly-catcher placed on a *dais* with the Chief Commissioner in an official darbar, while that honour was refused to an Indian Executive Engineer in charge of a division and a Barrister who had been presented to the King. If the officials break the ice, they will meet with encouraging response from the people. Their leaders might, for instance, be at times invited over to "At Homes" or other informal meetings. Visits might be exchanged with them and they might be invited to join the station gymkhana and the club. While camping out, officials might convene informal meetings of the leading residents and thus take them into their confidence. European officials might also be enjoined to make themselves more conversant with the language of the people. I do not think that officials, as a rule, possess sufficient knowledge of the colloquial vernacular.

Assuming that a right man has been found for a right place there is no reason why he should be transferred, unless, of course, his transfer becomes for other weightier reasons a matter of absolute necessity. I would lay down no hard-and-fast rule, but leave the matter to the discretion of the Administrative Council whose members might confidentially advise the Government on the subject.

I was for eight years Secretary of the Raipur District Council, and I know what it is to organise, work on, and control a local body. These bodies are at present mere automata moved by a few wire-pullers who manage to get nominated or elected to them. The rules of election are such that few educated men care to compete for membership, and men are elected, who by their education, experience and temperament are unfit to discharge the civil duties to which they are elected. If therefore municipalities and District Councils are to obtain extended powers, they must be reorganised and reconstituted on a different basis. The eligibility of the electorate based on the property test is, in a country like India, unsound. I would therefore make education the sole test.

District Councils possess at present practically very little power. Their duty is confined to recording proceedings, and passing bills which they cannot refuse. Most of the important roads in their charge have been transferred to the Public Works Department. Dâk bungalows, rest houses and important ferries have also been exempted from their jurisdiction by an order of the Chief Commissioner. I would suggest that all Public Works, roads and buildings, water-works and reservoirs, agricultural schools and farms be placed under their management. They should also possess power to revise income-tax, recommend the suspension and remission of Government revenue, and be in short subordinate to the Divisional Administrative Councils to whom they should be responsible and whose functions so far as regards matters affecting the district they must in part discharge. The municipal bodies should be similarly strengthened and the municipalities of large towns should possess power to borrow money for works of public utility. They should be empowered to construct railways and tramways, and their powers should, as far as possible, conform to the powers possessed by the English municipalities and County Councils.

26288. You say that some curtailment of the right of appeal is necessary, and you would give a man one appeal after the original decision of a higher officer. Do you think that would meet the justice of the case?—I think that is quite ample, leaving of course the superior authority to exercise the power of revision.

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26289. With regard to the Administrative Council which you suggest you also think that the responsibilities and duties of Commissioners might be advantageously defined; but would there be anything left either for the local bodies or for the Commissioners to do supposing the Administrative Councils you propose were brought into existence?—I think so; the Administrative Councils would be the supervising bodies; they would not be the Executive Heads of the districts; the District Boards would be the executive bodies to carry out the orders of the Administrative Council and the Commissioner.

26290. Would they be merely advisory to the Commissioner?—Yes.

26291. Could the Commissioner if he thought fit overrule them?—He could overrule them and report the matter to the Chief Commissioner or the Local Government, and it would be for the Local Government either to confirm his order or to pass any order they thought fit.

26292. You lay some stress on the chasm which separates officials from the people; is that due to a disinclination on either side to be good friends?—In recent years there has grown up a disinclination on both sides.

26293. Are the difficulties removable?—I think they are.

26294. Are some of them due to ignorance of native etiquette and customs on the part of newly-arrived officers?—It may be so in the case of certain officers, but I do not think that is the sole reason.

26295. What do you think is the reason?—Racial prejudice.

26296. On both sides?—No; I do not think it is due to racial prejudice on the side of the natives; they would rather meet Europeans and associate with them if they could.

26297. Would you confirm the evidence that very often native officers are just as difficult to get at as European officers?—That is true in certain cases, and the reasons are that native officials seem to copy the example of their European brethren; they are afraid if they mix a little too freely with the natives that their superior European officers might suspect them.

26298. Is there any ground for that?—No, there is no ground for it.

26299. Having been Secretary to the Raipur District Council for some time, and having heard the evidence, do you wish to add to it?—No.

26300. How long do you think a District Officer ought to stay in his district or division as the case may be?—That depends on who the officer is. Other things being equal, about 5 years, not less.

26301. And probably not much longer?—I do not think so, because he will then probably imbibe local prejudices.

26302. (*Mr. Hichens.*) You say the Central Provinces are one of the few Non-Regulation Governments remaining; where in particular do you think the shoe pinches in regard to the lack of powers?—Everywhere. In the first place, being a Non-Regulation Government, the people have no voice in the administration which they would have if they had a Regulation Government, and consequently a Legislative Council.

26303. Is that the most important point?—I will not call it the most important, but it is important. Then I regard the administration of justice as very important. We are far behind the Regulation provinces in that respect, because we have no High Court. Then of course with regard to the publication of budgets, we know nothing at all as to what the Chief Commissioner does; not only are we not consulted, but we know absolutely nothing as to how the revenue is spent.

26304. But the budget is published?—Yes, long after the thing is done.

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26305. Is there no explanation with regard to it?—No.

26306. Therefore you think it is very difficult for people to take an intelligent interest in what is going on?—Yes, and they really do not know in fact if, and when, the budget is published; when it is published, it is only as a piece of historical information.

26307. (*Mr. Dutt.*) You say that District Boards possess practically very little power; I suppose you have heard other witnesses say that Public Works amounting to over Rs. 1,500 have to be executed by the Public Works Department, and works under Rs. 1,500 have to be executed by the tahsildars. Do you suggest any method for the District Board doing their own Public Works themselves?—I would place all Public Works in charge of the District Council, and if the District Council is a paying concern, I would appoint a District Council Engineer to look after the work, but if that would be too costly I would make a Divisional Engineer to look after groups of District Councils.

26308. It has been stated that such a scheme is about to be brought into practice; have you heard of that?—I should welcome it.

26309. Is primary education paid for by the District Council?—Yes.

26310. Is it managed or supervised by the District Council?—No, not to any appreciable extent. There is really double control. We have in the first place the deputy inspector of schools who looks after the District Council schools, and we have also a deputy inspector who is not under the District Council at all, but who is directly responsible to the inspector of schools; consequently the District Council have a voice in regard to primary schools, but at the same time the inspector and deputy inspector of schools exercise their powers. I would place the deputy inspector of schools directly under the District Councils.

26311. Would one deputy inspector be able to supervise all the primary schools in a district?—No; there are two or three at present; we have three deputy inspectors of schools now.

26312. Would you allow the Education Department to have some sort of supervision over your primary schools?—Yes; I would allow the Education Department to lay down the policy, and leave the District Councils to carry it out.

26313. Have most District Councils Secretaries?—Yes. They are elected by the District Councils and appointed by the Divisional Commissioners.

26314. Do you approve of that system?—No; I would like the District Councils to appoint their own Secretaries.

26315. Would you extend the same rule to municipalities?—Certainly; I should say municipalities ought to be trusted to appoint their own Secretaries.

26316. At present do they appoint their own Secretaries as a rule?—They do appoint them, but they appoint more or less nominees of the officials.

26317. At any rate they have the power to appoint?—If the Secretary is an honorary Secretary I believe they appoint him.

26318. (*Sir Steyning Edgerley.*) With regard to the possibility of decentralization to the Head of a province, what form of Government would you prefer for a provincial Government?—I should prefer a Lieutenant-Governorship with a Chief Court.

26319. Do you think the powers of the Court of Wards ought to go back to the Deputy Commissioner?—More or less they should be apportioned between the Deputy Commissioner and the Commissioner.

26320. Would some Deputy Commissioners have fuller powers than others?—By delegation.

26321. Have you thought how delegation should be carried out?—That depends upon what powers are delegated; some powers may be delegated without recall; others may be delegated subject to control; while a third class of powers may be delegated and withdrawn from time to time as the case may be.

26322. Would you like a general Act which would enable you to give powers and to recall them on notice and so on?—Yes.

26323. (*Mr. Meyer.*) In that general Act, would you specify the powers in respect of which the Act was framed, or would you give entire power to the Government of India or the Local Government, as the case might be, to make any delegation as it thought fit?—I would give general powers to Local Governments to frame bye-laws under a general Act.

26324. Do you mean that if an Act has said that in certain cases the sanction of the Local Government is necessary, but the Local Government now thinks that the sanction of the Commissioner is sufficient, it should be able to say "In this section, for Local Government read Commissioner"?—No, I should say where the Local Government said a thing should be done by the Chief Commissioner, the Chief Commissioner should have no power to delegate his powers to the Commissioner, but where the Government of India said it should be done by the Chief Commissioner or some one empowered on his behalf, in that case the power of delegation should be exercised.

26325. That is already provided for?—No doubt, but my objection is that at present the Commissioner is all in all in regard to Court of Wards matters. Now the Commissioner is not the man on the spot; the Deputy Commissioner is the man who is directly responsible for the administration of the Court of Wards, therefore he should have some immediate controlling power on his own responsibility, and not by delegation from the Commissioner.

26326. Supposing there are important measures of decentralization desirable, you are tied up very often by the fact that certain laws prescribe the previous approval of the Governor-General in Council and others require the approval of the Chief Commissioner, and my question is, if you desire to relax these laws would you do it by a mere general Act, saying that wherever the approval of the Governor-General in Council was required it might be dispensed with?—No, I would amend all the Acts specifically.

26327. You say it is the deliberate wish of the people that this province should be raised to the status of a Lieutenant-Governorship—what advantage do you anticipate from that?—First, the establishment of a Legislative Council.

26328. Would you recommend a Board of Revenue?—A Board of Revenue or a Financial Commissioner, and the elevation of the local Courts to a Chief Court, if not a High Court.

26329. You say, as regards appeals from officers of Government, that there should be only one appeal, and that the Government of India should only come in in respect of revision—there are officers, however, whom the Local Government punishes in the first instance?—Yes.

26330. In that case would you leave an appeal to the Government of India?—Yes, certainly; I would give one appeal in any case—I mean that there should be no second appeal to the Government of India.

26331. You say Sub-Divisional Officers should be empowered to sanction sales of excise shops and so on, but do they not do that already?—No, not that I am aware of.

26332. It has been stated that in many cases when a Sub-Divisional Officer has passed an order, the appeal lies not to the Deputy Commissioner but to the Commissioner?—I think the appeal to the Deputy Commissioner ought to be the thing; he is the responsible Head of the district.

26333. In many cases under the present system there are appeals to the Chief Commissioner on really quite trivial matters, which you would like to get rid of?—Yes.

26334. As regards the powers you propose for Commissioners, would you include the posting of

officers such as Assistant Commissioners and Extra-Assistant Commissioners within their divisions?—No, I would not.

26335. Would you empower a Commissioner to transfer tahsildars and naib-tahsildars?—I think not.

26336. Would you give him powers of appointing them?—I would not.

26337. Would you give him powers, subject to conditions of fitness laid down by the Local Government, and in consultation with the District Judge, to confer magisterial powers on officers?—Yes.

26338. And such special powers as the Criminal Procedure Code gives of taking down evidence in English and so forth?—Yes.

26339. Speaking of the Court of Wards, you say that Deputy Commissioners should be entrusted with all the powers they at present possess by delegation; do you mean the powers they practically possess, but do not formally possess?—Yes.

26340. You consider that District Councils are moved by wire-pullers. Are Local Boards also?—I have no experience of Local Boards.

26341. It was suggested by one witness that there should be a system of village panchayat circles all over the country; that there should be seven or eight villages in a circle with a panchayat, elected by the tenants and persons possessed of some means, and having considerable powers in the matter of deciding small civil and criminal cases and carrying out sanitation works. Would there be wire-pulling over those elections?—There might be.

26342. Would you be in favour of such a system?—I would be in favour of the system as a tentative measure.

26343. Within a single village or a group of villages?—I would first of all experiment with a few villages and see how the thing worked. *Dr. H. S. Gour.* 6 *Feb.*, 1908.

26344. Would you make one village a single entity or would you group four or five together?—I would group four or five together.

26345. You say that Commissioners have to approve the appointment of Secretaries to District Councils and municipalities; is it merely an approval of the appointment or do they appoint in the first instance?—They generally throw out a suggestion that they would approve of such and such men being appointed Secretaries, and that might influence the members.

26346. There are two ways of appointing a man; a Council might say, "We elect *X* to be our Secretary," but the appointment is not valid without the Commissioner's consent; or the Commissioner may take the initiative and say "Whether you like it or not, *X* is your Secretary"; which is the procedure here?—The procedure here is, "I should like to approve of the election of *X* if you elect him," and the members always say "The Commissioner wants *X* to be appointed as Secretary, and we must strain a point in his favour."

26347. Supposing the Council are misguided enough to prefer *Y*, what would happen?—The Commissioner might disapprove of his election; he might say that *Y* is either too old or too young or give half a dozen reasons or none at all.

26348. But ordinarily he would have to confirm the selection of the Council unless he had some objection to the nominee?—Unfortunately there is nothing in the Act which lays down that the Commissioner is bound to give reasons; he can simply say, "I disapprove of that selection."

(*The witness withdrew.*)

Adjourned.

FORTY-FIRST DAY.

NAGPUR, *Friday*, *7th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman*.

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Rao Bahadur RAMKRISHNA RAOJI PANDIT was called and examined.

26349. (*Chairman.*) You are Extra-Assistant Commissioner at Nagpur?—Yes. *Rao Bahadur R. R. Pandit.* 7 *Feb.*, 1908.

I do not think that the present right of appeal to the Government of India requires any revision.

Sub-Divisional Officers are stationed at the headquarters of every district. Each Sub-Divisional Officer should have his headquarters in his sub-division with free quarters and sub-divisional allowances as in Bengal. There should be one separate assistant for the treasury and headquarters criminal work and one other assistant to assist the Deputy Commissioner in his office work.

Executive Officers possess sufficient knowledge of Hindi which is generally understood all over this province.

Frequent transfers of officers are not general, but there should be a limit of five years before which an officer should not be transferred without special reasons.

An Administrative Council would be of assistance to the Deputy Commissioner. It should be constituted by electing two members from the District Council, two from the district municipality, and two nominated by Government, the seventh being the Deputy Commissioner himself. This Council should take up subjects in connection with public affairs, such as famine operations, suspensions of revenue and assessment of income-tax, matters relating to old customs and usages, education, sanitation, the location of liquor shops and the like.

It is expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. By doing so the Deputy Commissioner will be relieved of some work and the municipalities will benefit pecuniarily. The villages managed under the *Mukaddam* Rules in these provinces and under the Villages Sanitation Act should likewise be made

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over to the District Boards for purposes of supervision and control.

26350. You say that some amount of delegation of powers to suspend land revenue might be given to the Deputy Commissioner—do you apply that to wet and to dry revenue—Up to a certain limit, power might be given both in the case of wet and dry crops. We have wet crops here. I think the orders of the Government of India were that either the Collector or the Commissioner might grant suspensions, but in this province the Commissioner only has been empowered, so that if the power is given to the Deputy Commissioner he will be able to redress the grievances of the people here.

26351. Can you suggest any limit beyond which the power of remission should not go?—When there is a failure of crop in a small tract, and such remissions would not exceed Rs. 20,000, the Deputy Commissioner should have power. At present we have villages divided into three classes, and according to the instructions laid down by the Chief Commissioner there are different ways of giving remissions in different classes. If power were given to the Deputy Commissioner it would facilitate work and satisfy the people, although of course he should report his action immediately to the Commissioner.

26352. You say that Sub-Divisional Officers have no administrative power; what do you mean?—They cannot transfer any official, they cannot grant any leave, they cannot fine anybody, and they cannot appoint any substitute.

26353. Ought they to have power to do so?—Yes, the tahsildars have some power; they can fine a patwari up to one or two rupees, and the Assistant Commissioner cannot.

26354. You say that Sub-Divisional Officers ought to live in their divisions; what would be the result of that change?—It would be very much appreciated by the people; at present they have to come from long distances to the headquarters of the district to transact theiir business, and they would be able to go to the headquarters of the *tahsil* which should be the headquarters of the sub-division, where the work would be more rapidly done, and it would save them a lot of trouble and expense.

26355. What is the present practice?—There are sub-divisions in this district, but all officers are stationed at Nagpur, and only go to the sub-divisions when touring.

26356. What is the size of a sub-division?—About 871 square miles in the Nagpur Division.

26357. How far is the centre of your sub-division from Nagpur?—Nagpur is the centre, but there are three other sub-divisions which are quite distinct. One of the centres is about 24 miles, the other 29 miles, and the third about 36 miles away.

26358. With regard to the Municipal Act, you suggest that the Committee should have the power of transferring land?—Yes; if even a very small piece of municipal land is to be sold, we have to get the sanction of the Local Government.

26359. When you say transfer, do you mean sale?—Yes, and sometimes lease or gift; the rules do not provide for any gift with regard to municipalities.

26360. You think the Commissioner should have more power of examining the municipal budget in detail?—It occasionally happens that certain works are provided for, but for some reason or other they cannot be undertaken in that particular year unless the Commissioner's sanction is obtained; that entails great delay and the result sometimes is that the works are definitely dropped that year, and there is a large saving on the municipal budget; if there is provided in a lump sum a certain amount for the repair of roads and other things, an estimate could be prepared, and the budget allotment at once spent.

26361. Is your suggestion that there should be re-appropriation from year to year?—Yes. When we have a certain work provided for in the District Council's budget, after the estimate is prepared it goes to the Engineer, then to the Commissioner, and then to the Chief Commissioner, and certain objections are raised, and by that time most of the year is over and we are unable to proceed with the work. There should be an estimate prepared, signed and countersigned by the Engineer, and then the work should be provided for in the budget.

26362. (*Sir Frederic Lely.*) Do you think that the doctors at the dispensaries are all that can be desired?—They are very insufficiently paid at present.

26363. Are they sufficiently controlled?—They are wholly under the control of the Civil Surgeon.

26364. Supposing people are dissatisfied with their doctor, have they any means of changing him?—Sometimes they send a petition to the Deputy Commissioner or the Civil Surgeon, but there are other means.

26365. What power has the Deputy Commissioner?—He sends the petition on to the Civil Surgeon and asks for a report, and if the Civil Surgeon reports that the complaints are frivolous, the petition is only filed.

26366. Are you aware of cases of doctors not being satisfactory?—Yes, as they are insufficiently paid we do not get competent men for Hospital Assistants.

26367. Have you any defects to point out in the management of primary schools?—We have at present two deputy inspectors in the Nagpur district who submit their reports, and there is an inspector who occasionally visits. With regard to the appointment of masters, the District Board has power which is sufficient, but to open a school or close a school we have to get the sanction of the inspector of schools and the Deputy Commissioner, which is unnecessary; the District Board alone should have the power.

26368. Have the people themselves enough say in the management of their schools?—For every school we have a committee of local men residing in the town; they meet every month, and whenever an officer visits they meet him and matters are discussed, so that they have a say.

26369. Might more power be given to the School Committee?—Yes, they might be told to report.

26370. Might they be entrusted with the maintenance of the school buildings, for instance?—Certainly.

26371. And power to give holidays and regulate the fees?—Not in a general way. They might regulate the fees, but subject to the control of the District Board; there is no objection to their making recommendations.

26372. In the general management of the school course would you give them uncontrolled power?—Where it is possible that they can do any good, powers might be given to the School Committee, subject to the control of the District Board.

26373. Has the District Board entire power to maintain roads?—No, most of the roads are in charge of the Public Works Department.

26374. Would it be a good thing to give some of the villages full power to maintain their own roads, giving them a small grant for the purpose?—Yes.

26375. And leaving them entirely uncontrolled?—They would be under the control of the Local Board. An official on the committee, or a member of the Local Board residing in the vicinity, would be able to supervise the work if put in charge, and then he would be supervised by the President of the Local Board, the Local Board overseer advising him as to the work.

26376. Would you give the overseer power to interfere?—I would give him power to supervise and report if anything went wrong.

26377. But would not the interference of the overseer rather spoil the whole thing in the eyes of the villagers?—No, I think not.

26378. They would not resent the interference of a subordinate like the overseer?—No, the overseer does not interfere to any great extent.

26379. You would not give over the money to leading villagers and tell them to make the best of it themselves and take the whole responsibility?—No.

26380. As a class, are tahsildars the men who come face to face with the people most frequently on behalf of Government?—Yes.

26381. Are they efficient as a class?—Of late there has been a great improvement, and we have now several efficient tahsildars.

26382. Are they generally honest?—Yes.

26383. They are Second Class Magistrates?—Yes

26384. Are they sufficiently paid?—Yes, now they are; their scale of salary has been increased.

26385. Does the modern tahsildar make it his duty to investigate any false rumours that get abroad, and show the people that they are false?—Yes, I think so.

26386. If Government brings forward a measure, or issues an order which is misunderstood by the people, does the modern tahsildar make it his duty to explain things to the people?—Yes, at present they do.

26387. Are the patwaris efficient and honest?—They are very insufficiently paid. We do not get good men, and their salaries should be increased.

26388. With regard to the sale of public land in municipalities, there is very little spare land in modern towns; in the case of a space at a street corner adjoining the house of an influential resident who is anxious to get it, is there not great danger of that man using his influence with the municipality and getting them to sell it to him?—But those lands are sold under certain rules.

26389. You propose that a municipality should have power to sell such lands without any control?—Only small pieces; my experience is that it has always been put up to auction.

26390. I am supposing it ought to be reserved for the public use. Should a municipality have power to alienate a piece of public land like that?—But it is generally considered by the Municipal Committee, and they are particular nowadays about not selling land if it is, or is likely to be, required for public purposes.

26391. Even remembering that a sale like that is practically irrevocable?—In regard to a small area, I think it would be quite safe.

26392. (*Mr. Dutt.*) Is every primary school managed by a Committee?—Yes, every school.

26393. Have you a fairly large number of such primary schools in your sub-division?—In my sub-division there are about 48. There are 550 villages.

26394. Has your Local Board sufficient resources to increase the number of primary schools to the extent desirable?—No. They ought to be assisted by Government grant. At present we spend a lot of money on schools, and if we are assisted by the Government in the way of increased grants, we should be able to open more schools; in fact in the whole of the Nagpur district we have about 105 primary schools, which a very small number.

26395. Are the proceeds of the Education Cess spent on schools?—Yes, but it is not adequate. We get a grant also from Government, but it is very small. Our School Cess income is Rs. 22,000, whereas we spend over Rs. 50,000.

26396. When you get a report from the deputy inspector that a school is not doing well, what procedure do you follow?—We first of all enquire into it; on the receipt of the deputy inspector's report, we ask the tahsildar to report, and when his report comes it is put before the Council for discussion, and we decide and make a report to the Deputy Commissioner if the school is to be closed.

26397. And is the final order passed by the Deputy Commissioner?—Yes, in consultation with the inspector of schools.

26398. We understood from a witness yesterday that there is a scheme for appointing Divisional Engineers for District Boards?—Yes, it has only been tried in the Nagpur Division, where a Divisional Engineer has been appointed. I think it is a good plan.

26399. As regards smaller works costing under Rs. 1,500, do you think the present system good or do you suggest any change?—No, I do not think any change is needed.

26400. You say that your District Board has not the power to open new pounds?—No. The Deputy Commissioner's sanction is required by law Powers might be given to the District Board.

26401. Are the servants of the District Board entitled to any sort of pension?—Not under the present rules. The Local Government is considering the matter of a provident fund, but nothing has been decided.

26402. If a provident fund was created, the Service would be made a little more attractive?—Yes.

26403. At present the whole income of the District Board consists of the Education Cess, he Road Cess, and the contribution from Government and certain fees from pounds and ferries?—Yes.

26404. You do not get the proceeds of any other tax, and you want power to impose a new tax?—Yes.

26405. Would that make the District Board popular?—It would not be unpopular. It would not bring in a very large income, but still it would bring in something.

26406. Is the *mukaddam* appointed by Government?—Yes.

26407. Are the villagers consulted in his appointment?—The *malguzar* is consulted; the villagers are not.

26408. Is anything done in the way of settling petty disputes by the *mukaddam*?—Yes, in every village there is a *mukaddam*, and a few of the respectable villagers settle disputed matters with him, and the people occasionally abide by their decisions.

26409. Would it be possible in advanced villages to constitute a panchayat to help the *mukaddam* in settling these matters?—Yes, it would be possible in certain villages.

26410. In that case would you empower the panchayat and the *mukaddam* to dispose of petty civil cases arising in a village?—In course of time.

26411. And also to dispose of petty criminal cases, giving them a small power to fine?—Yes.

26412. You propose the constitution of a small Administrative Council to assist the Deputy Commissioner; do you confine yourself to the matters mentioned, or are there other matters in which such a Council might be of use?—There might be other matters.

26413. As regards education, would members of such a Council give advice of value to the Deputy Commissioner?—Yes.

26414. In cases of plague or famine, might they be of use?—Yes.

26415. Do you also include the location of liquor shops as a matter in which they might be consulted?—Yes.

26416. Should the members be nominated or elected, or partly nominated and partly elected?—Two should be elected by the District Council, and two by the municipality, and two should be nominated by the Local Government, with the Deputy Commissioner himself.

26417. (*Mr. Hichens.*) Under whose orders is the Divisional Engineer who has been recently appointed?—Under the orders of the Commissioner.

26418. So that if any District Board wants his services they have to apply to the Commissioner?—Yes, and we are also directly in communication with him and he manages his tour; he has five districts to take up.

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26419. It was suggested that it might be desirable to hand over to the District Boards the maintenance of all the roads; would that be a good thing?—Now that they have a Divisional Engineer they can manage the district roads, but they should have additional funds to carry out these works.

26420. On what principle should that addition be given?—According to the roads in the district.

26421. You would not give them a percentage on their income?—It would be better to consider the circumstances of each district.

26422. Is it not better that they should have a grant of a definite amount each year, so that they could know what they can count upon?—Each year's grant could be settled, but it should be in accordance with the requirements of the district varying from year to year.

26423. What are the powers of Municipal Boards to-day?—A municipality or District Council can appoint a man on Rs. 15 a month and create a new appointment up to that amount, but above that they have to get sanction.

26424. Do you mean if an appointment falls vacant carrying a salary of over Rs. 15 a month they have to get the sanction of the Deputy Commissioner or Commissioner?—To create an appointment of over Rs. 15 sanction is required. To fill a vacancy, I think the sum is larger—up to Rs. 50.

26425. (*Mr. Meyer.*) Would you give Local Boards the same powers as District Councils for the local areas they administer?—Subject to the control and supervision of the District Council.

26426. You would not give them any separate source of income?—The budget of the income of a Local Board should be prepared; for instance, there are four Local Boards in this district, and they should have the income from their area and a budget should be prepared.

26427. But they only have such funds as the District Council chooses to give them?—Yes.

26428. In Madras, on the other hand, the land cess is divided, half and half, between District and Local Boards, and the Local Boards also have some other independent sources of revenue—would you be in favour of a scheme like that, so that the Local Boards would have something they could count on definitely?—Yes, there is no objection to that course.

26429. Is your work as a Sub-Divisional Officer mainly revenue or magisterial?—Both.

26430. Do you take appeals from subordinate Magistrates?—I do.

26431. Is that the usual practice in this province?—All Sub-Divisional Magistrates have appellate powers and they take appeals at times; the Deputy Commissioner selects a certain number to take himself, and some he sends to the Sub-Divisional Magistrate.

26432. Ordinarily do all the appeals from Second and Third Class Magistrates as in a sub-division go to the Sub-Divisional Magistrate, or does the District Magistrate deal with them?—The District Magistrate deals with them.

26433. Are your Sub-Divisional Officers vested with the powers of a Deputy Commissioner in revenue matters?—Yes, except as to certain sections of the Land Revenue and Tenancy Acts.

26434. But where they are vested with the powers and there is an appeal, it goes to the Commissioner?—Yes.

26435. Would you be in favour of giving the appeal to the Deputy Commissioner?—Yes, there is no objection.

26436. As a Sub-Divisional Officer, do you deal with the sale of liquor shops?—No; there is a separate department, and it is managed through it.

26437. But who sells the shops?—The Deputy Commissioner himself presides.

26438. Is there any reason why the Sub-Divisional Officer should not sell them if assisted by an excise expert?—No.

26439. Do you take income-tax work?—Yes, on incomes above Rs. 2,000 the assessment is made by the Sub-Divisional Officer, and on incomes below that by the tahsildar, but it is submitted by the tahsildar to the Sub-Divisional Officer.

26440. Above Rs. 2,000 do you assess?—I can assess up to any limit, but we have to submit the list to the Deputy Commissioner for approval and revision.

26441. Is that necessary; if a man is dissatisfied would he not appeal to the Deputy Commissioner?—No; that power does not exist. First of all the assessment is made by the tahsildar and Sub-Divisional Officer, and submitted to the Deputy Commissioner for sanction. Then the objection is filed to the Sub-Divisional Officer; he disposes of the objection, and then it goes to the Commissioner on appeal.

26442. Supposing the Deputy Commissioner did not sanction the assessment, might he not take the Commissioner's place as an appellate authority?—Yes.

26443. In every case of land acquisition, the sanction of the Government is required under the Act?—The first notification is issued under the sanction of the Government.

26444. In small cases might not the Commissioner sanction instead of the Local Government, if the law permitted it?—Yes.

26445. You say that when it appears that a female or a minor's guardian is recklessly squandering property, the Court of Wards should be empowered to take it over, but cannot the Court of Wards take over any estate of which the owner is a minor?—I want the Commissioner to be able to deal with it in anticipation of sanction.

26446. You say there have been failures to obtain loans for estates from bankers at a reasonable rate of interest—it has been suggested that the Local Government might incur loans, and it was said that this would not interfere with the borrowing of the Government of India, because there was a certain amount of local capital which would come forward for provincial loans. Now, having regard to the fact that bankers will not lend money to estates, is it likely that they would lend to the Local Government?—There is more security, and they might lend to the Local Government.

26447. Do you think there would be a special market for Local Government loans?—Not in the province.

26448. You say that the Commissioner has no power to sanction expenditure up to Rs. 1,000?—It has now been increased to Rs. 2,500. The Deputy Commissioner has no power.

26449. Do you desire that the Deputy Commissioner should have power to sanction expenditure on buildings?—Yes. I would propose power up to Rs. 2,500.

26450. You have said that the Deputy Commissioner should have an assistant at headquarters; how many has he now?—For the Nagpur district he has six assistants of whom two are for general work.

26451. Is that the general number at present?—Yes.

26452. In other districts have they those two general assistants?—No, they have Sub-Divisional Officers.

26453. Is there no Treasury Officer?—No; there is no separate Treasury Officer.

26454. Would you allow municipalities to have simple rules of their own, regulating leave, pension, etc.?—Yes.

26455. You say that District Councils have power to sanction estimates only up to Rs. 500; above that amount have they to go to the Commissioner?—Between Rs. 500 and Rs. 2,000 they go to the Deputy Commissioner; between Rs. 2,000 and Rs. 5,000 to the Commissioner, and above Rs. 5,000 to the Chief Commissioner.

26456. Is it the same with regard to municipalities?—Yes.

26457. Supposing in the case of an Advisory Council, a Deputy Commissioner disagreed with a majority of the members, what would happen?—He should report the matter to the Commissioner.

26458. Should the Commissioner also report to a higher authority?—I think not.

26459. (*Sir Steyning Edgerley.*) Have not Sub-Divisional Officers sufficient power with regard to inspection?—No; in one case I inspected a police station-house, and I was told that I had no authority to do it.

26460. Have the Magistrates nothing to do with the police?—Nothing except with regard to the disposal of cases.

26461. Cannot they go into a station-house and look at the crime register?—No. An Assistant Commissioner can in this province, but not the Extra-Assistant Commissioner.

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26462. Where an Extra-Assistant Commissioner is in charge of a division, has he absolutely no magisterial control over the working of the police?—No.

26463. Has that always been the case?—Yes.

26464. You said that patwaris were very badly paid; how are they paid?—At present they have a fixed salary from Government. They are all paid Rs. 12, and none of them are paid more than Rs. 15.

26465. Have they a great deal of work?—Yes, and important work.

26466. Have they any time to cultivate?—Under the rules, they are not allowed to cultivate within their circles, as it would interfere with their duties.

(*The witness withdrew.*)

Mr. F. G. Sly was called and examined.

26467. (*Chairman.*) You are Director of Agriculture?—Yes. I have also been Under-Secretary to the Government of India, and Inspector-General of Agriculture to the Government of India.

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The Director is entrusted with the administration of the provincial Department of Agriculture. The superior officers of that department are seven in number, 5 Europeans and 2 Indians, viz., 2 Deputy Directors and 1 Assistant Director (Agricultural experts), Principal of the Agricultural College, Agricultural Chemist, Botanist, and Superintendent of the Civil Veterinary Department. Its main object is the improvement of Indian agriculture, and its operations include the management of experiment stations; a college for technical agricultural education; the distribution of improved seeds and implements; the introduction of improved methods by demonstrative farms, issue of publications, co-operative tests, work of district agricultural associations, and the like; veterinary dispensaries, cattle-breeding farms and measures for the suppression of cattle diseases; the management of Government and district gardens; technical advice to Government in cases where agricultural interests are concerned; some branches of technical education and the improvement of industries.

The most important measure of decentralization that I would recommend is the establishment of a provincial Legislative Council, which is justified by the importance of the interests with which the provincial Administration is now concerned. It would lead to legislation more in consonance with local needs, and would satisfy some of the legitimate aspirations of the people for a greater share in the government of their country. With this object, Berar should be declared to be British India, so far as the making of laws is concerned.

The district should be the essential unit, and the District Officer should be given larger powers of initiation and final disposal, both in matters relating to revenue and general administration. This should involve a more rigid system of selection for that post than has hitherto been enforced, and I would give the Commissioner the right to withhold certain powers in exceptional cases, where an inexperienced officer is appointed to the post of Deputy Commissioner. I would lessen the burden that this would throw upon District Officers, by increasing the powers of the Sub-Divisional Officers.

The introduction of the sub-divisional system has improved the administration and been welcomed by the people. I would extend it by making senior assistants permanently reside at the headquarters, which are not too isolated, and in every case I would provide a permanent residence in which the Sub-Divisional Officer should reside from November to June, during the intervals of his tours. The Deputy Commissioner would get some relief from the heavy burden of office work (1) by being entrusted with larger powers of final disposal, (2) by delegation of more powers of final disposal to the Sub-Divisional Officers.

The position of Commissioner is one of the greatest importance in the well-being of the country, but instead of giving him, as at present, a considerable share in the actual administration of each district, I would like to see his functions altered more to those of direction and control over District Officers, which would largely be exercised rather by inspection than by constant official references. To give a specific instance, the Commissioner should control all revenue collections of a district by examining the figures of his inspections rather than by receiving monthly statements showing the progress of collections. And in his turn, the Commissioner should be given some of the powers of final disposal at present exercised by the Chief Commissioner, more particularly in such matters as the Court of Wards, revenue appeals, and the like.

As a particular instance, I would mention the system of appeals under the Land Revenue and Tenancy Acts. The general rule is that each case is decided by the Deputy Commissioner (or an assistant invested with Deputy Commissioner's powers), a first appeal lying to the Commissioner and a second appeal to the Chief Commissioner, even in such petty matters as the appointment of a village watchman. In such cases of small importance, the Sub-Divisional Officer should have powers of disposal, a first appeal lying to the Deputy Commissioner; a second appeal to the Commissioner should not be allowed unless the decision is reversed on first appeal. In important cases, the decision should be made by the Deputy Commissioner, with first appeal to the Commissioner, and a second appeal to the Chief Revenue authority only when the first decision is reversed. Each party would thus be given one right of appeal.

The constant touring (more particularly of subordinates of several departments) is considered a hardship by many villages. The necessity for touring has been pressed, in the interests of efficiency, somewhat in advance of the real requirements of the people. At the same time, it is necessary for superior officers, such as the Commissioner, Deputy Commissioner and Sub-Divisional Officer to come into close personal contact with the villagers. In order to lessen the abuses at present inseparable from touring, I would recommend a change from the present system, in which an officer usually marches to a fresh camping ground each day, to a system under which a standing camp would be kept for a substantial period at the most important village of the tract, where supplies are available in the open market, the officer making daily tours from this centre to villages within a convenient radius.

As the integral unit of the Government, the District Officer should be in close touch with all branches of the administration in his district. This is at present the case in regard to most branches, such as police, forests, excise, education and the like, but the Public Works Department is a glaring exception. The administration of this

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department stands the lowest in general reputation for efficiency, and on more than one occasion respectable native gentlemen have told me that they would not permit their sons to enter this service. The evils are largely due to insufficient administrative control, and I recommend that the Public Works Department should be placed in the same relation to the District Officer as other Government Departments.

Larger powers should be given to Municipal Committees and District Councils, so that they may take a real part in the self-government of their district. At present they are treated more on the lines of a Government Department than as an independent, self-governing body. Their financial powers should be increased, more particularly in regard to establishments, Public Works, reappropriations and the like. The chief difficulty is that as a rule their funds are not sufficient to employ an efficient staff, so that the execution of most schemes has to be handed over to a Government Department.

Some large municipalities are quite competent to manage their own affairs, but this is not the case with most municipalities and local bodies. In the latter cases, I would revert to the old practice, under which the Deputy Commissioner was the President. It is in accordance with Indian opinion that the affairs of the district should be managed jointly by the District Officer and the leaders of the people. Moreover, it has excellent results in bringing the District Officer into close touch with such leaders. Far from being a retrograde step, I believe that it would result in a more rapid advance towards local self-government.

The District Council is capable of being as good a District Advisory Council as any that could be created ; I do not see any good in forming a separate advisory body, but would utilise the District Council for this purpose. I doubt very much whether the village communities can be relied upon for much assistance in disposing of local affairs, but a trial might be made in suitably selected villages of entrusting the village panchayat with some control over local affairs, and with the power to settle the civil disputes (up to a fixed small value) of parties who both consent to abide by their decision. If successful, the scheme might be expanded to include small criminal powers.

As Inspector-General of Agriculture for India, my relations with provincial departments of agriculture were solely advisory, and I consider that this is correct in principle and worked well in practice.

26468. Are you brought much into contact with the Inspector-General of Agriculture?—Yes, whenever we write and ask for advice in regard to matters he gives such advice as he can, and he comes round on tour occasionally in order to inspect us.

26469. Do you have any official correspondence with him direct?—Yes, generally upon technical matters in which one desires advice in regard to specific pieces of scientific work.

26470. Is that conducted through the Local Government?—No. It is the duty of the Director to keep the Local Government informed on points of importance on which correspondence is occurring, and he also has to report all matters of importance which may have occurred during the year.

20471. Is there any tendency on the part of the Inspector-General to interfere directly with your work?—No.

26472. Supposing he came and found one of your experimental farms was not being satisfactorily conducted, what steps would he be likely to take?—He would give to the Local Director his advice as to points where he thought things were wrong, and then it would be for the Director to deal with it.

26473. He would not advise the Local Government?—I do not think he ordinarily corresponds with the Local Government. I think his usual procedure is to come round and write an inspection note, which he sends to the Local Director, upon which the Local Director takes such action as he thinks necessary.

26474. Supposing he took no action, what could happen?—Then I do not think anything else would happen. I think the matter ends there, unless it was taken up specially by the Inspector-General to the Government of India. The Inspector-General generally asks us what action we have taken on his notes and we report.

26475. You do that as an act of grace and not as an obligation?—Yes.

26476. On the whole, you think the appointment of Inspector-General of Agriculture has been a good appointment?—I think quite a good one.

26477. You have a certain staff under you managing experimental stations?—Yes.

26478. Have they any powers of their own, or must they come to you in regard to all their expenditure for experiments?—I have delegated certain powers, and with regard to the stations, they manage them entirely themselves, and only have to report to me any specific individual proposals which they think of sufficient importance to require my sanction.

26479. Has the officer in charge of the farm here a free hand to do what he likes?—Yes. If he wants to alter the programme of work it is reported, and the proposal is discussed by the whole of the staff generally.

26480. Do you prepare a budget?—Yes.

26481. Can you put on as many labourers as you like within the budget entirely at your own discretion?—Yes ; the officer in charge of the farm would do so, without reference to me. On a farm the labour must vary from day to day according to the requirements, and it would be impossible to have a fixed scale. He has a free hand in regard to variable labour.

26482. You have also been a Commissioner of Settlements?—Yes.

26483. We were told by a witness that the appointment of a Commissioner of Settlements was hardly necessary, and that the work should be left to Divisional Commissioners ; have you anything to say in regard to that?—Do you mean that the appointment should be abolished and taken over by the Divisional Commissioner? I think that would be an extremely unwise proposal. The Settlement Officers as a rule appointed in this province are young officers who, at the start, have very little experience of settlement work, and who therefore require considerable supervision particularly in the earlier stages of their work. I do not believe that such supervision could be given by Divisional Commissioners, partly on the ground that they have other duties to perform, and partly on the ground that the Divisional Commissioners themselves may not have experience in the technical branch of the work.

26484. Is your decision upon settlement questions and appeals from settlement questions final?—No, appeals go to the Chief Commissioner direct.

26485. Another suggestion made was that every young officer on first coming out should, after a period of probation at headquarters, be put under the charge of a Settlement Officer in order that he might acquire a thorough knowledge of the language and mix with the people of the province ; have you any remark to make as to that?—At present every Civilian goes through a course of training under a Settlement Officer.

26486. Would it not do a man much good to go under a Settlement Officer at the beginning of his service?—Yes, I think he should go out, but not on specific settlement training, but more in the way of acquiring a general knowledge of the language and the people.

26487. You suggest that the Sub-Divisional Officer should live in his sub-division ; what is your reason?—In these provinces, with the exception of two or three sub-divisions, the Sub-Divisional Officer lives at the district headquarters, but in some other provinces he lives entirely at the sub-division. The advantages of both methods vary according to the different parts of the country. In some cases

you get terrible isolation for a European, which affects his nerves and general system greatly, while in others you get the officer not sufficiently in touch with his sub-division. As far as these provinces are concerned, I think the best system would be to insist that the Sub-Divisional Officer should be out in his sub-division for the seven open months of the year, and let him remain at headquarters for the other five.

26488. (*Sir Steyning Edgerley.*) Does much correspondence grow up on the inspection memos you receive?—Not much.

26489. It is not usual to send them to the Local Government?—It is left to the discretion of the Director.

26490. And when it has been dealt with, it is not sent up for information so that the Local Government may know what is being done?—That duty is also left to the discretion of the local Director.

26491. But do you send it to the Local Government with your remarks?—As a rule, yes.

26492. Is there any order that you should?—I do not think so. The communications from the Inspector-General may be on some purely technical matters in which the Local Government is not intensely interested, or they may deal with an important proposal.

26493. Is there any tendency for the correspondence to grow between yourself and the Inspector-General?—No; in fact I think we should prefer to see more of the Inspector-General than we do.

26494. Do you endeavour to co-ordinate your experimental work with what is done at Pusa and elsewhere?—Yes. It is done very efficiently by the meetings of the Board of Agriculture at which our annual programme is discussed, and where we often receive most valuable suggestions. We submit our programme of work for the year to the Board, and the Board, as a body, pass such remarks on it as they think fit.

26495. What is the exact organisation of the Civil Veterinary Department here?—At the present time, there is a Superintendent of the Civil Veterinary Department who is a member of the Imperial Service, and who is under the control of the Director of Agriculture, and at the same time there is a staff of six inspectors in charge of divisions who are paid from provincial revenues; then there is a larger staff, at the present time I think about 60 veterinary assistants, who are in charge of dispensaries or peripatetic work in the districts, who are paid by the local bodies.

26496. What is the control over the Local Board establishment; is that vested in the Local Boards?—It is shared between the superintendent and the local bodies; for instance the power of appointment rests largely with the superintendent; he finds the men and places them under the local bodies, and the local bodies pay for their services and are supposed to supervise their work.

26497. Where are these men trained?—At the veterinary colleges throughout India.

26498. Can the Local Boards control their work very much?—At present the system has not been found efficient; it is a divided responsibility which has not worked well, and proposals have now been submitted by the Local Government to the Government of India for the provincialisation of the whole staff.

26499. Are the inspectors in the Provincial Service entirely?—Yes.

26500. Is the superintendent entirely under your orders?—Yes; he is on the imperial establishment and paid from imperial revenues; but he is entirely under the control of the Local Director; transfers, leave, and such like arrangements are made by the Inspector-General.

26501. He is practically supplied to the province by the Imperial Government?—Yes.

26502. Is your agricultural staff engaged principally on scientific work, or are they much in touch with the District Officers?—Some are engaged more on scientific work than others, but the majority are doing practical work in touch with District Officers.

26503. In regard to what sort of work?—The scientific work of the experimental stations is done entirely by the expert staff as such, but the whole of the other branches of the work of the department in regard to demonstration farms in the district, in regard to the district Agricultural Associations, and in regard to all practical work that is being done in the district, is being done as far as possible closely in touch both with the District Officer and the people; in fact, the department could not get along without the District Officer.

26504. Do you tour much?—Yes.

26505. As regards a suggestion of a different system of touring which you make, is there anything to stop an officer who prefers that system adopting it?—I think not.

26506. A halt for three or four days and then a move on would be a cheaper form of travelling than travelling day by day?—It might possibly be so.

26507. Do you have many complaints in the district with regard to the insufficiency of travelling allowances?—There are complaints that it does not cover the officers' actual expenditure.

26508. Is that in any way due to the system of touring they follow?—I do not know; every officer as far as I know who goes on tour always takes the whole of his equipment and transport, and employs them straight through for the number of months that he is going to travel.

26509. Are they all on daily allowance?—Yes; the number of cases in which they travel more than 20 miles a day is extremely few.

26510. Are the allowances adequate?—I think so.

26511. (*Mr. Meyer.*) In this province do your officers tour during the cold weather months?—That is the ordinary rule. They also tour in the hot weather, or at the beginning of the hot weather at any rate.

26512. Do they divide the year more or less into two portions, during one of which they are constantly moving about, while in the other they are at headquarters?—Yes.

26513. Has not the placing of a Sub-Divisional Officer in separate headquarters the advantage of making a man more self-reliant?—Yes, I think so.

26514. Is that not rather a valuable element in a young officer's training?—Yes, but on the other hand you will find some cases where the Sub-Divisional Officer is isolated in an extremely jungly place which would be very detrimental to his efficiency.

26515. He could always go into the district headquarters periodically to attend District Council meetings and so forth?—Yes.

26516. From the point of view of the people it would be an advantage that they should have an officer near at hand?—Yes, I think so.

26517. As regards settlements, is the Settlement Officer in a district in any way subordinate to the Deputy Commissioner?—No.

26518. Does he submit his settlement reports through the Deputy Commissioner?—Not when I was a Settlement Commissioner.

26519. Do you mean to say that the Deputy Commissioner has no say in such an important matter as the re-settlement of his district?—I think not. The Commissioner has every say.

26520. At what stage does the matter go to the Commissioner?—Every report goes through the Commissioner.

26521. That is to say the Settlement Officer sends his report through the Divisional Commissioner, and the Divisional Commissioner forwards it, with his remarks, to the Settlement Commissioner?—Yes.

26522. Then does the Settlement Commissioner send it on to the Chief Commissioner?—Yes.

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26523. Do you not think that the Deputy Commissioner might be taken in too?—Yes, I think the Deputy Commissioner might be brought more closely into touch.

26524. In Madras the Settlement Officer is an assistant to the Collector for settlement purposes, and is supposed to consult the Collector; would that be a good plan here?—In the Central Provinces Settlement is a technical line of work in which the Deputy Commissioner could give very useful advice on broad questions of principle, but in regard to the detailed working I doubt whether he would be more than a drag on it.

26525. I am speaking from the point of view of matters which affect the people such as the character of the assessments; would it be advantageous to adopt the Madras system?—I doubt it; I think the disadvantages would be greater than the advantages.

26526. Still you think that the Deputy Commissioner should be consulted?—Yes, and as a matter of fact the Settlement Officer does consult him, if not officially, at least unofficially.

26527. Is there not a vast amount of control over your settlements by the Supreme Government?—Yes.

26528. A reference has been made to the Government of India for relaxing that control; does that meet with your approval?—Entirely.

26529. Is it sufficient for the Government of India to lay down principles and to leave the details to the local administration?—I think so.

26530. In Northern India they have to send up inception reports; are those necessary?—I think they are useful. The inception report and the final report are the two most useful things which the Government of India get.

26531. Do you mean from the point of view of information, or what?—The inception report lays down the general lines upon which a settlement is to be conducted; it contains an estimate of the enhancement which it is considered advisable to put on, and it seems to me the most useful report there could be.

26532. But the general principles have been already laid down by the Government of India themselves in a variety of resolutions?—I meant the application of the principles to a particular district.

26533. And you think that the Government of India ought to be in a position to see whether the general principles are being properly applied to particular districts?—Yes; if the Government of India are to have any control over settlements at all, the best time at which to do it is on the preliminary proposals.

26534. You know of course that Madras and Bombay are under no such restrictions?—Yes.

26535. (*Chairman.*) Do you think any evil has resulted from that?—Not that I am aware of.

26536. Would inception reports come to you while you were in the Revenue and Agricultural Department of the Government of India?—They passed through me as Under-Secretary.

26537. (*Mr. Meyer.*) We have been told that in some provinces the Revenue and Agricultural Department have been unnecessarily interfering with Local Governments in matters of land revenue, and that in Bengal they have endeavoured to force the Punjab methods; what is your opinion?—I think the control of the Revenue and Agricultural Department has perhaps been more detailed than some other departments of the Government of India.

26538. Would you say unnecessarily detailed?—Yes, I think so.

26539. All Local Governments outside Madras and Bombay have to get sanction for settlement appointments beyond six months; is that necessary?—I do not think so.

26540. You have a general scale regulating the emoluments of Settlement Officers?—Yes.

26541. When a settlement has been sanctioned, might a Local Government have power to sanction appointments of its own officers within that scale?—Yes.

26542. Has no one any power of remission below the Chief Commissioner?—I am not very well acquainted with the latest rule, but that used to be the rule; I think the rules have been relaxed to a certain extent lately, and that there are more recent rules giving certain powers to the Commissioner.

26543. At any rate you know that the Government of India laid down certain rules as to remissions in times of calamity and so on?—Yes.

26544. With regard to agricultural loans, is there any necessity for extending the powers of local officers?—Not that I know of. I think the present system works fairly smoothly.

26545. We have been told that there are revenue inspectors in districts, but that they are under the Director of Land Records; might they not be regarded as part of the regular district establishment—it is part of the normal work of a District Officer to deal with land records?—Yes, the Deputy Commissioner at the present time has substantial powers over the revenue inspector's staff.

26546. Can he reduce or promote or dismiss them?—I do not know that he can reduce them, but he has power of punishment over them.

26547. Can he transfer them within a district?—No. The Director of Land Records does that.

26548. Who appoints them?—The Director of Land Records.

26549. Might not they be regarded as a regular portion of the district staff subject of course to inspection by the Director of Land Records?—The difficulty which would arise is that the number of inspectors is so small that, in order to keep up any general level of efficiency throughout a province, it would be necessary to have a general power of transfers from district to district, rather than making them district units.

26550. How many would you have in an ordinary district?—About 10 or 12.

26551. And that is not enough to enable the Divisional Commissioner to deal with them?—I do not know; the ordinary procedure is that the Director or his Assistant visits districts inspecting the land records, and if he finds in a particular district that the inspectors are weak he would immediately draft into it some of the best revenue inspectors about the provinces in order to strengthen it; or he would find that a particular man was not getting on particularly well in a circle, and then he would be transferred.

26552. Do you not think the present system leads to the Deputy Commissioner getting dissociated from land work?—I think it does; I do not know that it would be advisable to hand the staff wholly over to the Deputy Commissioner, but his powers and responsibilities might be increased.

26553. The agricultural staff, both imperial and provincial, has been very much increased of late years?—Yes.

26554. It has been said that the imperial staff, especially, is inclined to concentrate too much on mere research, and to leave matters of practical agriculture alone—is there any basis for that?—There may be a slight danger in that way, but on the other hand the intention is that the Imperial Department should very largely concern itself with abstract research, abstract research being the essential necessity for the solution of actual problems that arise. It is not right to say that there is a distinction between abstract research and actual agriculture.

26555. Would your idea be that the provincial staff should deal with practical work and the imperial staff with research work?—Yes, to some extent; it is impossible for the provincial staff to take up large fundamental problems.

26556. Then you do not think the imperial staff has been unduly centralized?—No.

26557. You have annual conferences for India, have you not?—Yes, under the presidency of the Inspector-General of Agriculture.

26558. Have those been of any practical use?—I think so, of great practical use.

26559. Was it not the original intention that the District Boards should deal with the Civil Veterinary Department?—Yes.

26560. And was not the idea to popularise veterinary work among the people, and that the District Boards were a good agency for doing it?—Yes.

26561. The tendency has been rather the other way, to take power away from District Boards and to provincialise—do you think that a good thing?—The other system has been tried and has been found absolutely to fail; the District Boards will not control a technical department doing technical work which they are not intimately concerned with.

26562. Is it really a matter which the Government must take up?—I think so.

26563. Through the District Officer?—Yes.

26564. Under the present scheme who will pay?—Under the new scheme it is proposed to follow the analogy more or less of the Medical Department in which the salaries and allowances of the inspectors are entirely paid from provincial revenues, and the actual expenses of the dispensaries, such as the subordinate staff, medicines, &c., will be paid by the local bodies.

26565. But at the same time the local bodies will have no say in the management?—Not a very large say.

26566. Is that a good system?—It has worked well in the Medical Department.

26567. If this work is too technical for the District Boards, would it not be better to take the pecuniary liability away from them and let the provincial Government undertake it direct?—Yes, I think it would.

26568. (*Mr. Dutt.*) You said that the inception report which is sent up to the Government of India contains something like an estimate of the enhancement which may be expected from the revision of a district; on what materials is that estimate prepared?—It is based on a general survey of the district, the increase of cultivation that has occurred, the rise in prices, the general state of prosperity or the reverse in a district, and all the ordinary considerations on which either an increase or decrease of land revenue is based. It is a general survey without any detailed investigation.

26569. Generally does the result correspond with the estimate which is formed at first?—Yes, I think so, fairly closely.

26570. Is there a re-classification of soils at each settlement?—Yes. The re-classification simply consists in a check of the previous classification with a rectification of any errors that come to light in it.

26571. Are those errors found to be frequent?—I think not.

26572. Would the fact of cotton having come into cultivation more extensively necessitate a great re-classification of soils?—Certainly.

26573. Is that re-classification done on the soil-unit system?—Yes.

26574. What is the class of officers entrusted with re-classification in villages?—It is entrusted to a staff of revenue inspectors who have been specially trained under the close supervision of an Assistant Settlement Officer and checked by the Settlement Officer. They are men receiving from about Rs. 30 to Rs. 50, and they are specially trained in soil classification before taking the work up.

26575. Do you say that the Settlement Officer's report might be sent through the Deputy Commissioner to the Commissioner?—I am inclined to think that that would cause unnecessary delay.

26576. You would not find any corresponding advantages if it was sent to the Deputy Commissioner and he was given a chance of making any remarks he might wish to make?—I doubt it, because the reports are such masses of detail.

26577. You do not think the Deputy Commissioner would like to make some remarks about the rent-rates?—Yes, upon the general principles; but when you come to separate village rent-rates fixed for each district, I doubt whether any advantage would accrue.

26578. Then you suggest that a report which contains the general result might be sent to the Deputy Commissioner, but not detailed reports?—Yes.

26579. When the rent-rates are fixed, is it generally made known to the people before they are sent up for sanction?—The actual rent-rate of each particular village is not make known to the people, but the general proposals for each tahsil are made known to the people and discussed at a meeting at which the Deputy Commissioner is present.

26580. Would that enable the cultivator to know exactly whether he has to pay any increased rental or not?—Not actually. He would be told what was the estimate for his *tahsil* and the increase or decrease that was likely to occur in rents or revenue generally in the *tahsil*, and he would also learn from the report which particular parts of the tahsil were likely to be above the average and which below the average.

26581. After the report has been submitted and sanctioned, if any particular cultivator has any objection to bring forward, what opportunity has he of doing so?—The Settlement Officer visits every village, and he has the opportunity of discussing with him the classification of the soil of his holding and the terms of his tenure and rights. He has that opportunity of seeing the Settlement Officer, and he also has the opportunity of criticising the assessment of his land at the time of the announcement of the rent.

26582. The announcement is made after it has been sanctioned by the Government?—Yes, by the provincial Government, I think.

26583. Then if he finds he is liable to some enhancement and he wishes to contest it, what does he do?—The Settlement Officer at the time of the enhancement is empowered of his own motion to make any small changes he wishes.

26584. After the sanction?—Yes, but that is a power seldom exercised. After the settlement has been announced, the tenant has a right of appeal to the Settlement Commissioner and a second right of appeal to the Chief Commissioner.

26585. Apart from Settlement Officers would you allow an appeal to the Deputy Commissioner?—I think two appeals are sufficient.

26586. As one set of authorities has made the assessment, would you approve of an appeal lying to another set of officers, not Settlement Officers, but the Deputy Commissioner and Commissioner?—I do not think the Deputy Commissioner would always be a good appellate officer, but I think the Commissioner would be quite good.

26587. You do not object to an appeal lying to the Commissioner?—No.

26588. Are there irrigated lands in the Central Provinces?—Yes.

26589. Is the irrigation rate consolidated with the land revenue or it is separately assessed?—It has only been during the past few years that there have been any Government irrigation works, and at the present time the assessments are entirely separate from the land revenue.

26590. Is it fixed, or does it vary with the nature of the crops grown?—At the present time it is purely tentative, and it has only been going on for the last few years, so that they have been groping round for the best system of levying the rate, and no fixed system has been introduced.

26591. (*Sir Frederic Lely.*) With reference to your proposal as to the residence of Sub-Divisional Officers, would it not be better still in isolated

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headquarters if a small house were provided for an officer with simple furniture, and if he were expected to go out and pay visits there even during the five months of the monsoon?—I think so. I think with regard to these extremely isolated subdivisions, it is very detrimental to the work and the health of the officer to keep him out there isolated for the whole of the twelve months. Occasional visits during the rains and permanent residence during the open season are necessary.

26592. (*Chairman.*) You say that you think the control of the Revenue and Agriculture Department is too detailed—or what particularly are you thinking?—I was inclined to think that during the past few years they had issued more instructions in regard to revenue matters than had been the practice perhaps in the past, and that there undoubtedly was a general impression throughout the provinces that were visited by me that the Revenue and Agriculture Department had done more in the shape of trying to insist on proposals to Local Governments than had been done in other departments.

26593. Can you give any particular instances of that?—It is a question of men more than principle, and the idea generally was that the Revenue and Agriculture Department had for some few years past been manned largely from the Punjab, and that Punjab proposals had been sent round by the Government of India for adoption in other provinces to which they did not particularly apply.

26594. Did the Government of India insist that their suggestions should be acted upon?—I think not.

26595. It was merely a suggestion that it might be a good method to adopt?—Yes, not generally further than that.

(*The witness withdrew.*)

Mr. K. S. JATAR was called and examined.

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26596. (*Chairman.*) You are Deputy Commissioner at Akola?—Yes.

Deputy Commissioners may be given the following powers:—

(*a*) To acquire lands for public purposes under the Land Acquisition Act I think without reference to higher officers, and (*b*) to reduce rents for lands acquired for public purposes and to pay compensation in cases where the amount of compensation to be awarded exceeds even ten times the rental. The powers of Collectors or Deputy Commissioners under the Land Acquisition Act appear to have been unnecessarily limited. Except in cases where the land can be acquired by private negotiation, and the amount of compensation awarded is less than ten times the assessment, a reference has always to be made to the Local Government. The land under cultivation, at least in Berar, is getting dearer and dearer. The assessment is not high and in a large majority of cases private negotiation is not found practicable, and the amount of compensation to be paid is ordinarily very high. The villages are growing in size, and population is increasing, and with it the general needs of villages, and it is found that while assigning lands for public purposes at the time of revenue survey and while granting waste lands for cultivation afterwards, due consideration has not been paid to the future increasing wants of land for public purposes. The result is that cases of acquisition have frequently to be opened. These cases are very often delayed owing to the references which have to be made to the Local Government. Sections 4 and 6 of the Land Acquisition Act require that notifications should be published in the Gazette before proceedings are taken up to acquire land. The other day land was urgently wanted at Akola by the Great Indian Peninsula Railway for a siding required for a mill which is being constructed and also for opening new crossing stations. Nothing could be done for nearly two months in spite of repeated reminders from the Railway Engineer. The Deputy Commissioner has power to acquire land, and he may be trusted to determine in what cases recourse should be had to the provisions of the Act for compulsory acquisition. One of the objects why the notification in the Local Gazette is necessary is probably to give publicity, but the Deputy Commissioner has several means at his disposal to make his proposals widely known. Rule 21 framed by the Local Government requires that the sanction of the Commissioner should be obtained for reducing the rent of the land acquired. This appears to be quite unnecessary. The work would be much simplified if the Deputy Commissioner is authorised (1) to determine what the proper public purposes are for acquiring land, (2) to pay compensation at the rate prevailing in the market, and (3) to reduce the rental.

Section 39 of the Land Revenue Code requires that the Commissioner's sanction should be obtained to appropriate land set aside for one special purpose to another. The general experience is that the proposals of the Deputy Commissioner are accepted, and hence the reference to the Commissioner appears to be unnecessary.

The Deputy Commissioner should be able to advance loans under the Agriculturalist Loans and Land Improvement Acts to the extent of Rs. 5,000 at least in each case, and to extend the period of recovery to 30 years without reference. At present a Deputy Commissioner can give loan to the extent of Rs. 500 only, and he must recover the amount within 20 years. This comes in the way of granting loans to big cultivators and the matter is delayed. Applications for loans for large amounts are few, but that does not show that the necessity does not exist. The restrictions give rise to a belief that large loans are not encouraged by Government.

Under the Berar Patels and Patwaris Law also the powers of Deputy Commissioners have been unnecessarily curtailed. The Deputy Commissioner is the officer on the spot who could easily determine whether the rights of different *watan*-holders or their families are so evenly balanced as to justify the introduction of rotation among the office-holders, and the references to Commissioner under the section quoted in the heading are quite unnecessary particularly because appeals are often preferred in important cases. Some of the villages in Berar are very small, and the small emoluments of the village officials are not sufficient to attract qualified candidates. In such cases the Deputy Commissioner should be given the discretion to exempt *patels* and patwaris from the prescribed educational qualifications.

The Deputy Commissioner has to obtain sanction in cases where he has to appoint clerks getting Rs. 25 and above and has no power to transfer higher officers like tahsildars and naib-tahsildars even within the district. Selection for promotion among clerks should be carefully done, and the Deputy Commissioner has the opportunity of knowing the qualifications of every one of his subordinates. The necessity of entering into a long explanation for supersession of incompetent subordinates naturally prevents some District Officers from making suitable selection. So long as there is a right to appeal no restrictions are wanted. At present if a naib-tahsildar has to be transferred, because he does not agree with his tahsildar or for similar reasons, the Deputy Commissioner has to make out a case and send it up to higher officers. The appointments of tahsildars and naib-tahsildars should rest entirely in the hands of the Commissioner. The Commissioner knows the right sort of people in the province and can very well make his selections. A Deputy Commissioner should also have greater powers about appointments and transfers of subordinates in the Police, Forest, Medical and Educational Departments.

The Deputy Commissioner is not authorised to appropriate savings from the provincial district budget under one major head to meet the excess expenditure under another major head, *i.e.*, transfer of grants from land revenue to law and justice. He cannot also transfer allotments under contract

contingencies from one class to another, *i.e.*, land revenue to excise or excise to stamps, &c. The power to transfer such allotments may be delegated to the Deputy Commissioner.

Any change, temporary or permanent, proposed in an office requires the sanction of the Local Government. The power of sanctioning permanent appointments, the pay of which does not exceed Rs. 50 per mensem, may be vested in the Commissioner, and the Deputy Commissioner may be empowered to sanction temporary appointments which do not involve additional expenditure of Rs. 500 per annum for a period of two years, a special fund being placed at his disposal for this purpose if necessary.

I am not in favour of curtailing the right of appeal in any cases.

It is not the tendency of the Central Provinces Government to regard matters too much from a purely departmental standpoint, nor is it too impersonal and too much dominated by considerations of revenue. But the old Berar Government was too much influenced by considerations of revenue, and the defects in the administration caused by the policy of the old Government have not yet been removed. For instance, in the matter of settling the emoluments of village officials too much consideration was given to the revenue coming from the particular villages for which the *patels* and patwaris were appointed. The same scale was made applicable to rich and poor villages without regard either to the dignity or the responsibility of the officer. In villages yielding small revenue the *patel* often gets a trifle though he has to look after a large population. His emoluments are in some cases less than the remuneration of his subordinates, the *jaglias* and *mahars*. So also in the case of giving out plots for habitation from building reserves in municipalities and particularly in the matter of giving permission to build houses in land outside large towns too much attention is paid to revenue. The question of sanitation does not receive the consideration it deserves. The result is that large towns are over-crowded and get very insanitary. The third instance is about forest revenue. The principle that lands yielding sufficient amount of grass for the plough-cattle should be assigned for free grazing is admitted, but it will be found that only such rocky lands where cultivation is impossible have been generally left for these purposes.

The Commissioner has hardly sufficient opportunities to express his views in important matters with the Departments other than Land Revenue, and his views do not receive sufficient consideration. The Heads of Departments correspond direct with the Secretariat and the District Officers correspond direct with the Heads of Departments, and the Commissioner is often in the dark as regards important pending questions and it is left to the pleasure of the Heads of Departments whether to consult the Commissioner or otherwise. No important case should be submitted for orders without consulting the wishes of the Commissioner.

Executive Officers have not sufficient opportunities for personal contact with the people. The principal obstacles are under (1) excessive writing work and (2) want of social intercourse. If private gentlemen come to call, officers have no time to enter into free conversation, and at the time interviews are granted officers are often thinking of their files and cases and time. People begin to think that their calls are a burden on officers and the result is not satisfactory. The idea of many officers is that granting interviews to the people is a piece of strict official business. Executive Officers as a rule possess sufficient knowledge of the vernaculars.

I do not think any general increase in the administrative staff is required, though a few officers are overburdened with work. A general reduction in the areas of the Berar districts is urgently called for. The districts have become unwieldy and a District Officer is not able to have that local knowledge of the conditions and people of all parts of the district which is essential for efficient administration.

The frequent transfers of officers are a great obstacle to any improvement in the administration. Within the last 20 years there were no less than 30 transfers of Deputy Commissioners at Akola. The transfers of Assistants are even more frequent. Since July, 1904, I held charge of two of the three sub-divisions in Berar twice and of the third once, and of two districts. The number of transfers could be minimised by fixing the pay of each post. Owing to the salary of officers being personal they can be sent to any station at any time. If the pay of a certain post is fixed, only officers of one grade will be sent to the station. There should be a rule that an officer who has not served at a station for at least three years should not be transferred.

Generally municipalities have sufficient powers of control though occasionally it is found that there is too much interference from District Officers. In the present condition of the Committees the powers of supervision granted to District Officers cannot be curtailed, and it must be left to the District Officer to use discretion in interfering. The present complaint in Berar is that members of local bodies do not take sufficient interest, and the reason usually assigned is that the members have no powers. I should recommend the granting of the following powers and functions by way of experiment to selected municipalities:—

(1) To recover municipal dues by distress and sale of moveable property of the persons instead of sending requisitions to Magistrates;
(2) To grant sites in municipal area and to recover all income of these sites;
(3) To impose fines in municipal cases;
(4) To sanction and execute works up to Rs. 5,000 without obtaining sanction from local officers; and
(5) To appropriate funds from one major head to another so long as the budget grant is not exceeded.

District and Local Boards have got ample powers, but except the office-bearers, *i.e.*, Secretary and Vice-Chairman and Chairman, the members take very little interest. If the duties are properly divided and responsibility fixed on each member more interest will perhaps be taken. These bodies also may be permitted to sanction and execute works to the extent of Rs. 5,000 without sanction. At present the surplus cattle-pound receipts and the bazar revenues are credited to the District Board, but the District Board have no control over the management of bazars and pounds. The powers of appointment and dismissal of pound-keepers may be transferred to the Board and the management of bazars may also be entrusted to that body.

I think the time when Advisory or Administrative Councils would be formed has not yet arrived. It is at present impossible to secure the services of gentlemen who will have both the ability and the will to give the necessary assistance. Our District Boards as at present constituted are, in fact, Administrative Councils, and if their powers are slightly extended and if by the growth of education they come to understand their own responsibilities, they will be able to assist the District Officer in much of the local work, and no further steps need be taken at present in the direction of creating Administrative Councils. District Officers do, as a matter of fact, try and seek advice from influential native gentlemen of the district in important matters, but the kind of advice which is wanted is very difficult to secure, because most of the respectable people possessing stable interests are either not well informed or do not possess the necessary public spirit. If it is made compulsory for a District Officer to consult a certain body of people formally there is a chance of increasing the delay in business. I would not therefore suggest the formation of a formal body of advisers. The Deputy Commissioner knows the good men of his district who are capable of giving him advice. At present a record is not always carefully maintained of the names of men capable of giving assistance and advice, and though in the handing over memoranda some officers keep some notes, it is often difficult for District Officers to get such help when they are new in a district. All that is at present necessary is to keep carefully prepared lists of influential men able to give help in the shape of

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sound advice in important matters, which may be revised every three months by personal inquiries. If these lists are carefully prepared and revised from time to time, and if District Officers keep free relations with the gentlemen whose names have been included in them and of others of their position and standing, no further action would be necessary.

To place District Boards under Municipal Committees or *vice versa* would give rise to considerable difficulties. To place the powers of control of establishments in the hands of Deputy Commissioners as hitherto is not desirable, because the local bodies are apt to forget their own responsibilities. I would therefore propose a small body being formed in a district for which influential and experienced members may be nominated by all District and Local Boards and Municipal Committees, and the control of all establishments of local bodies may be placed in the hands of this body.

In every village a panchayat (committee) should be formed experimentally, consisting of 5 to 10 members, according to the size of the village. The committee should be fairly representative, care being taken to include members of different castes and religions. These committees may be given control over schools and entrusted with powers to settle civil disputes up to the value of Rs. 25, and petty cases of assault, and cases of nuisance and theft of crops to the value of Rs. 10 from fields. They may further be entrusted with the work of village sanitation and empowered to raise funds sufficient to defray the expenses of sanitation. These panchayats should be placed directly under the control of the District Boards. At present panchayats are held among members of some castes and they are sometimes found to promptly dispose of intricate questions which, if referred to the Courts, would generally remain long pending.

26597. You say that power might be given to Deputy Commissioners to acquire land for public purposes, without reference to higher officers; have you any powers at all in that respect at the present moment?—Yes. If it can be acquired by private negotiation, and if the amount to be paid is less than ten times the land revenue, I can acquire without reference to any higher authority.

26598. No matter how much the tract of land is, can you spend the necessary sum, if it is to be acquired privately?—Of course the budget will have to be sanctioned and the amount obtained.

26599. Had you ever had occasion to desire more power?—No, I personally have had no occasion, but Deputy Commissioners have, for railway purposes.

26600. Are you President of a Local Board?—I am President of the District Board at Akola.

26601. Do you carry out, as President of the Board, any works on behalf of the District Council, or is that the duty of the tahsildar?—It is done by the District Board agency. We have a local fund supervisor, and overseers under him, and the work is executed by the local body.

26602. Supposing the District Board wants to carry out a work costing over Rs. 500, who does it?—The Executive Engineer. We send it to the Executive Engineer, and he gets it done by the District Engineer or the supervisor under him.

26603. Is it not done by the tahsildar?—No, unless it is a work costing less than Rs. 200. The tahsildar does the work up to Rs. 200 and between Rs. 200 and Rs. 500 the local supervisor does it under the direction of the District Board.

26604. Are you speaking only of Berar?—Yes.

26605. Does the practice in Berar differ from the practice in the Central Provinces?—Yes.

26606. Do you find the system which obtains in Berar works well?—Yes.

26607. You want some further power to grant loans under the Land Improvement Act, up to Rs. 5,000. What is the largest application for a loan which has ever been made to you as a Deputy Commissioner?—A thousand rupees.

26608. And you sent that to the Commissioner? Yes.

26609. How long did it take to get the Commissioner's sanction?—About two months. The loan was for an embankment.

26610. Did it make much difference whether the money was paid down at once or whether there was delay in getting it?—No; but it might on some occasions postpone the work.

26611. What is about the general size of loan which is applied for under these Acts?—The average is about Rs. 300 for land improvement loans, and about Rs. 150 for agricultural relief loans.

26612. Generally speaking your powers are sufficient, but every now and then you get demands which are beyond your powers?—Yes.

26613. With regard to the appointments and transfers of subordinate officers, what are your present powers?—I have power to appoint subordinates up to Rs. 25, and above that I have to obtain the sanction of the Commissioner.

26614. With regard to transferring or posting naib-tahsildars, what powers have you?—None; I have to refer to the Commissioner always.

26615. Would it be convenient for you to have power?—I think so, within my own district.

26616. Does the Commissioner generally accept your recommendations?—Ordinarily he does; he sometimes objects. Generally in 75 per cent. of the cases he accepts the recommendation.

26617. Are you Chairman of the District Board at Akola by virtue of your office or are you elected?—I am Chairman by virtue of my office.

26618. How do your work your District Board—by committees?—No, we have no committees except what is called a School Board.

26619. Do you prepare the budget?—The Vice-Chairman prepares it and brings it to me for approval. It is then formally passed at a meeting.

26620. When do you show it to them first?—On the same day that they come in to discuss it. In fact the whole thing is formally done before it is placed before them.

26621. Do you practically do the whole work of the District Board?—No, the Vice-Chairman does it. I do only the Public Works portion of it.

26622. Is the Vice-Chairman an official or a non-official?—He is a non-official.

26623. How long does the work take him?—From one to two hours each day.

26624. Do you travel about much over your district?—Yes; for three or four months in the year.

26625. Does that enable you to see the district fairly well?—My district is very large, and I cannot go to as many parts of it as I would wish. It consists of six *taluks*, about 4,000 square miles, and a population of 754,000.

26626. Supposing there was a non-official Chairman in your place, would it be possible for him to get over the district in the same way as you do?—I do not think so; and a non-official would ordinarily have no occasion to go out, while I have to go out to do my work.

26627. What language is spoken in Berar?—Mahrathi.

26628. Are you a Berar man yourself?—Yes.

26629. When a District Board employee has to be dismissed, can you dismiss him, or do you refer the matter to the Board?—I refer it to the Board.

26630. Has he any right of appeal?—He can appeal to the Commissioner.

26631. Is there any appeal afterwards from the Commissioner?—I do not know.

26632. Supposing there was a further right of appeal beyond the Commissioner, would you curtail that right and give the Commissioner full power to confirm or reverse the dismissal, or is it necessary to go beyond the Commissioner?—I do not think it is necessary in the case of District Board officials.

26633. Do you look after the schools in your district?—Yes, I do. For the primary schools the District Board pays two-thirds, and the provincial revenues contribute one-third. In municipalities the municipalities pay two-thirds.

26634. Have you anything to do with the municipality?—Yes; I am the Chairman of the headquarter municipality at Akola.

26635. Have you any secondary schools?—Yes, they are Government schools.

26636. Could you hand the primary schools over to something like a panchayat?—We have School Committees, which look after things, but the Board has to pay.

26637. If you started panchayats would you confine them to a single village or a group of villages?—In the big villages I would confine them to the village, but with regard to smaller villages I would have a group of from three to five.

26638. What would each village contain in population?—An average of 500.

26639. Then would you have a School Committee and give to the panchayat of such a group of villages supervision over the school?—Yes.

26640. Would you give them the management of the roads within the group of villages?—That would have to be settled by the District Board, but supervision might be given.

26641. Would you hand over sanitation matters to them?—Yes.

26642. And small petty civil and criminal cases?—Yes.

26643. (*Mr. Hichens.*) Are the Local Boards in Berar partly elected and partly nominated?—Yes. About one-sixth of the members are nominated. The rest are elected.

26644. Are there any District Boards in Berar of which the Chairmen are non-official?—No.

26645. Have you ever had experience of any Board where the Chairman has been a non-official?—No.

26646. How would it work in Berar if the Chairman were a non-official?—I do not think we should be able to get the men, and there would be other difficulties. The official has generally greater control over the executive staff.

26647. How much money in round figures in the year do you spend on roads?—Rs. 15,000 to Rs. 17,000.

26648. That is for a district of 4,000 square miles?—Yes.

26649. Is that not very inadequate?—Yes.

26650. What proportion of the roads do the Public Works Department undertake?—All the important roads are dealt with by the Public Works Department. We look after the smaller village roads, and construct a few roads between important villages.

26651. Is the number of smaller roads pretty substantial?—Yes.

26652. You are aware that in this division there has been appointed a Divisional Engineer, whose business it is to look after the District Board work. Do you think that will work well?—Yes.

26653. In that case might all the roads be put under the District Board, Government roads as well as District Board roads?—I would not give them charge of all the roads because it would be too much for one official; he would not be able to attend to it efficiently.

26654. Even assuming that he wanted an assistant, would it not possibly be more economical to have one staff to look after all the roads than two?—If he is provided with a sufficient number of assistants, that might be possible.

26655. The assumption would be that the same total staff would be provided as is provided to-day, and if that were done, might not the roads be taken over by the District Board?—Yes, I think so. Government would have to provide a substantial contribution.

26656. Ought Government to provide additional funds not merely for roads which it would hand over, but extra funds for the general work of the District Board?—Yes.

26657. Is veterinary work under your District Board?—Yes. Our dispensaries are very new and the work has not been fairly started.

26658. Do the members of the Board exercise any supervision or control over it?—No, they do not understand it much.

26659. Would you favour that work being taken away from the District Boards and given back to the Government?—No, I would not. In the course of time they will be able to do it.

26660. Have the Board any inspectors of their own for dealing with veterinary work?—They are under Government.

26661. If the inspectors were placed under the Board and reported to them and they were able to send inspectors where they wanted to, would they take more interest?—Eventually they may take interest.

26662. Is it worth while keeping the work under the District Board on the chance of encouraging them later on to take more interest in it?—Yes.

26663. Would you say the same thing with regard to vaccination work?—Yes.

26664. You are not in favour of Advisory Councils?—For District Councils I am not.

26665. What is your reason for objecting to them?—Because there would sometimes be delay.

26666. In your district, are there a large number of questions of general policy which you could submit to them?—Not a very large number. I can now consult any one informally, and I do consult people at present, whereas if I had a Council I should be bound down to consult a particular set of people who might not be able to attend meetings when required.

26667. And possibly with some officers it might have the effect of confining their consultations instead of widening them?—Yes.

26668. (*Mr. Dutt.*) Are the tahsildars of Berar generally men of high character and satisfactory on the whole?—Yes, latterly; especially those who have been appointed during the last three or four years.

26669. Tahsildars are now appointed by the Government?—They are appointed by the Chief Commissioner. I suggest that tahsildars and naib-tahsildars should be appointed by the Commissioner instead of the Chief Commissioner. As a matter of fact the Chief Commissioner now only appoints on the nomination of the Commissioner, so that the work would be simplified.

26670. Is it on the whole better for the Service that the men should be appointed by the Chief Commissioner on the nomination of the Commissioner, or that they should be appointed directly by the Commissioner?—I do not think there would be any difference.

26671. Would not the people themselves prefer them to be appointed by Government than by the Commissioner of a division?—I do not think the tahsildars would mind at all.

26672. You say that at present the power of transferring these officers rests with the Commissioner, and you want to give the power to the Deputy Commissioner?—Within his own district.

26673. Keeping at the same time the power of transferring them from one district to another in the hands of the Commissioner. So there would be two officers empowered to transfer them, the Commissioner in his own division and the Deputy Commissioner within his own district?—The Commissioner of course would have to consult the Deputy Commissioner as to transferring a man from one district to another; in one case he would do it himself, and in the other case the Deputy Commissioner would do it with the sanction of the Commissioner. If a Deputy Commissioner did not want a tahsildar to remain in his district, he would write to the Commissioner and ask for his removal.

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26674. If power was given to the Deputy Commissioner, transfers of tahsildars might be a little too frequent?—No, I do not think so.

26675. You say when you recently wanted to transfer a naib-tahsildar you had to write an "unnecessary" report to convince the Commissioner of the necessity of a transfer, but might there not have been some necessity for writing that report in the interests of the Public Service?—I simply wanted to change him to another station, and there was no necessity for troubling the Commissioner about the matter; I could easily have sent him from one place to another in my own district without any correspondence.

26676. You speak of subordinates in the Police, Forest, Educational and Medical Departments; those officers are not directly subordinate to the Deputy Commissioner?—No; they belong to the several departments.

26677. Do you suggest that the power of transferring them should also be vested in the Deputy Commissioner?—Yes.

26678. Would there not be some incongruity in your transferring men of other departments?—Within my own district, no; they are under me; police inspectors and masters of schools are under me, so that I do not see that there could be any objection.

26679. Would not the heads of those departments object to your transferring officers, belonging to those departments, without consulting them?—They need not object.

26680. Has your District Board power to open schools without obtaining your sanction?—No, I do not think so.

26681. As Chairman would you be present at a meeting where a proposal for opening a new school was sanctioned?—Yes.

26682. Does that again have to come to you as Deputy Commissioner for your sanction?—Yes.

26683. Although you are Chairman of the District Board at which the resolution was passed, it has to come to you again for your sanction; is that necessary?—But I might not be present at some meetings.

26684. Might the District Board be empowered to pass final orders with regard to the opening or closing of a school?—I see no objection to that.

26685. Supposing primary schools were made over to villages, or village panchayats, or some village bodies, would it be possible for a District Board to make a grant-in-aid, and ask the villagers to support the institutions; would the villagers agree to that?—No, they would not.

26686. Are there any villages in which that system might be tried?—There are a few where I would like to try the experiment.

26687. If that system was generally followed might the number of schools be largely increased?—I do not think it would largely increase the number of schools.

26688. (*Sir Frederic Lely.*) You know what is meant by the sub-divisional system?—Is that now established in Berar?—Yes.

26689. What are your rules for touring?—I have to be out for four months, as Deputy Commissioner.

26690. What time has the Assistant Commissioner to be out?—Not less than two months; but an Assistant Commissioner who is in charge of a sub-division is expected to be out throughout the camping season, that is, from the 1st November to the 31st May.

26691. Then you are expected to tour more than an Assistant Commissioner?—Yes, because my Assistant Commissioner will tour only through two *taluks*; I have to tour through six *taluks*.

26692. How do you travel?—On horseback; the kit is carried by camels.

26693. If all the roads were taken over by the District Board, would the Government Executive Engineer have enough to do?—No, he would not. He would only have buildings to attend to.

26694. Would you approve of an arrangement by which the small amount of Government work remaining might be done by a Divisional Board Engineer on receipt of a commission?—No, I would not hand over any Government buildings to the Board.

26695. (*Sir Steyning Edgerley.*) Does the District Board make a contribution towards the upkeep of the roads which the provincial Engineers look after?—No, not for Government roads.

26696. What is the size of your tahsils in Berar?—About 275 villages. That would be about 800 square miles.

26697. Is the charge too heavy?—Yes; in four of the *taluks* the charge is too heavy.

26698. How many tahsildars do you think you ought to have in your district?—I think six are sufficient, but they might be relieved by the naib-tahsildars having more powers.

26699. Would you prefer that to breaking up the *taluks*?—Yes, I should not break up the *taluks*.

26700. You say that certain administrative reforms have been introduced into the Police Department which may tend to uniformity, but you doubt whether they will suit local conditions; to what do you refer?—They have stopped the forwarding of copies of police diaries. Police sub-inspectors used to submit copies of diaries in every case; now the idea is that they need not render copies of these diaries to the District Superintendent of Police. It is changing the way in which the official work is done, and they are changing the *Modi* character in which the correspondence is at present conducted in favour of the *Balbodh* character.

26701. You have so far done it in the *Modi* character and they are introducing Hindi?—Yes. The reason is that they say it can be more easily written and more easily read.

26702. Is that being done by the Inspector-General of Police?—Yes.

26703. (*Mr. Meyer.*) Is the Deputy Commissioner always Chairman of the District Board in Berar, and is that under the provisions of the law?—The law permits a non-official Chairman, but we cannot get anyone who will do it.

26704. As a matter of fact, the Deputy Commissioner is always Chairman?—Yes.

26705. You say the members are elected; how are they elected?—We have a list of electors comprising the people who pay so much in taxes who are eligible to vote.

26706. You have not the system they have in the Central Provinces proper of the village headman electing one portion and the commercial classes another and so on?—No.

26707. Have you Local Boards?—Yes, we have *taluk* Boards.

26708. Are they elected too?—Yes.

26709. In the same way as the District Boards?—The *taluk* Boards elect members of the District Board.

26710. Then the direct election is to the *taluk* Board and the *taluk* Board elects the non-official members of the District Board?—Yes.

26711. Is there a Chairman for each *taluk* Board?—Yes.

26712. Is there a Vice-Chairman?—Yes, generally a non-official.

26713. What sort of work do the *taluk* Boards do?—They look after the schools and bazars and buildings.

26714. It is the same sort of work as that of the District Board?—Yes.

26715. Have they special funds of their own or do they get simply what the District Board chooses to allot them?—They only get what the District Board allots them.

26716. Have they any discretion in applying the funds, or does the District Board say, "We want such and such schools kept up" and so on?—They have their discretion. In fact allotments are made in proportion to their requirements.

26717. Have you in Berar a regular cess of one anna in the rupee which goes to the District Board?—Yes.

26718. Would you be in favour of giving the *taluk* Boards any share of that?—I should be in favour of paying the whole to the District Board and allotting to the *taluk* Board what is necessary.

26719. Who manages the dispensaries?—We have appointed Dispensary Committees which work under the guidance of the Civil Surgeon.

26720. The District Board merely contributes, and has nothing to say to the management?—Nothing.

26721. In regard to sanitation, what happens?—The *taluk* Board looks after sanitation.

26722. Have you special sanitary officers for the purpose?—No.

26723. In the Central Provinces proper there is a sort of sanitation fund in the larger villages, and they are allowed to levy a small tax for sanitary purposes; is there anything like that in Berar?—We have sanitary funds in a few villages in Berar, but they only raise sufficient money locally for the cleaning of latrines, nothing else.

26724. Does that system work well?—It depends on the tahsildar; if he is a good official he looks to it and gives the necessary supervision. It works well, but the people in the villages do not like raising money for these purposes.

26725. Who does the committee consist of?—Generally cultivators, and a few money-lenders; they elect themselves.

26726. Is the committee generally satisfactory?—In two or three instances they are very satisfactory.

26727. Is the headman the president?—Yes.

26728. Are there many of these villages?—Very few.

26729. Outside those villages does the District Board or the Local Board exercise any supervision over sanitary matters?—Practically they simply carry out the suggestions of the Deputy Commissioner, tahsildars, and Civil Surgeon.

26730. In the Central Provinces there is a system, when a village wants a tank for instance, that the Board finds half the money and the villages the other half?—That is so sometimes.

26731. Does that work satisfactorily?—Yes, it does.

26732. What is the present limit of the powers of District Boards and municipalities with regard to sanctioning works?—Rs. 500; anything above that goes to the Commissioner or Deputy Commissioner.

26733. The Commissioner passes the budget and deals with the administration report?—Yes.

26734. Does he appoint the nominated members?—Yes.

26735. Would you give the Commissioner the general power of outside control which it is necessary for the Government to keep?—Yes.

26736. Except the actual constitution or abolition of a local body?—Yes.

26737. Are all your districts in Berar divided into sub-divisions?—Yes, now; since the amalgamation.

26738. Where do your Sub-Divisional Officers live?—In three instances they live outside the headquarters; in all others they live at the headquarters.

26739. Do you think that is a good system?—I should like to have one or two more Sub-Divisional Officers living outside.

26740. How many Sub-Divisional Officers have you in the average district?—Three.

26741. Would a Deputy Commissioner find it too much to control three Sub-Divisional Officers?—It is not only the controlling, but the general administration work is heavy.

26742. Do your Sub-Divisional Officers hear magisterial appeals?—Yes, the three officers who live outside; in other cases the appeals go to the District Magistrate.

26743. Cannot all Sub-Divisional Officers hear appeals?—They might.

26744. Do you see the calendar of cases dealt with by your subordinate Magistrates?—Yes.

26745. Does the Sub-Divisional Officer also?—The three officers outside do.

26746. What do you see in the shape of a calendar; do you see the judgments?—I see the sentence and the nature of the case, and if I find a case of sufficient importance I inquire further into it.

26747. Does the Sub-Divisional Magistrate send you a copy of his judgment?—Not unless I send for it.

26748. Do you think it might be advisable if you saw the judgments?—I can do that by looking at the calendar.

26749. But the calendar merely gives you the nature of the offence and the punishment?—It gives the nature of the offence and the facts in brief; that is sufficient.

26750. Would you be in favour of a Commissioner posting Assistant Commissioners and Extra-Assistant Commissioners within his division?—Yes.

26751. In regard to revenue matters, have your Sub-Divisional Officers generally the powers of a Collector under your local Act?—Yes.

26752. Where there is an appeal against their order, to whom does it go?—To me.

26753. Has the union of Berar with the Central Provinces in your opinion decreased the general powers of the Commissioner there?—I think so, materially.

26754. You mention that previously he controlled all the departments within Berar?—Yes; all the Heads of Departments used to write to him.

26755. As regards his powers of sanction and appeal and so forth, has any material alteration been made?—No.

26756. You speak of the District Officer consulting with persons whose opinions he may think it advisable to take in various matters; do you keep what is known in Bengal as a darbar list?—Yes.

26757. On those lists do you write your notes as to the character of a man, and his fitness for consultation on public matters?—No, those lists are made only with a view to men being presented to the Chief Commissioner when he comes.

26758. Have you no regular system of receiving from your predecessor a record of the principal non-officials of the district and of matters in which they might usefully advise?—There is no formal system, but we keep notes.

26759. You think that the Deputy Commissioner should be able to take up land without reference to Government? Does not the question of compulsory acquisition sometimes raise a good deal of protest?—Yes, it does.

26760. Is it not possible sometimes, for instance, that land is taken up in which religious communities are interested?—Yes, but they may appeal in that case.

26761. You say that the Commissioner's sanction has to be obtained with regard to the appropriation of land from one special purpose to another—what sort of special purpose do you mean?—If a certain field has been reserved for grazing and general purposes and I wanted a portion of it for a village site, I have to obtain the sanction of the Commissioner.

26762. You speak of the introduction of rotation between *patels* and others — are those hereditary officers?—Yes.

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26763. And they take turns in discharging the duties of a village headman or otherwise?—In a few cases.

26764. How long are their turns for?—Not less than ten years.

26765. That is to say if you have two or three rival families you compromise between them by saying that one family shall have the post for ten years and another family for the next ten years?—Yes.

26766. Who selects?—The Deputy Commissioner.

26767. Are you bound by strict primogeniture?—Yes.

26768. You are bound to select the eldest male, although he might have a younger brother more competent?—But there is an educational standard of fitness prescribed.

26769. But still two people may have passed the standard, and one may be better than the other?—We generally give it to the elder brother unless he is unfit.

26770. Does the law oblige you to do that?—Yes.

26771. Would it be desirable that you should have a freer hand to pick out the best qualified member of the family?—If a man has passed the required standard, the fourth standard, it is sufficient for our purpose.

26772. You are content with the present system, except in regard to the matters you have mentioned?—Yes.

26773. Do appeals as to hereditary right go up to the Chief Commissioner?—Yes.

26774. Is it necessary that the Chief Commissioner should have to decide those things?—I think there should be no change made.

26775. You say you can only appoint clerks up to Rs. 25?—Yes.

26776. What is the highest appointment in your office?—Rs. 200; the head clerk and the clerk of the court and others might be appointed by the Commissioner.

26777. How far would you wish your own power of appointment to go?—Up to Rs. 100.

(*The witness withdrew.*)

MR. A. B. NAPIER was called and examined.

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26778. (*Chairman.*) You are Deputy Commissioner of Nagpur?—Yes.

In matters of revenue I do not, as a Deputy Commissioner, desire any greater powers. The collection of land revenue is in normal times a mere matter of rule, and in abnormal times the Deputy Commissioner can always act on an emergency. As in the estimation of the degree of distress the personal element comes in very strongly, the second opinion of some co-ordinating authority to discount this personal element is most necessary.

In case of income-tax I should welcome centralization; the matter of assessment is now becoming too complex, and Deputy Commissioners and their Assistants have no time to assess business firms successfully. There should be trained inspectors to assess, but the appeals could go to the Deputy Commissioner as now.

The present chief defect is the way in which appeals from Assistants, with the revenue powers of a Deputy Commissioner, go outside the district. I have under the Land Revenue Act unlimited powers of revision over the work of my Assistants, but I do not hear the appeals. The defect is that I am not in touch with all their work, and often these revenue cases tell one a great deal about what is going on in the district.

Another matter has come much to the fore lately, viz., the grant of prospecting licenses for minerals. The Government of India is not averse to the delegation of powers in this matter, but hitherto powers have not been delegated in the Central Provinces and a great deal of delay has resulted.

I do not think that Sub-Divisional Officers are anxious for many more powers. A Deputy Commissioner in self-defence gives them all the power he can, and practical delegation is done in the way in which a Deputy Commissioner passes the work of a trusted officer. Actual power of delegation of any duties might be given to a Deputy Commissioner with reservation of the power of appeal.

The present rules for contingent expenditure are such that no business firm could tolerate for an instant. The only satisfactory solution of the question would be to make all contingencies contract contingencies. The Deputy Commissioner should get a lump sum down and spend it as required, but if he ran short before the end of the year he should be made personally responsible, unless he made out a good case for an increased grant. To avoid wasteful expenditure at the end of the year savings might be added to the next year's grant.

In most districts the powers of appeal in administrative matters are not abused. In fact appeals have been very few to my recollection and very unsuccessful. If officers only take the trouble to write an intelligible order it has not been my experience to find Commissioners desirous of rejecting the view of the man on the spot. If appeals were not allowed, the parties would proceed by miscellaneous petitions which give just as much trouble, or more, as they are usually couched in extravagant language in order to attract attention.

I think the Education Department is somewhat too uniformly managed to meet the varying requirements of different localities.

I have at times considered that the Secretariat has been run on somewhat academic lines, but not of late. Latterly it has been a custom to recruit the Secretaries from among District Officers, who actually know how things work out in practice. The real trouble is in the Secretariat with its crowd of well-paid clerks thinking that processes which seem simple there are equally simple to the less competent men we get in district and *tahsil* offices. I have never found the Central Provinces Secretariat too much dominated by questions of revenue; the idea seems always to have been to progress and to trust to progress to bring its increase in revenue.

On the whole, departmental officers have shown themselves most ready to consider representations from District Officers, and presumably even more weight is given to the views of Commissioners.

Until I reached Nagpur I always found plenty of opportunities for personal contact with the people, but since I have been here the routine duties have been so heavy that such opportunities have been largely diminished. The Deputy Commissioner, Nagpur, sees a great deal of a certain class—the residents of Nagpur of respectability. A day does not pass hardly without my seeing three or four of them, but the difficulties of getting out into camp are enormous. In Raipur, besides finding time for holding open cutcherry to all petitioners, small and great, after 4 or 4.30 about four days a week, I was out in camp for the greater part of the six months possible. In Nagpur about two months spent in actual camp seems the greatest amount possible. The Assistants here have not been in camp as much as I consider desirable. My time is largely taken up with duties which could as well be done by someone else. There are several branches of work of this kind—treasury, mining cases, inspection of Magistrate's daily calendars, stationery indents, inspection of headquarter factories, arms and explosives licenses, presence on certain committees, etc. It would be no good to give these to an Assistant, whose work has then to pass through my hands. What I want is a man who could sign for himself and be responsible for his own work. In Nagpur there should be a Joint-Magistrate to do such work; at the same time he could have Section 30 criminal powers and could hear appeals. He should be a European British subject, so as to be able to try such persons. He should have a special allowance if not graded

as a Deputy Commissioner. In the case of Assistants the deficiency of touring is partly the result of system, but mainly owing to the extra complexity of case work owing to the increase in the number of pleaders.

On the whole Executive Officers have sufficient knowledge of the vernaculars. There is perhaps a tendency nowadays, when all the clerks know English, to less conversational power, but this can only be remedied by giving Assistants a full dose of camping. We probably are not as good as many of our predecessors.

The provision of Assistant and Sub-Divisional Officers is not sufficient. I strongly hold that the area here thought sufficient for a tahsildar is sufficient for a Sub-Divisional Officer, and I deprecate the system of giving two *tahsils* to an Assistant to look after.

The areas of the *tahsils* in Raipur are 1,000, 1,500, 1,900, 3,000 square miles approximately, or the last may be more. If there is to be progress there must be more officers constantly among the people pressing education, forcing on improvements. It is no good talking merely; an officer should have time to wait and see things carried through.

Transfers are not now on the whole too frequent. Nagpur has suffered somewhat in this respect of late, though the transfers could not well have been avoided.

The trouble in the Central Provinces is to get men who will realise that a seat on a Committee or Board means that he is to do work and not merely secure the honour of a chair when he visits an officer. The other day I asked a quite intelligent-looking Local Board member what he did as such. He replied, "Whatever the *hazur* tells me to do I will do." He could not tell me anything that he actually did except attend the meetings. Many do not even do that.

The Nagpur municipality is an honourable exception, and Raipur is beginning to take an intelligent interest in local concerns. No doubt this is the case in many headquarters municipalities, but those in minor towns and the District Councils and Local Boards seem at present rather hopeless. The great trouble is to get them, even when they see the necessity, to pass any measure which may be unpopular, and most of all to levy any taxes. They are not strong enough to bear criticism in anything unpopular. Increase in powers may awaken greater interest and a greater sense of responsibility, but to begin with they must have larger resources. There is a tendency to get most of the money into the hands of the Government, and to grant doles to local bodies as grants-in-aid. There must be local rates; they will be extremely unpopular, but no country can get on without them. They exist at present, but to a very slight degree. In the larger towns they are supplanted by octroi; in the smaller towns we get the *haisiyat* tax, which is a rate proper, and for the District Council we have a nominal Road, Education and Post Cess. The difficulty of the rate is shown in the *haisiyat* tax, which no minor municipality will pitch at the proper figure. The fact that the people can pay rates was shown by the additional rates and Patwari Cess, which were paid without any difficulty. It would be easier to get District Councils to levy rates than municipalities, as their constituencies are wider and the opposition will not be so much concentrated when local bodies get more money; they can get a decent staff and they can do more work.

The submission to the Commissioner of a budget of monthly accounts and of a copy of their proceedings would be sufficient check. Re-appropriations from one budget head to another might be sanctioned by the Deputy Commissioner just to secure that the budget should be a real thing. Incidentally I would get rid of a peculiarly annoying duty of the Deputy Commissioner, viz., countersigning District Council bills for works.

District and Local Boards could have all roads except provincial communications put under them if they had a qualified Engineer with prospects of an increase in pay. They could also be allowed to build light railways.

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The time for Administrative Councils has clearly not come yet in this province. Even as regards advisory Councils, I cannot imagine what subjects could be referred to them which are not referred to the local bodies at present constituted or to special Committees called *ad hoc*. I had a native gentleman talking with me the other day on this subject. He seemed in favour of such a Council and would possibly be a member if one were created, and I asked him if he could name any subject which had come up recently which might have been so referred and which had not been discussed by some committee or other, and he could not do so. A District Officer's duties are mainly composed of details, and it would be hopeless to put them before a Council.

I do not think the supervision of the minor municipalities by the District Board would be useful, and it would cause a lot of friction.

I do not recommend the extension of powers to villages not sufficient in size to be even notified areas under the Municipal Act. For sanitation we have already powers under the Sanitation and Land Revenue Acts, and these are sufficient. The devolution of civil powers to village munsiffs in the north of India has clearly not proved a success. The increase of Honorary Magistrates is to be deplored where the actual work does not prove its necessity. Times and again I have seen petty quarrels magnified into bitter feuds because a Magistrate was too close. If he had not been there everything would have been settled amicably. Touring officers have a great opportunity, and the village panchayats, with sometimes a little assistance, manage these affairs in such a way as to leave no sting behind. Once give the panchayats legal powers and at once they will lose their character as peace-makers and become *hakims*.

26779. What is the size of the Nagpur district?—It is about 4,000 square miles.

26780. In that particular district you have a good deal to do with manganese?—Yes, and it is making a good deal of extra work.

26781. Have you under some new rules power to grant exploring and prospecting licenses?—The Deputy Commissioner may grant exploring licences, but the prospecting licences are not granted by him; power has just lately been delegated to Commissioners to grant them in uncontested cases; contested cases still go up to the Chief Commissioner.

26782. Has that been a considerable relief to you in your work?—It has been a considerable relief to the mining proprietors—I have been getting the sanctions back at once.

26783. And it has saved you to the extent that you have not had to deal with letters and make further appeals to the Commissioner?—I do not find very much relief; I have 500 pending cases at present.

26784. But will you be able to get through them quicker?—I do not know; I am trying my best to get a little system into it, but I have only just come to the district.

26785. With regard to income-tax, you say that the matter of assessment is becoming too complex and that you would like to see a trained inspector; does that only refer to a district where there is a large town?—I am referring more to outside mercantile concerns such as manganese or cotton ginning factories I experienced very considerable difficulty last year in trying to make head or tail of the accounts sent to me. For instance, one party wrote off his expenses the interest on the share capital, but there were other things, which were put in ambiguous terms, and I had not any books and no time to examine into all these cases—they might put down anything they liked.

26786. At all events you think there ought to be a transference of that work from you to a trained inspector?—The actual assessment of income-tax is done by my Sub-Divisional Officers, but for the main part those that come into the office straight are generally sent up to me; one of the Assistants looks at them and sometimes suggests "I cannot make head or tail of them, can you?"

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26787. A suggestion has been made to the effect that Sub-Divisional Officers, instead of residing at the headquarters of a district, should reside a greater part of the year at all events in their sub-divisions; have you anything to say with regard to that?—I am of opinion that the headquarters system is the best, because when a Sub-Divisional Officer gets away into a remote sub-division, he is very likely to get rusty because he has no educated society, and he cannot rub up against the other Sub-Divisional Officers. There were in the past in this province two sub-divisions where the Sub-Divisional Officers resided, and they were often the graves of their reputations.

26788. How many sub-divisions have you in the Nagpur district?—I have only three Sub-Divisional Officers for four *tahsils*, but I should like to have four.

26789. How far are the sub-divisions from Nagpur itself?—Between 20 and 30 miles.

26790. Can an officer who lives 30 miles from his territorial charge do his work well?—I think so, because in the camping season he ought to be in his charge.

26791. Can the people who live in that charge get at him?—Yes, when he is on tour there; they will run in even to Nagpur to see the Deputy Commissioner.

26792. Would they come in 30 miles?—They are always coming into headquarters and travel the distance with comfort. If they have any complaint they come in freely.

26793. Is that no hardship on them?—I do not think it is; that drawback is not nearly so great as many other drawbacks which would occur by a Sub-Divisional Officer living in his *tahsil*.

26794. What is your chain of subordinates in a district?—Practically the Deputy Commissioner, the Sub-Divisional Officer, the tahsildar, and the naib-tahsildar.

26795. Have you any power of posting or transferring any of these officers?—I can transfer Sub-Divisional Officers from one sub-division to another, but I cannot transfer tahsildars, because the Sub-Divisional Officer is really at headquarters, and I can give one man one sub-division and another another; I generally inform the Commissioner of what I do.

26796. In other words the transfer of Sub-Divisional Officers under the present system is a book transfer?—Yes.

26797. Is that a good system?—One tries to keep a man as long as possible, but necessities occur; for instance, I had one of my Assistants taken away and no one else sent in place of him, so that I had to put two *tahsils* under one Sub-Divisional Officer.

26798. Is it desirable that you should have power to transfer a tahsildar?—No. For the reason that if I wanted a tahsildar transferred, I am quite sure the Commissioner would consider it, and do what he could for me. I have never wanted to transfer a tahsildar up to date, except out of my district. Of course I have had some people who I thought ought to go, and then I would have them out of the district, but to transfer them from one *tahsil* to another—would be useless.

26799. Do you as a matter of fact transfer them from *tahsil* to *tahsil*?—Practically never. Sometimes in the course of making necessary changes it might be done, as, for instance, a tahsildar wanting to have his children better educated and wishing to come up to headquarters; it might be arranged in the course of transfers to get him there, but I have never transferred a man because I wanted him out of one *tahsil* into another.

26800. Would you look upon any delegation to yourself with regard to posting or transferring your subordinates as an unnecessary grant of power?—Yes, I do not think I should ever want to use it.

26801. Do you tour a good deal in your district? In my late district I toured a great deal; I used to get out early in November, and, coming back from time to time, I used to stay out till the beginning of May.

26802. Did you manage to see the people in the district?—A very considerable number of them; it was a very large district and it was impossible to see the whole of them in one year.

26803. Did you find any reluctance on the part of the people to come and see you?—No.

26804. It has been suggested that either the duties of the Deputy Commissioner, or his own desire to keep aloof, keep the people away from him?—I always have the same routine, and as I go into a village I sit down and get the villagers round me and talk over village affairs. I go on from village to village throughout my tour like that, and when I reach the camp the people are always informed that at 4 o'clock I want them there, and then I either go round the village with them or sit and listen to what they have to say. I have never see the smallest reluctance on the part of the people to come and see me.

26805. How many languages were spoken in your late district?—In Raipur it was practically all Hindi; in Nagpur it is mixed Hindi and Mahrathi.

26806. Have you in Raipur both wet and dry cultivation?—Yes.

26807. Had you power to make remissions on wet crops?—It is practically all *malguzari*, so that there is no distinction as regards remissions in wet or dry assessements.

26808. The last witness stated that he desired to have power to grant agricultural loans, as Deputy Commissioner, up to Rs. 5,000; do you think that is too large a sum to leave to the discretion of a Deputy Commissioner?—I do not think it matters very much, but it is very unusual to get large demands. At present I have one application for a loan of Rs. 7,000 for a tank, and if I can get the preliminaries satisfactorily settled the Commissioner will sanction it, and I do not think it will take two months to get through as was suggested.

26809. Then, practically, applications for loans over Rs. 500 are so few that it is hardly worth while bothering about?—I think so, and some new rules are coming up under which a Deputy Commissioner will be able to give sanction up to Rs. 1,000.

26810. Have you all the powers you desire with regard to the Court of Wards?—No, the financial control is extremely inconvenient. I had lately to get the Commissioner's sanction to an expenditure of one rupee per month to pay for the sweeping of a bazaar, and in another case lately I had to apply for sanction because I wanted an extra farm servant, because those are instances of recurring expenditure.

26811. Ought you to have greater power to sanction works in respect to Court of Wards estates?—There is not very much trouble from that point of view. If I want any big work done, I do not find the necessity of getting the Commissioner's sanction specially inconvenient.

26812. Is there any necessity why you should write to him, and he to you, with regard to an expenditure, say, of Rs. 100?—That does not occur; I can incur expenditure up to budget sanction.

26813. But I am speaking of outside the budget?—For unforeseen expenditure and other things I should like that.

26814. Why not for small works?—Because they are nearly always contained in the budget; a sum is put down of Rs. 500 or Rs. 1,000, and within that I can do any work I like.

26815. Have you any special grant put at your disposal for expenditure in villages?—No; I have had special grants in the time of Mr. Miller, who was Chief Commissioner. When he went to a district he generally used to give us a sum before he went away for some purpose or other. He gave grants in Raipur for the Museum and for the Victoria Park.

26816. Have the Commissioners now any sum allotted to them for those sort of purposes?—I do not think so. That was the only case of outside grants I have ever received.

26817. Are your relations with the forest officer all that you could wish?—I think so generally. I have been extremely fortunate, and have nearly always found the greatest assistance in every way, but I had in one case a little friction.

26818. Does the forest officer have to conduct all his correspondence through you?—The majority of it; technical subjects do not always go through me.

26819. We have been told by the Inspector-General of Forests that there is an A and B schedule of correspondence—the A being through the Deputy Commissioner and the B direct; do you know anything of such schedules?—I know that a large number of letters come through me and I believe that a number do not.

26820. As to those letters which do go through you, is it necessary that you should see them and conduct the correspondence?—It is very useful; very often I merely write "forwarded," but it keeps me informed.

26821. Is it necessary that you should be informed of the matters which come through you?—I believe in the Deputy Commissioner knowing what is being done, and I do not think there is delay, because it is not noted on in the office, and ordinarily it is marked "Forwarded."

26822. But it may take three or four days in getting to you?—Yes, it may mean a few days' delay, but that is not so important a drawback as that I should not know what is going on.

26823. There seems to have been a good deal of complaint as to the relative position of the Public Works Officer and the Deputy Commissioner; have you anything particular to say on that head?—I do not think the Public Works Department is quite so helpful as some other departments. If you say to the Public Works Department that you want a road, they will make you a very good road, but they will not care twopence whether by running a little bit out of the way they would touch a big village, and in some cases they will align their road in such a way as to break up tanks unnecessarily unless they are stopped.

26824. Have you power to stop them or divert a road in the cases you mention?—Sometimes one does not happen to know it, but I have given special orders that a Revenue Officer is to ride down the road in every case.

26825. Does neither the Commissioner nor the Deputy Commissioner see the scheme for a road before it is made?—We have copies of it. It could not show the alignment, so far as individual little difficulties of crossing through a tank, for instance, are concerned; the maps would have to be so very elaborate.

26826. Have you no survey which would show you?—No.

26827. What is your remedy for the difficulties you have mentioned?—To send a Revenue Officer to ride over the line and object.

26828. Or would you have previous consultation with the Public Works Department?—If I know that a road is going to be made in a district I know well, I should suggest to the Public Works Department that the alignment should be in such and such a way, but of this district I have not any very great local knowledge.

26829. Does the Executive Engineer or the Superintending Engineer not consult you?—Not about the alignment of a road. I have two objections at the present time here which I am trying to settle with regard to the alignments of roads.

26830. Supposing the Government wished to make a road, can they go through anybody's land?—It has to be acquired.

26831. When the land is being acquired, have you nothing to say?—Yes, then I come in, but I am told it is too late, or that it would be extremely inconvenient, or that the survey is over, and so on.

26832. (*Mr. Meyer.*) As regards the road programme, we were told that the Commissioner sees it, but that the Public Works Department take road A or road B in any order they like; when once the thing has got into the road programme, is it absolutely left to their discretion to say when a road shall be undertaken?—I believe that is so. I have not had very much trouble about roads, because in my district in Raipur the only trouble was to get any roads, and I put in for all which were wanted.

26833. Then is all you want that the Public Works Department should take you into their confidence?—Yes.

26834. You do not desire, as some officers do, that the Public Works Officers should be your assistants with regard to the non-technical work in a district?—I do not quite know how it would work out and whether there would be more friction that way or less; I have no strong opinion about it.

26835. You have no powers as to remission of revenue at present?—No, none of remission; I have some emergency powers of suspension. I can suspend first and get sanction later.

26836. Do you think you should have powers of remission and suspension within certain limits?—I think it is unnecessary; the Commissioner is better capable of dealing with it, and the emergency orders I can pass are sufficient.

26837. You mention that the Commissioner's sanction is needed for the transfer of a patwari; is it also needed for such matters as the appointment or dismissal of a *mukaddam*?—No; the only point is that at one time Deputy Commissioners transferred their patwaris too much as punishments, thus losing their local knowledge, so that the power was put into the hands of the Commissioner, but it might be returned to us now.

26838. As regards the ordinary village officers, who appoints the *mukaddam*?—The tahsildar; the *lambardar malguzar* is *ex-officio mukaddam* unless disqualified.

26839. Has not the tahsildar to go to the Sub-Divisional Officer?—No, it is one of the powers which has been just delegated.

26840. Have Sub-Divisional Officers generally all the powers that they require?—Yes.

26841. Can they sell liquor shops, for instance?—No, liquor shops must all be sold together; they could not be sold piecemeal.

26842. But there are separate shops?—Yes, but they are all called up together.

26843. Is there any reason why particular shops in a *tahsil* should not be sold by the Sub-Divisional Officer?—The revenue would suffer. In some *tahsils* it is done in that way, and then generally the Extra-Assistant Commissioner—the Sub-Divisional Officer—does hold the sales for the Deputy Commissioner, but the Deputy Commissioner sanctions finally.

26844. The object of the present excise system is to get the shops into the hands of the local men; would you not be more likely to get local men to purchase if the sales are held locally than if they have to come to the headquarters of a district?—I did not see any reluctance on their part to come the other day when the opium sales were going on, when there were some 500 or 600 people clamouring round my tent.

26845. The Sub-Divisional Officer, as a Magistrate, does not take appeals from his subordinate Magistrates in sub-divisions?—He does in my district, and he did in Raipur. There are Sub-Divisional Magistrates as well as Sub-Divisional Officers, and any Sub-Divisional Magistrate may be empowered to hear appeals by the Local Government.

26846. As a rule, is a Sub-Divisional Officer empowered to hear appeals?—I cannot say. I was astonished when I came here to find that they were not, and one of the first things I did was to get the powers.

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26847. If a man is fit to be a Sub-Divisional Officer, is he not fit, *primâ facie*, to take appeals in second and third class cases?—I think so, except in the case of some new officer. It might be that a man who was a good revenue tahsildar for instance has just been made an Extra-Assistant Commissoner and given charge of a sub-division, and he might not have much criminal experience.

26848. In that case, would you give him first class powers?—He probably would have been exercising second class powers as a tahsildar, and you might put him on to deal with first class powers as further instruction.

26849. That is to say you would allow him as an original Magistrate power to imprison up to two years, but you would not as an Appellate Magistrate allow him to deal with cases that might run to one month only?—But his power to imprison for two years would be subject to appeal, and in the other case it would only be subject to revision.

26850. You say that Sub-Divisional Officers are best at the district headquarters, but is not a man likely to become more self-reliant if you put him out by himself and let him decide matters on his own responsibility, instead of always coming up to the Deputy Commissioner for advice?—They come up to me for advice in certain cases, and if they are in camp they write to me. I do not find much difference whether they are in headquarters or whether they are in their sub-divisions. I agree that there are certain great advantages in their staying in their sub-divisions, but I also see great disadvantages; it is a moot point, but the balance is in favour of their being at headquarters.

26851. Mr. Sly told us he was in favour of a *via media*, giving them headquarters of their own in sub-divisions where they could find fairly pleasant quarters; would that commend itself to you?—I think in certain cases, for certain administrative reasons, it might be very necessary to have a Sub-Divisional Officer living at headquarters, but I should leave it to the Local Government to say when for certain reasons he should be recalled. I know of one case in which I strongly recommended that a Sub-Divisional Magistrate should be placed in his sub-division in the eastern part of the Raipur district; there is no sub-division there yet, but there is a proposal that a zamindari sub-division should be made there, and I think in that case, owing to the immense distances, it is practically necessary that the Sub-Divisional Officer should be resident, although in ordinary districts it is not.

26852. Then if he had a headquarters of his own, would it mean that he would be there from one end of the year to the other, and would not come into headquarters for District Council meetings and so forth?—He would not be on the District Council; one of the Sub-Divisional Officers is generally the Secretary or Chairman, but not necessarily all of them.

26853. You have a treasury in this district?—One of the Assistants is put in charge of the treasury and is in charge of headquarter work.

26854. You desire to have a Joint-Magistrate at headquarters to be a sort of assistant to the Deputy Commissioner, the object being to relieve you of work; might not that be done in another way, namely, by delegating large powers to your Sub-Divisional Officers and getting larger powers given you by the Commissioner?—At present I am responsible for the work of every Assistant *quâ* Assistant, and the more assistance I get the more papers I get passing through my hands. If I do my work properly I read them through; if I do not I pass them without, and I want a man who could relieve me of some work definitely and dispose of that work under his own signature.

26855. Are you speaking of revenue work?—No, more or less miscellaneous work; for instance mining matters might go to him, and he could take a lot of criminal work and hear appeals. A Deputy Commissioner has to inspect the treasury every month, and I have to go in solemnly every month to count a thousand rupees and a certain number of stamps, which is my balance here.

26856. Do you desire this as a special matter in the Nagpur district, it being a heavy one, or over the whole province?—Only in heavy districts possibly; Jubbulpore might have the same, and I have heard the same complaint as to that place.

26857. Do calendars come up to you?—Yes.

26858. They contain simply the facts of the case and the sentence, but not the judgment?—They contain only a short statement of the facts.

26859. Do you get sufficient information from them to enable you to judge of the work of your subordinate Magistrates?—As a rule; sometimes the statement in the calendar is not very clear, and then I call for the case to see whether there is anything peculiar about it.

26860. You propose that the Deputy Commissioner should be empowered to sanction any payment up to Rs. 250, whether included in the budget or not, and whether ordinary or extraordinary; do you refer to recurring expenditure?—I refer to the Court of Wards only.

26861. With regard to that you would also like larger powers as to contingent expenditure?—Yes.

26862. And a grant for temporary clerks?—For copyists only.

26863. A previous witness said that all income tax assessments above Rs. 2,000 were made by the Sub-Divisional Officer, but that they had to go to the Deputy Commissioner for confirmation—is that so?—All one writes is "Sanctioned"; there is no enquiry, and then if it comes up on objection one goes into it; the Deputy Commissioner, as a rule, does not investigate these preliminary assessments.

26864. Might not the Deputy Commissioner's approval be dispensed with altogether?—I think so.

26865. You mention the Patwari Cess which has been done away with; it was at one time suggested that there should be an equivalent put on to the Land Cess, do you think that might have been done?—I should have liked to see it handed over to District Councils for the School Cess, instead of abolishing it.

26866. What is the *haisiyat* tax?—That is a tax based on the circumstances of a person in a certain place. I understand that the house tax in Bengal is not necessarily confined to the value of the house, but the circumstances of the man living in the house are taken into consideration, and that is very much what this tax is; it is a sort of rough income tax.

26867. Is it laid down by law what percentage you are to take, or have you an entirely free hand?—The way in which the *haisiyat* tax is properly assessed is to take the needs of the particular municipality or village and subtract from that any other assets which they may receive from bazaar dues or other income, and when you get the deficit, it has to be divided among the *haisiyat* tax payers according to the units of *haisiyat*. Then you say it is so many annas per unit.

26868. Who assesses it?—The committee frame their budget and their lists, but of course there has to be a certain amount of supervision of the Sub-Divisional Officer or the tahsildar, or you would have the working man going up to the top and the rich man to the bottom. A certain number of municipalities have it, and the village sanitation committees have it.

26869. In the municipalities do the Councils have a hand in the assessment?—Yes, but in some municipalities I have found such a tendency to let off the rich men lightly and to make the poorer men pay heavily, that I had to have the *haisiyat* revised.

26870. Do you think revenue inspectors ought to be more under the control of the District Officers. The final control now rests with the Director of Land Records?—The Director of Land Records does not interfere very much.

26871. Would you like more powers in that direction?—I am satisfied; I have never had any trouble about it.

26872. Have you ever been in a district under settlement?—I have been a Settlement Officer.

26873. What were your relations with the Deputy Commissioner, did you consult him?—I had several Deputy Commissioners, some of whom I worked most amicably with; with one I did not quite; they were nearly all my juniors. If you mean did I consult them, yes to a certain extent, but not to a very large extent about details. Principles have to be forwarded through the Deputy Commissioner.

26874. I understood from Mr. Sly that they had not and that the Settlement Officer went straight to the Divisional Commissioner?—He is better qualified to say than I am, but I thought that matters such as the *wajib-ul-arz* and the *tahsil* report went through the Deputy Commissioner. I was a Settlement Officer from 1894 to 1900 and there may have been some changes since.

26875. Then it depended on your relations with the Deputy Commissioner; if you were on friendly terms you took him into your confidence, and if you were not you did not?—As to the person I am speaking of, we met practically every day during the rains and any particular matter was discussed unofficially.

26876. Would you have consulted him as to the assessments you were contemplating, and whether the landlords were able to bear them, and so on?—At that time the position was that the Deputy Commissioners were much junior to me, and I knew the district so very much better than they did, so that I did not consult them as I did not think their opinion would be very useful. If the position had been reversed, I should have done so. When I was Deputy Commissioner at Raipur the Settlement Officer has constantly talked to me about the district, because I knew it better than he did and had been there longer than he had.

26877. (*Sir Steyning Edgerley.*) Several witnesses have suggested to us that they would like to see Government give loans for freeing estates from the Court of Wards. Is it not quite possible to get such loans if you want them?—There has been lately a good deal of trouble about loans in the Central Provinces, because we had a succession of bad years which hit the lenders rather badly, and up in the north there were a number of estates which were taken over which were hardly solvent, and the famines made then insolvent; so that one of our greatest lenders began to fight shy. Then, we have been taking them lately from the Dufferin Fund, which has been only too happy to give them to us; some trouble arose about that, but I believe it has been got over, and we can generally get the loans we require from the Dufferin Fund.

26878. Can you get them from the Government?—I have never heard of such a case.

26879. Is that because you do not try to get them from Government?—No, I think it has been barred.

26880. In Nagpur your Local Board pays over Rs. 20,000 a year to Government for the maintenance of roads in Class 1 and Class 2; do those roads belong to the Local Board?—Probably they may be said to belong to it, but there is very little difference between a Government road and a Local Board road.

26881. Why do they pay the money; are they provincial roads?—Provincial roads are maintained entirely by the Local Government; there are other roads which are not on the provincial list, but they are maintained by the Engineers entirely.

26882. Now that you have got a Divisional Engineer, will these roads be managed by him?—The Divisional Engineer at present is getting a great deal more work than he can possibly get through in the way of buildings, and I very much doubt whether he could take up the question of roads. The man we have got at present is a pensioned Public Works man of the subordinate grade; he is good enough in some ways, but he is not as young as he was.

26883. What is the status of what are called Class 1 and Class 2 roads?—The roads to which we subscribe are not provincial roads, so I suppose you would call them district roads; I do not know that they have been formally vested in the District Councils; I do not quite know in whom the property lies.

26884. You say you think there is excess of rigidity in the Education Department; will you tell us what you are thinking of?—I think that at the present time the educational policy as concerns primary education is to educate a few boys fairly highly and not a sufficient number of boys.

26885. But you say "the Department is somewhat too uniformly managed to meet the varying requirements of different localities"?—I wish to see a very much larger number of schools—a school in every village; I should like to see a certain number of schools purely primary, doing the three R's., instead of teaching the secondary subjects, geography, agriculture, patwari work and various other things which are brought into the curriculum. That is a standard curriculum for the whole of the District Council's schools; in order to teach that curriculum you require certificated masters. We cannot get sufficient masters to go on to extend our schools. Unless we can get some more rural schools as well, we cannot educate the bulk of the people.

26886. Have the District Councils no say as to the curricula?—No. It is fixed in the manual.

26887. Is the manual a law of the Medes and Persians which it is impossible to alter?—No. One could get the schools by agitation, if one had the money. Some suggestions of mine were very sympathetically received by the Director of Public Instruction, and I hoped to work some through, but I had not the money to do it.

26888. What was the difficulty?—I wanted to start a greater number of schools and I had not the money to do it; I wanted to start new schools on a simplified basis.

26889. You complain of the financial control in the matter of excise, and apparently of all departments; what does that refer to?—The whole question of contingencies; that is the only financial part we have to deal with.

26890. You would like to have a lump sum and be able to spend that with no questions to be asked as to how you spend it inside the lump sum?—Practically none.

26891. You also think that the control of the local Councils and municipalities might be very much relaxed; and that it would be sufficient for the Commissioner to get the budgets, the monthly accounts, and a copy of the proceedings for information and for action if he thought necessary?—Yes.

26892. And as to sanctions?—In working out the detailed proposals I daresay you might find some things that required sanction, but I was referring to the principle.

26893. And the same as to municipalities?—Yes. Of course a matter of this sort would have to be worked out very carefully, and one or two things might be found as to which you would require to have certain safeguards. For instance, a short time ago we raised the pay of the chief Executive Officer of the Nagpur municipality to Rs. 350; I got a letter from Government saying that they had found out that this required the sanction of the Government of India.

26894. How could that be, as it was paid from excluded local funds?—I cannot say; anyhow, it had been sanctioned by the Local Government, and they sent it through again for sanction, because it was more than Rs. 250 a month.

26895. We have been told that the Civil Service Regulations and the Civil Account Code have been applied to the municipalities and Local Boards; whose orders are those?—I cannot say.

26896. They do not apply these codes themselves?—No; it must be by the Chief Commissioner's rules under the Act.

26897. It has a somewhat centralizing effect if they do apply?—Yes.

26898. You are not in favour of panchayats or village unions?—Not at present; not until the bulk of the people are educated.

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26899. Some people think that they are the only way of getting a satisfactory electorate for the District Boards; how would you meet that suggestion?—Knowing how difficult it is to get anybody to take any interest in an election at all, I think that the *mukaddams* whom we have as the electorate at present would be just as good as the village panchayat.

26900. The village *mukaddam* is nominated by Government?—He is not nominated by the Government: the *malguzari* body has a *lambardar*, who is appointed by the tahsildar as far as possible in accordance with the wishes of the shareholders, and that man is *ex-officio mukaddam*; below him there is the *gomashta*, if he is not a resident, and in the choice of the *gomashta* there is a certain amount of control by the tahsildar to see that he is a proper person.

26901. Does the District Council work well under the non-official Chairman?—The main part of the work is done by the official Secretary.

26902. Who is the official Secretary?—Mr. Ramkrishna Rao, the father of Mr. Pandit, who is the Vice-Chairman; he and his son do most of the work.

26903. Do you think that the body works badly as it is constituted?—I have seen rather little of the work up to date of the Council here; it does its work in a way.

26904. Do you find that you yourself have not sufficient information about what is going on in the district, owing to your not being on the Council?—No; I do not think the District Council would add to my knowledge of the district; they seldom talk about anything except the agenda.

26905. Would it be a great advantage to you to be present at those discussions?—No. In certain cases when there is anything important a Deputy Commissioner very often signifies his intention of being present, and his presence is generally welcomed; perhaps it could not be otherwise.

26906. Are the *tahsils* too large?—In some places; in Raipur certainly.

26907. If you had a free hand, what would you consider was the proper size for a *tahsil*, on a rough average?—I think somewhere about 800 square miles; it depends of course on the amount of work in any particular place. In Raipur they might do a little more in some places; there is one there well over 2,000 square miles.

26908. We have been told that there is a good deal of interference with Local Boards from above, and we have been told further that that leads to want of interest in the work, and that that leads to resignation by members and inability to get the best men to come on to the Boards; do you agree with that?—I have never heard of a member of a District Council resigning, or of not being able to get the best men on. I think people value seats on the District Council from entirely other points of view, not in order to do work, but to gain in importance.

26909. You are ready to give the District Councils powers of taxation? As to that it has been suggested to us that, if they could tax the people, the people would take a much keener interest in their proceedings, and as to how they spent the money, and as to whom they elected on the Councils, and so forth; what do you think of that?—They would take a keener interest in the elections, certainly; but I doubt their taking much interest in what they did; because the ordinary village here looks on the Local Boards or the District Council merely as a modified form of the *Sirkar*, and I do not think they realise any difference between what the District Council is doing and what Government is doing.

26910. You have told us that you did not see much harm in powers remaining with higher authorities. We have been told elsewhere that the correct principle on which to base a distribution of powers is to put the power in the hands of the officer as low down in the scale as is safe. What do you think of that as a principle?—I agree with that, but there is the question of safety. The control of higher authority is very useful in many cases for some elimination of the personal element. Sometimes a Deputy Commissioner finds it very hard to appreciate the proper proportions of a case, whereas an outside man would be able to do so.

26911. As a general principle, is that a working principle?—As a general principle it is as far as it is safe; it is a question of safety.

26912. (*Sir Frederic Lely.*) You were rather an exceptionally long time at Raipur as Deputy Commissioner?—I was there from 1903 to the middle of 1907—four and a half years—of which I was away eight months on leave.

26913. Was there any special reason for your remaining there longer than usual?—On one occasion I was asked whether I wished for my name to be considered with reference to another and more favourite district, Jubbulpore, and I said I was quite happy in Raipur.

26914. Does every Sub-Divisional Officer exercise the same powers?—They are not given to him *quâ* Sub-Divisional Officer; they are given him according to his experience; but ordinarily they are given full powers by the Chief Commissioner as soon as possible.

26915. Would it be advisable to enable the Collector to delegate to his officers such of his own powers as he thought fit?—I cannot think of any power which one could delegate which is not practically delegated at present.

26916. Is it not rather cumbrous to have to go up to the Chief Commissioner for the delegation of powers?—The Sub-Divisional Officer is given certain powers under the Land Revenue Act; he becomes a Collector under one section, and a Deputy Commissioner under another section.

26917. Are those powers given as a matter of course to every Sub-Divisional Officer?—Yes; first of all he gets one set of powers usually, then shortly afterwards he gets the full powers of a Deputy Commissioner under the Act.

26918. Then there is a certain amount of differentiation between the various Sub-Divisional Officers?—Between the various Extra-Assistant Commissioners; sometimes one will have a rather junior man sent to one, who is put in charge of a sub-division; he would not have the full powers, but he would get them after a short time.

26919. After that, practically all Sub-Divisional Officers are on the same level?—Yes.

26920. Would it be advisable to give the Deputy Commissioner power to give powers to one man and more powers to another, according to their seniority and according to their general competence?—I do not see that they could get more powers than they get at present.

26921. It has been suggested that junior Civilians during their first year of training should be sent for a couple of months or so to a Settlement Officer to learn their work, instead of their training being deferred until afterwards; what do you say to that?—I think they ought to learn the language first.

26922. As a matter of fact it would save a certain amount of inconvenience?—A great deal, and it might teach them the language more quickly; but it would be very hard for them to follow the work until they had learned more of the language than they probably would have done in a year. My knowledge of the language after six months was not sufficient to enable me to take a very intelligent interest in a village inquiry.

26923. Then on the whole, notwithstanding the inconvenience it would save, you are not prepared to recommend it?—I think it would be better for him to go when he was better able to take advantage of the instruction.

26924. How long is a Deputy Commissioner expected to be on tour in the year?—I cannot tell you offhand.

26925. Nor as to Sub-Divisional Officers?—I have always made it the rule that everybody should be out on tour as long as I could keep him

out. I am afraid I have not noticed very particularly the minimum which has been set, because I have always been working for a maximum.

26926. Is not the camping of an officer considered a burden on the village?—Yes.

26927. Notwithstanding that, you think it would be better for Sub-Divisional Officers to spend as much of their time as possible touring?—Yes One does one's best to make it as little burdensome as possible; the balance is for good.

26928. Do you advocate a man making rapid camps?—No, a Deputy Commissioner must travel fairly fast, but a Sub-Divisional Officer ought to travel as slowly as possible. A Deputy Commissioner has to get round a fairly large area, and it is very hard for him to stay very long.

26929. Speaking not so much of Raipur, but from your experience of Nagpur, would you say that the fault as regards the alleged inaccessibility of Europeans was all on one side, on the side of the Europeans, as so many witnesses have told us?—All I know is that at the present time every morning I have three or four gentlemen coming to see me. I am very pleased to see them; they occupy a very large portion of my time; I do not find that they seem to look upon me as inaccessible.

26930. Are you aware of any large section of the community who do not wish for intercourse?—I think the section of the community which has been described as extremist does not come to visit me very much; the other section of the community and the people who take no part in politics come daily to me.

26931. Could you give us an idea roughly what proportion of the Deputy Commissioner's office work consists of papers that merely have to be initialled or papers the signing of which is merely formal?—There is a large amount of that; it is rather hard to say how much, because it depends on how many of these formal papers one does read; sometimes I do read them, sometimes I do not; there is a good deal of it.

26932. As a District Officer do you consider that the tahsildars as a class are equal to their situation?—They are improving in some ways; I do not know whether they are quite as good as some of the old men; they are getting more legal, and they do not push through their work quite so fast.

26933. Is their intercourse with the people more or less reserved than it used to be?—I think it is about the same, but the tendency which I object to in them now is doing all their work sitting in their cutcherry; a tahsildar's court is his saddle.

26934. That means more intercourse with the people?—In the towns they mix with the people quite freely and talk to them.

26935. Do they know what is going on as well as they ever did?—Perhaps not in some places, from that fact of sitting in their cutcherry and doing their work there.

26936. Are the tahsildars as a rule men who deal with false rumours and help to disperse them?—I have had a great deal of that kind of thing just lately here, and one tahsildar was transferred to another district because he did not do anything; but other tahsildars have done their best.

26937. Then again, there is often much misunderstanding of the orders and opinions of Government; do the tahsildars as a rule take much trouble to diffuse proper views on matters of that kind?—At present the tahsildars are a little bit afraid of arguing and talking about these subjects, in case it might be said that they were taking part in political discussions. They may do it in private conversations, but they do not like to address a number of people for fear it might be said that they took part in political discussions.

26938. Are the doctors in charge of rural dispensaries all that are required?—A great many of them are fairly good, and a few of them are quite bad.

26939. Is the supervision over them sufficient?—The Civil Surgeon has very little time to supervise them. The Deputy Commissioner and the Sub-Divisional Officers inspect dispensaries and write remarks in their books and so on. We have no control over their professional side. I have often thought that when the number of dispensaries is large it would be a very good thing to have two Civil Surgeons to the district, one a peripatetic Surgeon and one for headquarters.

26940. You think that the supervision is insufficient at present?—It could be improved, but otherwise with regard to sanitation and vaccination and other things they are nominally under the Civil Surgeon, but the Civil Surgeons have very little time to exercise control.

26941. Would it be good to give the District Board more immediate control of the subordinate medical men?—I do not think that would help at all

26942. In the Raipur district there are some forests managed by the villagers?—I think you refer to the fuel and fodder reserves which were bought from *malguzars*, various waste pieces of land, to be re-afforested; they were handed over to the District Council for management.

26943. Have they been a success?—They have been fairly useful as regards fodder, but no very strong attempts have been made until rather lately to improve them as fuel reserves, that is to re-afforest them, and many of them are almost impossible for re-afforestation, because they are such very poor soil.

26944. Has the management been in the hands of the District Board or of the neighbouring villages?—The District Board, under the Deputy Commissioner; it was a special department like the Public Works of the District Council, and the Deputy Commissioner had orders to look after it. The village, as such, had nothing to do with it.

26945. (*Mr. Dutt.*) What do you think of the idea of the Sub-Divisional Officer pitching his tent in large central villages and visiting the villages all round, instead of going with his tent to small villages?—He practically does not go to every village except in the case of absolute necessity; sometimes in order to get from one place to another you have to camp at quite a small village, but ordinarily you go to the biggest village in your line.

26946. And from that as a centre you visit the villages all round?—An Officer generally moves on; he will stay for a day or two and very likely go out to see one or two villages, but he is generally on the move, because he has a thousand miles or so that he has to go over and he wants to see it all fairly constantly, so he zig-zags about rather than stays at one place for a certain number of days.

26947. If he encamped in large villages where there are bazaars, his tour would be less trouble to the people than it otherwise would be?—I do not think it is actually the things that can be got from a bazaar which are troublesome—certainly not in this district. Nearly always a *baniya* can be got to supply it; it is the other matters—the difficulty of getting tents there; the tents come in at an inconvenient time; they have to be put up and things have to be collected and so forth; the chaprassis and private servants order about here and there, "Bring this wood here; get some water here"—all that kind of thing is trouble.

26948. Can that be avoided or minimised in any way?—It can be minimised by the care of the officer, but it cannot be entirely avoided.

26949. Tahsildars are now appointed by the Chief Commissioner. A suggestion has been made to us that they might be appointed by the Commissioner; would you approve of that?—I certainly think it is much better that they should be appointed by the Chief Commissioner.

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26950. We have had it in evidence from a witness that in his sub-division there are about 500 villages and only about 40 primary schools, so that if you have a primary school even for two or three villages you would have to quadruple the number, and if you wanted taxes to the same amount you would have to quadruple the Education Cess. It is possible to quadruple the Education Cess without a great deal of hardship?—I want to have these extra schools run on very much cheaper lines; the present staff for a school runs to not less than Rs. 20 a month; you could run a rural school on about Rs. 5, by assisting the people to run their own school.

26951. So that with your present income you could have almost four times the number of schools that you have now?—I would not like to run down the present schools. The curriculum is extremely good; the only thing is, it is too expensive for the extension of education to the bulk of the people. I would not suggest reducing the present schools to a lower grade, but I would like to add, over and above that, a large number of other much more elementary schools.

26952. In those cases would you entrust the school to the village altogether, the village to have the management of the school, with a grant of Rs. 4 or Rs. 5 a month as a sort of aid or stipend?—Yes, subject to a certain amount of check of examination. The grant would be continued as long as there was a certain number on the roll and so long as a certain number passed a certain examination.

26953. In those schools you would simplify the curriculum?—I would merely have the three R's, because I want to include the children of agricultural labourers and so on, and to get them through their course as quickly as possible and send them back to the fields. The great complaint of the people is that they want their boys back to the fields for their trades; if boys are kept in the schools for three or four or five years the result is that the parents will not send their boys, because they want them to herd cattle and so on.

26954. In the last three or four years you have received from the Government of India some contributions to education by the District Board?—I do not know where they came from, but we have been receiving some large grants-in-aid for primary education.

26955. Has that money been mainly devoted to educational purposes?—For building schools, increasing the number of teachers, increasing the pay of teachers, and getting better men—certificated teachers.

26956. Not in forming new schools on the plan you have suggested?—Not on that plan, but we have at the same time been able to increase our schools to a certain extent.

26957. Is there a forest officer in every district?—It is hard to say in every district; it is very nearly so, but Nagpur and Wardha, for instance, are in one charge; there are some districts that are joined up.

26958. So far as the public are concerned, is the forest officer to some extent under the direction and control of the Deputy Commissioner?—He is declared in the rules to be an assistant of the Deputy Commissioner in forest matters, and he is not supposed to write officially to the Deputy Commissioner; the Deputy Commissioner and he correspond by memoranda, which shows the position; their position is more intimate than that of two departments corresponding officially.

26959. So far as the needs and requirements of the people are concerned, do you find that the forest officer generally agrees to the suggestions and requisitions of the Deputy Commissioner?—Very largely so.

26960. So that you have no reasons to complain of the relations now existing between the forest officer and the Deputy Commissioner?—Not in the great majority of cases; there are exceptions of course.

26961. Would you say the same with regard to the police?—Yes. In the case of the police and the Deputy Commissioner the relation is rather more intimate; in case of necessity the Deputy Commissioner will pass a definite order to the Superintendent of Police; it is generally not done, but the final responsibility lies with the Deputy Commissioner. It very seldom happens that one does more than have a conversation in which mutual suggestions are given and received.

26962. In regard to promotion and transfer of subordinate officers in the police, has the Deputy Commissioner as much authority as he requires for the purposes of good administration?—Certainly, provided he chooses to take it up. I have never known a District Superintendent of Police demur to a suggestion that some police officer would be more useful in a different thana.

26963. Is it done by suggestion, or has he power to pass an order?—I think he has power to pass an order; if the District Superintendent of Police disagrees with him he can appeal to the Inspector-General of Police and it might go up higher, but practically I have never known a case where such an appeal has been necessary.

26964. (*Mr. Hichens.*) When the District Council have passed their education budget, have they got anything more to do with education for the year?—Yes, all the questions of transfer and promotion and punishment of schoolmasters is in their hands.

26965. These matters do not go to the Local Boards?—No; they occasionally may go to the Local Board, and then from there to the District Council, but mainly all questions of transfer or punishment are in the hands of the District Council.

26966. We were told to-day that there was a Local Committee for each school?—Yes, a School Committee.

26967. Are they not consulted in a matter of that sort at all?—The School Committee runs the domestic part of the schools, spends the fees on local needs, and can give the schoolmaster a certain amount of leave; occasionally the School Committee write up and say the schoolmaster is not doing his work properly, and recommend that he should be punished.

26968. Do questions of transfer come before the Board, or are they settled by the Secretary?—They would go before the District Council in most cases, but in urgent cases the Secretary very often passes the order in anticipation of the sanction of the Council.

26969. In regard to hospitals and vaccination work and so forth the District Council do very little but pass the budget?—With regard to dispensaries the District Council practically only gives grants to separate Dispensary Committees, which work generally under the Civil Surgeon; the District Council has very little interference with the actual working of any dispensary; it gives a grant.

26970. They have no inspecting agency?—We would like the members occasionally to take an interest in these local things, but they do not as a rule take a great interest.

26971. Then does the District Council carry out any Public Works through its own agency?—Now that we have got a Local Fund Engineer. In Raipur the District Council built the schools and built pounds and did some arboricultural work, and it used to have two small lengths of road also under its overseers.

26972. Is not a certain quantity of work done by the tahsildar?—All the works are done by the Council or by the tahsildar *qua* its Executive Officer.

26973. Has the District Council very much Executive work to do?—It has to vote these buildings, and very often the members will watch the execution of the buildings and will pay the bills; very often the coolies and so on are paid in front of the members.

26974. Do they spend a good deal of time allocating whatever money there may be as between one Local Board and another?—They do not spend much time; they have a meeting when they settle how much each Local Board shall get; the Local Board sends up its needs; it frames a sort of budget.

26975. But it gets a purely arbitrary allotment? It would be in accordance with its needs to a certain extent, as far as they could be met.

26976. How would it work supposing the Local Board got the whole of the share of the cess which is collected within its borders and the District Council were abolished?—In many cases that might rather work with difficulty, because sometimes the poorer parts of a district might require more money than its cess would provide, and some of the richer parts might be able to spare some money.

26977. Would the richer parts share that point of view?—It is, I think, the rule of all Government.

26978. Of the things that you have enumerated there is not very much that cannot be done as efficiently by the Local Board?—No, except that we get a better set of men on the District Council as a rule. You get a certain number of people at headquarters, nominated members, and so on, who cannot well serve on the Local Boards; it is rather difficult to nominate good men because they do not live there.

26979. Your objections are, in the first instance, that some of the Local Board areas would be so poor, and that you think is a strong objection?—Not very.

26980. The next is that you would not get quite such an efficient body on the Local Boards?—Yes.

26981. On the other hand, would they identify themselves more closely with the interests of their locality?—I have not yet found a Local Board member who interests himself in the affairs of his locality.

26982. Is that not because they have nothing to do?—I have asked them to do things, but they will not do them.

26983. Is it not possible to develop in that way?—I hope it will be developed, but it will take time. I do not think abolishing the District Council would develop local interest.

26984. Do you advocate the appointment of a Divisional Engineer for all the different divisions in the province?—It is absolutely necessary that we should get a proper engineering staff for District Councils, but there are so many things to do first. We must get more money; we must have a graded Service; we must have some provident fund in order that District Councils can compete with Government. At present we get the riff-raff, and in the end the Public Works Department must take all the best men. We cannot offer a salary which would invite anybody worth having to come.

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26985. Would it be a good thing to make over all the road work to the District Council, assuming the financial difficulty could be solved?—I think a number of the main roads ought to be kept and run by the Government Engineers. Experience in England, for instance, has shown that road work is much better done by District Councils than by parishes.

26986. You have suggested that they should have increased powers of taxation. Will that meet the difficulty, or will they have to have substantial increased provincial grants as well?—I would much rather see it done by taxation than by grants; I do not like this principle of doles. The point is that their resources should be fixed, and understood, and not dependent on the chances of the moment, because if that is so no budget can be framed and no responsibility can be encouraged.

26987. It might be laid down as a principle that they shall get a grant from the Government of a percentage on their collections; that would give them a fixed income?—Yes, only anything they got should be a fixed income which they could be empowered to deal with, and not merely "The District is getting into debt, give them Rs. 20,000; that one is flourishing, take something from them"; that is what I object to.

26988. Then in regard to municipalities, do some of them have an assessment rate as well as the *haisiyat* tax?—They do not have an assessment; they have octroi; they either have octroi or a *haisiyat* tax.

26989. Is their financial position as miserable as that of the District Council?—The minor municipalities are badly off.

26990. They get doles for education and sanitation from time to time?—Yes, and for killing rats.

26991. They get nothing they can count upon as a permanent source of income?—They have grants for general purposes from time to time, but those can be raised or lowered; they are not certain.

26992. Should the same principle be applied in their case?—I should like all grants to be more or less fixed, if they could be fixed liberally enough.

(*The witness withdrew.*)

Mr. B. Robertson, C.I.E., I.C.S., was called and examined.

26993. You are Commissioner of the Berar Division?—Yes.

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The rules under the Berar Land Revenue Code, which were issued in their present form a year or two ago, have done much towards properly regulating the work of the Commissioner, Deputy Commissioners and their Assistants. Assistants who have passed the Departmental Examination by the Higher Standard can be invested with many of the powers of a Deputy Commissioner. Against their decisions an appeal lies to the Deputy Commissioner. If the Assistant's decision is confirmed, there is no further appeal. If the decision is modified or reversed, an appeal lies to the Commissioner, whose order is final. The references required to be made to the Commissioner by the Act and the Rules are not very numerous, and there are only a few of them in which I would dispense with the Commissioner's sanction.

In connection with revenue work there are general complaints that the tahsildar is overworked, and at present he undoubtedly is. But not enough has been done to relieve him. He is often the only Magistrate in his *taluk* for the trial of 2nd and 3rd class magisterial cases. He has a naib-tahsildar as his assistant, but the latter possesses no powers either as a Revenue Officer or as a Magistrate. In one case I found objection taken to the naib-tahsildar passing *ad interim* routine orders in revenue cases, in the absence of the tahsildar, such as calling for a report from the *patel* or patwari. There is a great tendency in Berar to regard everything written on paper as a "case," whether it comes under a regular head of revenue business or not. The tahsildar is expected to pass orders on all cases, including matters which are not cases at all, in his own hand. In a busy *taluk* his time is taken up with a mass of often irrelevant detail, which gives him no chance of attending to matters of real importance. I propose authorizing naib-tahsildars to deal with certain classes of minor revenue work, and suggesting that they should be invested with 3rd class magisterial powers. Benches of Magistrates might be established in several places where there is a well-to-do community. The tahsildar would thus be relieved of his less important work, and if he is at the same time not tied down to recording in his own hand evidence and orders in minor revenue cases so much as he is at present, he should be able to exercise a much more effective control over the general administration of his *taluk*.

With regard to general administration much has been done in recent years to give enlarged powers to Commissioners.

In Berar Section 35 of the Land Revenue Act gives the Deputy Commissioner power to pass final

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orders for fining, reducing or dismissing a subordinate on a salary not exceeding Rs. 35. The Commissioner has power to fine or reduce a subordinate on Rs. 99 and no appeal lies. But in case of dismissal one appeal lies, if the salary is over Rs. 35. In the case of officers not subordinate to the Deputy Commissioner, there is a right of appeal in the case of every punishment, and a right of second appeal, when the subordinate draws from Rs. 25 to Rs. 50 a month, to an authority subordinate to the Local Administration. If over Rs. 50, a second appeal lies to the Local Administration. A further appeal lies to the Government of India when the pay is over Rs. 100. I should like to see the Berar Revenue Law brought more into conformity with the general practice. I would allow a right of appeal against an order of dismissal, which the law does not at present give when the pay is under Rs. 35. As regards the general practice I should allow no appeal against fines not exceeding one month's pay or reduction for one month. I should curtail the limit of second appeal by substituting Rs. 35 to Rs. 75 for Rs. 25 to Rs. 50. And I should make the Local Administration's order final in the case of all officers drawing less than Rs. 250 a month.

I am in favour of the more ready removal of officers who are absolutely unfit and inefficient. Government is far too lenient with its bad bargains, and I should view with favour a tightening up of the bonds of discipline in this respect. In Berar there are one or two officers holding the post of naib-tahsildar, who are a burden to the District Officer and of no use to the people; they had previously been in ministerial service, but have for years been hanging on as *taluk* officers. It is no doubt difficult to remove a man who has many years of service, but in notorious cases we should stiffen our backs and shake ourselves free of such encumbrances. No private employer would ever run his business with men who are quite incapable, and in Government administration there should be less of the idea "Once a Government servant always a Government servant."

The Head of the Administration passes a considerable portion of the year on tour, and is to a great extent in personal touch with Commissioners and District Officers, and so far as my experience went the views of the latter were always freely sought for by the Chief Commissioners under whom I served, and due consideration given to local opinion. In Berar the Commissioner held a semi-independent position prior to the amalgamation with the Central Provinces, and he still retains the requisite influence outside his purely land revenue duties.

In Berar the Executive Officers have sufficient opportunities for personal contact with the people, and lack of knowledge of the people cannot be laid to the charge of the Berar officer. To enable this to be kept up, he must not be swamped with office routine and should not be tied too much to his desk. The Commissioner should endeavour to see each of his Deputy Commissioners personally as often as he can, to discuss pending matters and thus avoid formal correspondence. There are generally numerous matters which can be disposed of in this way, even at the cost of a month or two's delay, much more satisfactorily than by letter-writing.

The system under which grazing land in villages is managed by the Forest Department is unsatisfactory, and the Chief Commissioner has recently asked me to go into the matter. It is not an easy question to settle, but I hope that some way of meeting the difficulty will be found.

As to knowledge of the vernaculars young officers should be made to pass much stiffer language examinations than they do at present. I would as far as possible keep an officer who is posted on first appointment to, say, a Mahrathi-knowing district in such a district for at least three years, to make certain that he really gets to know the language. To pass in a second language he should have two years after being posted to a district where it is spoken.

The frequent transfers of officers is a great bar to good administration, but in the Central Provinces we are not given to offending in this respect. The matter received constant attention from the Chief Commissioners under whom I served as Chief Secretary. I have a grievance in Berar regarding the frequent transfers of officers posted to the three important sub-divisions of Basim, Ellichpur and Khamgaon, to which an extra allowance of Rs. 100 a month is attached. In Ellichpur there have been ten changes in just over two years. I would make it a rule not to give these sub-divisions to men who may at any time go off to officiate as a Deputy Commissioner. Their seniors cannot grumble at losing the allowance, if they have the chance of acting in a district instead.

Municipalities and District Boards are at present kept in leading strings to a quite unnecessary extent. In the Commissioner's office a great mass of correspondence takes place, and much of his time is taken up with details of petty control. The system of local audit has a fine field in connection with the financial sanctions which the rules lay down, and I am continually receiving objection statements regarding amounts which have not been passed for want of the Commissioner's sanction or for some defect in the procedure actually adopted. When it comes to dealing with an objection by the Auditor against the purchase of four pairs of boots a couple of years before for coolies who had to enter plague-infected houses, the nature of the control which it is attempted to exercise can be imagined. This was a case recently sent up by a municipality, and there have been others scarcely less ridiculous.

I am not much in favour of Administrative or Advisory Councils to assist District Officers. Their appointment would certainly mean delay, and I believe that the District Officer who is really in touch with his district does not need such assistance or advice. If some plan of limiting their sphere of influence could be devised, I should have no objection to their being tried. I would limit the number of the Council to five. The Chairman or Vice-Chairman of the headquarters municipality and of the District Board might be *ex-officio* members and the three remaining members should be nominated by the Administration. The Advisory Council should be referred to only on questions of general policy or administration, at any rate to begin with. It would probably not be difficult to devise a scheme of such references. I should also have no objection to their seeing the ordinary yearly Administration Reports and letting them give their opinions on any of the matters they contain. But this would admittedly mean further delay in publication of the reports, which are often belated enough as it is at present.

The Berar *patel* has at present certain authority under the Revenue Law. I should like to see selected *patels* given something in the shape of the police powers which *patels* can exercise in Bombay. In Berar I do not think you could have the village community electing a panchayat for the disposal of petty matters. The *patel* would dispute the authority of the panchayat, which would usurp his proper functions. And having the *patel* the best thing to do is to make use of him and his authority, which, with certain safeguards, could be done.

26994. Is there any difference between the conditions which obtain in the Berar Division from those which obtain in other divisions of the Central Provinces—The whole of the land revenue system is different; Berar is raiyatwari; the people pay their land revenue direct to the Government; in the Central Provinces there is the zamindari system; that is the great difference. Then, there are different laws in many respects applying to Berar and different arrangements also in many details of administration.

26995. When it is desired to apply to Berar a Regulation which is applied to the Central Provinces, is there any particular mode of procedure?—Yes. Berar is foreign territory still, and the Governor-General has to apply it by an order in Council.

26996. Does that occasion much delay as a rule?—It creates a good deal of delay. For instance, there is a case at present in the town of Amraoti; they have asked to apply the Hackney Carriage Act there; that is a very small matter, but it means that it has to go to the Chief Commissioner

who has to go to the Government of India and eventually the Act will be applied; it takes a few months to get through these channels.

26997. The delay exists, but it is forced on the Government of India and on the Local Government by the relation of the two territories?—Yes.

26998. What is the area of Berar?—17,709 square miles, with a population of two and three-quarter millions.

26999. Is the distribution of work in Berar as between the Commissioner and the District Officers the same as exists in the Central Provinces?—Very much the same.

27000. You have had some experience in other provinces as well as in the Central Provinces?—I served for about 4 years, when I first came out to India, in Bombay as an Assistant Collector.

27001. Speaking generally is there a greater restriction upon the subordinate officers, the Sub-Divisional Officers and District Officers in this province than in Bombay?—It is very many years ago since I served in Bombay, but I should say that in these provinces the Sub-Divisional Officer is more kept in leading strings than he was in Bombay. The Sub-Divisional system in Bombay had developed much more in those days than it has here even at the present time; in fact sub-divisions in these provinces are comparatively of recent creation.

27002. Therefore, in your judgment, there remains a good deal of delegation which could be given to subordinate officers still?—It is scarcely correct to use the word delegation; the Sub-Divisonal Officer in Bombay had undoubtedly more independence; he moved about in his sub-division and did things more off his own bat than he has yet begun to do in these provinces.

27003. The officers here are no longer so junior as a Service, as they were some few years ago?—A few years ago the province was very badly off for senior men and officers were specially junior; now they are well up to the average.

27004. That is a reason in inself why some greater discretion should be given to them?—Certainly, and we have also to take into account the Provincial Service. Undoubtedly the Provincial Service has greatly improved in recent years; a better class of men has been got in, very trustworthy and capable men; of course there are exceptions, but having known this province for some time, there has been an undoubted improvement.

27005. Notwithstanding the growing seniority of the less highly placed officers, and the excellence of the Provincial Service, they are still kept in stricter leading-strings than they were in Bombay 20 years ago?—It is difficult to say that exactly. The sub-division is a new thing. Formerly the Extra-Assistant Commissioner did the work that was given to him, practically from day to day, you might say, by the Deputy Commissioner. By cutting him off and giving him a sub-division of his own and letting him run his own show, you give him a better chance of knowing his independence and feeling his responsibility. The actual powers have not perhaps changed much, but the Sub-Divisional Officer has still a want of confidence about doing things on his own; he refers more to the Deputy Commissioner than he would in Bombay; and what you want to encourage is to make a man absolutely run his own sub-division. For example, I have had diaries of an Assistant Commissioner sent to me in the last month; when he went to inspect and found things were wrong, he seemed to think it quite sufficient for him to report on them to the Deputy Commissioner. All of these things really he could have done himself, and he would have done himself if the custom were that he should do them. That has got to grow, the men have to be made to understand that they are responsible for running the whole of their sub-division. It will come in time. On one particular diary, I wrote back and said "These are all things that the Assistant Commissioner should himself have seen put right."

27006. Was that a civilian?—Yes. It was inexperience rather than anything else. Most of these things were matters which he himself had power to do, but he seemed to be diffident about it and thought the correct thing to do was to report to the Deputy Commissioner.

27007. There are, I gather, certain powers still outstanding which might be given to Sub-Divisional Officers?—To approved Sub-Divisional Officers.

27008. Take the question of revenue, for instance?—In Berar the rules have been revised, and I think the powers which the Sub-Divisional Officer has now got in Berar are practically complete

27009. Can he remit wet revenue?—There is no such thing as wet revenue; there is nothing there practically but cotton; it is dry.

27010. Can he remit any dry revenue?—He cannot.

27011. Can he suspend it?—No, the Deputy Commissioner suspends.

27012. Could he advantageously exercise either of those powers?—I should prefer to keep them to the Deputy Commissioner. In Berar fortunately the question rarely arises. This year we had questions of suspensions and remissions, and this very point arose; we found men who at first said that we should have to suspend very large amounts; in one district; Buldana, it was going to run into a very large figure. The result of enquiries and a certain amount of control by the Deputy Commissioner was that the recommendation sent up was to suspend only Rs. 1,500, so that it was ridiculous having started it at all. I think the present recommendation to suspend Rs. 1,500 is sufficient; at any rate it is quite a sufficient index of what the scarcity has been there. Possibly had the matter been left in the hands of a comparatively inexperienced Sub-Divisional Officer, he might have made mistakes. It is very difficult in a case like the present to keep men from losing their heads, sometimes, in matters of suspensions and remissions.

27013. What are the limits of the powers in these matters of the Deputy Commissioner?—He has unlimited powers of suspension, not of remission.

27014. Should he have any powers of remission?—I would give him power to remit up to small amounts. In Berar the question luckily hardly arises, but I think the Deputy Commissioner might have powers up to Rs. 10,000.

27015. You do not mean an Officiating Deputy Commissioner?—A permanent Deputy Commissioner; there is no reason why he should not have power to remit. The question arises in Berar very rarely, and being a rare occurrence, the men do not quite know what to do.

27016. With regard to agricultural loans would you increase the powers of the Deputy Commissioner?—Yes. I am prepared to see Deputy Commissioners given much fuller powers than they have now, say, up to Rs. 5,000.

27017. It does not occur often?—Rarely.

27018. Do you get as a Commissioner any discretionary grant?—I get a discretionary grant for minor works, for small buildings, construction and repairs—Rs. 10,000.

27019. You spend that as you like?—I spend it as I please.

27020. Do you spend it yourself or through your Deputy Commissioner?—I generally give a small amount to Deputy Commissioners, say, Rs. 1,000 to each of the four districts, and let them spend it as they please on small things; the other Rs. 6,000 I spend on larger things.

27021. You have no other grant except in connection with Public Works?—That is all.

27022. Do you get many cases occurring in which such a grant could be usefully put at your disposal?—I do not know that there would be very much in Berar on which you could usefully dispose

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of such a grant. Grants are given which are practically at the disposal of the Commissioner; for instance, grants for dispensaries; the budget passes through him, and he has got his say in passing the budgets as to how he wishes the money spent.

27023. With regard to travelling allowances and small pensions and so on, have you got as great freedom as you think necessary?—I should prefer to see the Commissioner able to deal with some of these comparatively small matters in the Civil Service Regulations; most of them are very simple.

27024. Do you get many of those?—A very large number.

27025. And they take up a certain amount of time?—Certainly; you have to see that the thing is correct before you sign it and send it up.

27026. Do they generally come up in good order?—They do not, the pension cases are sometimes very tangled.

27027. Still they are of a nature that the Commissioner ought to be able to dispose of entirely?—I think so.

27028. Do you get many appeals through your hands?—The principal appeals, practically the sole appeals I should say, are revenue appeals, and there are not many of them.

27029. Do they involve as a rule sums of a large nature?—They do not involve sums so much as questions of title to lands, and some of them, of course, are of very great importance.

27030. Do most of them require to go on?—No; the Commissioner deals with them finally. His position is different from that of other Commissioners; there is no appeal beyond him except in very rare cases. In most revenue cases the Sub-Divisional Officer passes his orders; an appeal lies to the Deputy Commissioner; if the Deputy Commissioner agrees with the Sub-Divisional Officer, the order is final; no appeal goes to the Commissioner. If he disagrees, an appeal lies, and the Commissioner's order is then final. The Berari likes of course still to go to the Commissioner, in the former instance, with an application for revision, but that is a different thing from an appeal.

27031. Do you find that that contents the people?—They are quite satisfied. They have got accustomed to it. Of course there is a sign in these revision applications that they would like to have another shot at it on the off chance.

27032. Is it advisable that the Commissioner should have a budget for Public Works?—I think so. I should like to see him given greater control of the Public Works in his division than he has at present, in order to let him thoroughly know what is actually going on. At the present time in Berar we do not quite know what new roads or new projects the Public Works Department are going to take up next. We have sent up projects, but money is limited, and we do not know which they will prefer. It is not altogether the fault of the Public Works Department; I think it is partly also due to the fact that the current orders are to some extent overlooked. I should like to have much more direct dealings with the Public Works Department in order to know exactly what they are going to do, and, if they are going to make any change in the programme, what the change is going to be.

27033. Have you got the right now to call on the Executive Engineer to tell you what he is going to do?—I have the right.

27034. Do you exercise it?—I do certainly; but occasionally things get overlooked, and it creates a difficulty.

27035. What you want is to take away the the choice of selection from the Superintending Engineer and take that power yourself?—Yes. It can in present circumstances be done, but mistakes arise, which I should like absolutely to prevent by saying, "If a thing is going to be done you must tell me first."

27036. Can you post or transfer your subordinates in Berar?—I can transfer tahsildars and naib-tahsildars who belong to the Subordinate Civil Service.

27037. Can you post the Sub-Divisional Officers?—No, that is done by the Chief Commissioner.

27038. Can you transfer them?—No.

27039. Would it be useful if you could have that power?—It would be useful to allow me to transfer them; it means saving a letter; if I asked to transfer a man from A to B it would naturally be done, but it would mean a letter. It would be useful if I had power to transfer a man within my division.

27040. With regard to your relations with the provincial Government above you, have you any particular suggestions to make?—No. I have practically no suggestions to make in that respect, except in regard to matters which have been already covered, such as the relaxation of petty rules of control under the Civil Service Regulations as to pensions and so on. The relations are otherwise perfectly satisfactory.

27041. Do you find that, as a rule, you, as a Commissioner, get a full hearing from the Local Government?—I have been a Commissioner only three months, but I think that certainly one does get that.

27042. You were Chief Secretary for some time; you can speak from that point of view?—Personally I think in the Central Provinces a full hearing is always obtainable by a Commissioner from the Chief Commissioner.

27043. (*Mr. Dutt.*) The appointment of tahsildars now rests with the Chief Commissioner. Would you make any alteration in the matter of appointments?—I certainly think it is necessary that the Chief Commissioner should exercise some control; you will find that perhaps a Commissioner has got somebody to put on. Of course his advice is probably taken. But it is a useful thing before you put on a man to such an important post as that of tahsildar that there should be somebody else just to see that the man is the right sort.

27044. We had evidence before us just now that the Service of tahsildars is considerably improving; do you agree in that opinion?—I would certainly say so as regards the Central Provinces, and I think it is the same in Berar. More care has been taken in the selection of tahsildars recently than was formerly the case.

27045. Do you generally require any educational qualifications in the men you appoint as tahsildars?—I certainly always insist upon it; I am very strong on that.

27046. That the man should be a graduate?—Yes.

27047. So that generally the new appointments in Berar are graduates?—They are certainly going to be now; I do not know that they have been in the past; it is an unfortunate thing that they sometimes have not been so.

27048. You tell us that the work of the tahsildar is very heavy, and you suggest an increase in the number of tahsildars and naib-tahsildars. What would you say about increasing the number of tahsils in some districts or in some sub-divisions?—The matter has just recently been settled in Berar; we have cut down the number of districts from six to four; I did not, therefore, as I had newly come to Berar, care to say much about it. But, having been round Berar for the last few months, I think the time has already come when we could reconsider the question of the reduction of the districts. As to one district certainly, Ellichpur, a case could be made out to-morrow for doing it. As to the *taluks* in Berar, there are some *taluks* where quite a fair case could be made out for, say, splitting up two into three; it must come sooner or later, I am certain.

27049. Is the number of *taluks* in Berar about the same as the number of sub-divisions?—There are generally two or three *taluks* in each sub-division.

27050. Still, in some cases, the number of *taluks* will have to be increased in course of time?—The number of *taluks* will have to be increased, because the existing *taluk* in some cases gives the tahsildar so much work that he positively cannot get through it efficiently; he has to rush through it, and he does not see enough of the people and the actual working of his charge.

27051. You say that in some cases the Government has made very bad bargains, and it is very difficult to get rid of such men; what would be your opinion about the proposal to compel some of these men to retire on proportionate pensions?—I should favour it. Many of the men to whom I take special objection are men who are getting on towards the end of their service; they may at one time have been good enough for what was required of them in those days, but they are perfectly hopeless now; whether it is that they have got into their dotage prematurely or not, I do not know.

27052. In those cases something might be done?—I think something should be done. It is not fair to the country that these people should be still kept on under the idea that they are doing work which they are not doing.

27053. You say you are not generally in favour of Administrative or Advisory Councils, but you would not strongly oppose them if some working plan could be devised. When you form an Advisory Council, suppose there was some question on which the Deputy Commissioner wanted advice, would you favour the idea of his sending for other men also to be present at the meeting?—If you had your Advisory Council you should stick to your guns, and have the Advisory Council. As a matter of fact, the Deputy Commissioner would, as he now does, consult outside people generally, but if you have an Advisory Council I should certainly stick to it; I would not make official references beyond the Council.

27054. Do you think you could utilise the Council in any other way; are there minor duties which the District Officer could make over to them, or minor inquiries that he might call upon them to make?—You might possibly do that.

27055. You could utilise them in small administrative work of that nature?—I would have no objection to trying, if you gave me a satisfactory Council which suited me.

27056. Do you think that if they could do some work of that kind it would relieve the District Officer of a good deal of detail work?—I very much doubt if that would work. I think you would still have to see what happened and go into matters. I should not be sanguine of much relief, if any, coming in that way.

27057. In any case you would leave the District Officer to pass the final order on his own authority?—I should certainly do that.

27058. You do not think that the village panchayats in Berar would be likely to succeed at present?—Of course I speak with considerable hesitation, as I am quite new to Berar, but in Berar you have an excellent system of *patels*. The Mahratha *patel* is an excellent man as a rule, if he is properly looked after and well led and instructed. My view, at first sight, would be that you would probably have difficulties between the man in the strong position now and the up-start new panchayats; it would, I think, probably begin by leading to considerable friction in working, and it would probably not come to much in the end.

27059. Is the Berar system much the same as the Bombay system?—Very much the same.

27060. (*Mr. Hichens.*) Do you say that if an Advisory Council were appointed to a District Officer it would certainly not mean that he consulted more people, but it might mean that he consulted fewer?—I should say that he would make a reference *ex-officio* to his Advisory Council, if he had one; that would not debar him from asking anybody else he pleased; but I would not send official references outside the Advisory Council if you had one; I would confine such as far as possible to your Advisory Council.

27061. Is the provincial budget made up to-day on the basis of divisions, so that you can see exactly what is spent on each division?—No, there are no divisional figures given; of course they are all there somewhere, but it is published as a provincial budget; the division does not exist in it.

27062. Would you favour having a divisional budget?—No, I do not think there is much object in it, provided that you gave a separate allotment for Public Works; that is the main point; I do not see that it is of very great importance to have a divisional budget in other matters.

27063. Not if you had power to transfer from one head to another, for example?—I do not know that I should want it very much. I personally think it would not lead to very much convenience.

27064. We have been told in some provinces that mining regulations are somewhat restrictive; have you found that at all?—I have had a great deal to do with mining regulations from the point of view of the restrictive agency, having been Chief Secretary to the Chief Commissioner, and also having officiated as Secretary in the Department of Commerce and Industry. I think that in regard to mining you must have some restrictive powers; you must have some man who knows a good deal about the subject to guide people who know nothing about mining questions. If you do not have some general rules, at any rate to begin with, which are fairly restrictive, you will find people making mistakes, purely through want of knowledge. There was a case in the Bombay Government the other day. When I was in Simla they were fixing for thirty years a rate of royalty for manganese, which was about one-third of what we had been taking in the Central Provinces, the difficulty arising from the fact that manganese was quite a new business in Bombay. They had probably done what they had heard was done in other provinces, and had not understood the lines on which we were working here. When an absolutely new line of business arises it is very hard indeed for men who have had no experience in the matter to say straight off the reel what should be done. In mining cases, undoubtedly to begin with, I would have a great deal of control, until you have hammered out a policy. After you have done that, and people have begun to understand it, give as much freedom as you possibly can.

27065. Are there any powers in regard to mining that could be delegated to Commissioners?—In the Central Provinces you might certainly give extended powers with regard to prospecting licenses; I think the Chief Commissioner either intends to do so, or has already done so; but I have not dealt with mining cases for the last two or three months. Now that we know what the whole thing means, it will be quite right to give extended powers. I believe the intention is in the Central Provinces to give extended powers, now that we know where we are; but to begin with you must go cautiously.

27066. A man has to have a certificate of suitability?—Yes.

27067. That has to go to the Chief Commissioner?—Yes.

27068. Do you think that that power might be given to the Commissioner?—I think so on the whole. At present, under the mining rules which have been sanctioned by the Government of India, the latter would have to be first asked whether such delegation would be permitted. The Government of India have laid down these mining rules rather rigidly in order to save trouble arising. I quite agree that you ought to have rigidity to begin with. That is the view I take as being one who has sat at the top and seen the mistakes that have been made, unconsciously, by men who did not know better.

27069. (*Mr. Meyer.*) As regards the mining rules, the Government of India rules give a free hand to the Local Government in the matter of exploring and prospecting licenses?—Yes.

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27070. Therefore, so far you could delegate any powers you liked to your Commissioners?—I imagine that that is so. There is, however, that question about giving certificates of fitness; power there might be given to the Commissioner if the rules were modified.

27071. The actual grant of a prospecting license (subject to the proviso that the applicant must have a certificate from the Local Government) might be made by the Deputy Commissioner, if the Local Government thought fit to allow him to do so?—Yes.

27072. We have had suggestions from some quarters that Local Governments might be allowed to guarantee interest on light railways and other industrial undertakings financed from private capital; what would you say to that suggestion?—I should be prepared to see that done with regard to small railways of absolutely local importance.

27073. Are you aware of any action that has been taken in that way?—Not of any action; I have of course seen and heard of proposals. The matter is under discussion.

27074. You mentioned that in Berar the Commissioner held a semi-independent position. Now that Berar has been administratively joined to the Central Provinces is it likely that your position, or your successors' position, in time will become that of an ordinary Commissioner of the Central Provinces?—It is a very difficult question about which to prophesy, but I think that Berar will remain Berar for many years to come; at least I hope it will. The whole of the administration is so different from that of the Central Provinces; the raiyatwari system and the *patelki* system are so different that it must be separate, and Berar must remain Berar. I think the Commissioner there will probably nearly always have a freer hand than a Commissioner elsewhere.

27075. You think that is desirable?—I think it is desirable.

27076. To take a larger analogy, would you like the Commissioner of Berar to stand to the Government here in the same relation as the Commissioner in Sind stands to the Government of Bombay?—I do not think it is necessary to go so far as that.

27077. A witness mentioned one point in which things had changed already; he said that in the old days the Commissioner of Berar had all the other departments under his hand; has that been done away with?—Yes, as to excise and a few other matters. As to police, so far as my experience has yet gone, I have found that I have quite sufficient say in matters of police; but in matters of excise, and perhaps forest policy also, the Commissioner ought perhaps to have more say than he has at present. I say so, not so much on the ground that Berar is Berar, but generally.

27078. We have also been told that, in education, when the provinces were united there was at once a tendency to force the Berar schools to coincide with the schools of the Central Provinces in the matter of text-books; is that your experience?—I have not looked into the text-books question; but there is a certain amount of discussion going on still in Berar with regard to bringing it more into line with the Central Provinces. I have not yet had time to go into the question.

27079. In Berar have you got the Sub-Divisional Officer system really well developed?—No; it is developed thoroughly only in three separate sub-divisions. There you have got Sub-Divisional Officers who are full Sub-Divisional Magistrates as well as Sub-Divisional Revenue Officers; elsewhere the Sub-Divisional Officer is merely a Revenue Officer put in charge of one or more *taluks*; he has not got complete Sub-Divisional Magistrate's powers. There is not the same feeling that it is *his* sub-division, and that he is responsible for the work of that sub-division, as there should be. In the Ellichpur sub-division the Magistrate, if he was left long enough, would have developed it in time, but he has never been left for more than three months or so; he is hardly to blame.

27080. The Sub-Divisional Officer in the three sub-divisions that you speak of is a miniature Collector?—Yes.

27081. And you think he ought to be in other places?—Yes; I think we might go a bit further.

27082. If he were that, would it be necessary to split up the districts?—You mean, to split them up and have another district with an additional Deputy Commissioner; I think you might perhaps get on with the present four.

27083. Before you started splitting up the districts, would it not be desirable to try the delegation of powers?—Yes, I have no objection to trying it.

27084. In revenue matters the Sub-Divisional Officer was, in Berar, invested with the delegated powers of a Collector, and then appeals went on to the District Collector?—Yes.

27085. Whereas in the Central Provinces they skipped the District Collector and went straight to the Commissioner?—Yes.

27086. Speaking as a Central Provinces officer, would you like the Berar system extended to the Central Provinces?—Certainly; it has worked very well in Berar so far as I have seen.

27087. In the Central Provinces the sub-divisional system, such as it is, has only been introduced about three or four years?—That is so.

27088. Before that the only real administrative unit within the district was the *tahsil*?—Yes.

27089. And the Collector's assistants were all working at headquarters, doing such work as might be given to them?—Yes, practically almost from day to day.

27090. These three real sub-divisions in Berar were given out-post allowances; what was that on account of?—The extra importance of the charge; it was done on the Punjab model.

27091. Has it been converted into a seniority allowance?—That has been the tendency.

27092. There have been constant transfers because they have put the senior Assistant Commissioner in, in order that he might draw the allowance?—I do not know that it is that he might draw the allowance, but according to the importance of the post the senior man has come in.

27093. We have heard about the desirability of the Local Government being able to have a free hand in regard to local allowances. Is there not always this risk, that the local allowance will come to be looked on as part of the officer's emoluments?—I cannot say that; but undoubtedly there has been the tendency to put in the senior man. In Ellichpur the senior man has been put in, not on account of the local allowance, but because of the importance of the post.

27094. Do you think that if there had been no local allowances there would have been all these postings and transfers?—I should not like to say that I am sure of that, but the fact remains that there have been; that is the objection.

27095. Might they not be diminished by abolishing the local allowances?—I should give the man at Ellichpur a local allowance; I should like to see something done to differentiate it.

27096. You are dissatisfied with the question of appeals by public servants. That is rather complicated?—It is very complicated.

27097. It is based on the Bombay law?—I find fault with the law about the Rs. 35 rule, that no appeal lies; I think it is rather unfair.

27098. As it is worked in Bombay, the Commissioner cannot interfere in the matter of a subordinate under Rs. 35, but the Local Government does it straight away, in exercise of their powers of revision; do you have the same sort of thing in Berar?—I have not known a case arise. I have had an appeal of a man dismissed by the Deputy Commissioner somewhat summarily, but I did not interfere on revision, as he was a new man, and probably the best thing was to get rid of him straight away; had he been an old hand I should have said that the dismissal was undoubtedly far too summary.

27099. You are in favour of a simple rule—one appeal on all points, and in certain cases a second appeal?—Yes.

27100. Your idea is to take the basis of pay; it has been suggested to us by other people that you should take as your basis the severity of the punishment; that a man who is dismissed, in view of the serious issues at stake, might have a second appeal whatever his rate of pay, but that a man who has been punished otherwise should have only one appeal?—Yes, I should be prepared to agree to that.

27101. As regards the District Officers it has been suggested that they should not all get additional powers as a class, but that additional powers should be given only to those who are thought fit to exercise them; what is your opinion as to that?—It is rather a difficult question; it would be a good thing to make a differentiation between a duffer and a good man.

27102. It would be rather invidious?—It would be rather invidious, but it may be necessary; it depends a good deal on the extent of the powers you give.

27103. Might it not be argued that the man to whom you have refused the larger powers that you give to his confrère is not fit to be a Collector at all?—You might argue in that way, undoubtedly.

27104. You have spoken of more stringent dealings by Government with unsatisfactory employees; would you apply that to the Indian Civil Service also?—I would; I have seen cases where it was very necessary to do so.

27105. There are certain men who have become Deputy Commissioners who are really not fit for the post?—That is so.

27106. You would not have allowed such men to be Deputy Commissioners?—I strongly hold that.

27107. If you had a man who was fit at the time you appointed him, but later on went to pieces from any cause, would you remove him?—Yes, undoubtedly.

27108. If you thought he was not likely to be of any use in a subordinate capacity would you get rid of him on a proportionate pension?—Yes.

27109. Up to the present the selection has been by seniority tempered by occasional rejection?—That is the way it has been put.

27110. Would you make a selection, taking the best man among the senior class, rather than the man who stands next for promotion and is not thought unfit?—I would go in very strongly for selection.

27111. As regards suspensions and remissions, the Government of India have issued a general rule laying down the proportionate remission which may be given in connection with the proportionate crop that has perished?—Yes.

27112. That being so, is it necessary to distrust the Deputy Commissioners?—If you could get a man who could give you a decent estimate of what the crop is, that would be all very well; it is a very difficult matter; in Berar, in the present year, had we trusted to the Land Records Staff and taken their estimate of the crop in November, we should have been distinctly led astray. You want somebody with a head on his shoulders to see when these people are exaggerating grossly about the out-turn of the crop and when they are not.

27113. The difficulty is a reliable estimate of the crop?—Exactly, that is the thing you want to get hold of.

27114. You say you would not object to Deputy Commissioners remitting up to Rs. 10,000; that is, within their district; you are not speaking of a general calamity?—No, I think there you have larger considerations coming in.

27115. And there the suspension rules cover everything that is needful?—That is so.

27116. It is laid down that after a certain time the revenue that has been suspended and cannot be recovered is automatically remitted?—Yes, it falls in for remission.

27117. When you have the automatic remission coming in, might not the Deputy Commissioner be entrusted with the power?—I think so.

27118. We have been told that at present all remissions in this province have to go up to the Chief Commissioner himself?—Yes.

27119. That is surely unnecessary?—It would be under the automatic revision system.

27120. You are in favour of giving the Deputy Commissioner power to remit up to Rs. 10,000—what power would you give the Commissioner?—I should say up to Rs. 50,000, or something like that.

27121. So that practically the Commissioner ought to be free from the details of this part of his work?—Certainly.

27122. In all cases where the Land Acquisition Act has to be applied notification by Government is necessary; would you be in favour of allowing the Commissioner to deal with acquisitions under a certain value?—I distinctly think so. I have not gone into the matter carefully yet; every reference of every kind and description, even cases of reducing the rent of a field by Re. 1-0-0, have to come up to the Commissioner. I should allow the actual acquisition of land and the payment up to a certain price to be dealt with by the Commissioner, and the remission of rents, which is purely automatic, to be dealt with by the Deputy Commissioner. Big acquisitions, involving large amounts of money, should go to the provincial Government.

27123. You may be allowed under this proposal to notify the taking up of a piece of land; it turns out to be, or is alleged to be, a piece of land to which some sect of Hindus attaches some particular sanctity; those matters might reasonably go up?—Yes, that would be a matter where you might allow the Local Government to come in.

27124. Could you not solve it in this way, that the Commissioner should issue the preliminary notification, and that if there was a serious objection the matter should go to the Local Government for determination?—I should agree to that.

27125. What is the position of naib-tahsildars in the Central Provinces proper?—The naib-tahsildar in the Central Provinces proper is an assistant to the tahsildar; he carries out the duties of the tahsildar with practically the same powers; he can hold an inquiry and submit a report, and generally he does the work that the tahsildar does. I want in Berar to give the naib-tahsildar the same powers as the tahsildar, with the exception of one or two matters which we had better keep in the hands of the tahsildar for the present. I want to see the naib-tahsildar a man who can pass an order and write a report. At present he examines witnesses, and sends up a bundle of papers to the tahsildar, who writes an order on those statements; if they are lengthy the tahsildar may not study them properly, and very often pass a wrong order; I want the naib-tahsildar to pass his own orders.

27126. With a right of appeal?—With a right of appeal to the Sub-Divisional Officer; the Sub-Divisional Officer hears all appeals from the tahsildar's orders.

27127. Therefore you would make the naib-tahsildar, so far as he deals with these cases, a joint tahsildar?—Yes.

27128. As regards hereditary village claims, do you have to send up many things to the Local Government?—Not to the Local Government; the Commissioner has pretty complete powers with regard to hereditary village claims in Berar.

27129. Is it the same in the Central Provinces proper?—There are none practically in the Central Provinces proper.

27130. Have there been many transfers between the Central Provinces proper and Berar since the junction?—There has been one transfer of an officer from Berar to the Central Provinces, and there have been some transfers of junior Civilians to Berar from the Central Provinces, and of course there has been some interchange of Provincial Service officers.

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27131. Do you think there will be a constant flux and reflux as between Berar and other divisions of the province?—I do not think that the flux and the reflux will be a very great factor. Until you get a race of Central Provinces men who are trained up in Berar, so to speak, I should prefer to see the Berar officers left alone.

27132. When you speak of Commissioners having to countersign bills, I suppose you mean those of the Deputy Commissioner?—The Deputy Commissioner under a recent order has to pass the bills of all tahsildars and officers subordinate to tahsildars, and only the bills of the Deputy Commissioner and the officers immediately subordinate to him—the Sub-Divisional Officers—come to the Commissioner.

27133. Why is it necessary that they should go to the Commissioner at all?—Personally I should be in favour of going further and letting the Deputy Commissioner countersign. The reason apparently of the present regulation is that the clerks in the Deputy Commissioner's office might prepare bills, and the Deputy Commissioner might sign them without looking at them; I do not see why that sort of thing could not be detected in the Deputy Commissioner's office.

27134. We have been told that in Bengal the District Superintendent of Police has to send his travelling allowance bills to the Deputy Commissioner; is that done here?—I do not know whether it is done now; it used to be done in the Central Provinces.

27135. You speak of the accounts objections to petty expenses of municipalities and District Boards, and you mention a case where the Auditor objected to the purchase of four pair of boots for coolies who had to enter plague infected houses. Has the Government of India ever issued an order that this sort of thing should be done?—Not at all; these are all orders which have been embodied in the codes. Possibly these orders might have come from the Government of India in the Foreign Department originally, as they apply to Berar, but the account restrictions in the Berar District Board and Municipalities Manuals are quite out of date.

27136. And could be swept away entirely by the Local Government?—Exactly.

27137. We have been told that there are similar restrictions in the Central Provinces proper?—I do not think they can be as bad as they are in Berar; the rules simply want revision. It may be that it was necessary to have stricter control over the District Bodies in those days than is required now; as we move on we must revise our rules; it is purely a local matter.

27138. Your Local Bodies are tied down at present?—They are, they have very little independence.

27139. It has been suggested that most of the roads that are now provincial should be handed over to the District Boards?—That matter has just been taken up by the Chief Commissioner with reference to the appointment of an Engineer. Unless you can get a good engineering staff it would not be possible, but given a good engineering staff there is no reason why the Local Bodies should not have a free hand.

27140. And given resources?—They have very large resources; it is merely a question of working out a scheme which will be properly workable.

27141. This scheme will be applied not merely to Berar, but to the Central Provinces?—I do not know about the Central Provinces; the Central Provinces Boards are so poor, I understand, that they could not afford to have a separate Public Works staff.

27142. What does Berar do now with the resources that you say are available?—I cannot remember the exact balances, but probably the balance of the Amraoti Board is between 2 and 3 lakhs, as it has not been spending up to its resources; the annual budget I suppose is about 3 lakhs.

27143. Take matters like veterinary work and dispensaries; from what we have heard, it seems that all the District Boards are concerned with is the privilege of paying—that the management is entirely foreign to them; is that a sound position?—Veterinary dispensaries are under the Agricultural Department; the District Boards have nothing to say to appointments or dismissals or anything else; it is rather a difficult question to hand over any measure of control to the District Board; it is a pity you should not do so, but as a matter of practice it is difficult to hand the control of the veterinary hospitals over to them.

27144. If, as a matter of policy, you decide that they should not be handed over, is it not rather hard to make the Board pay for them?—It is hard, undoubtedly.

27145. In the same way as regards dispensaries?—Yes. The dispensaries are managed by local committees, and frequently one of the chief men of the local committee will be a District Board member, so that in that case you might treat the Dispensary Committee as practically part and parcel, or to some extent part and parcel, of the Board.

27146. You might perhaps do what is done in the case of English bodies at home; you might have a Committee consisting partly of the Board members and partly of co-opted members—outside people?—Yes. That would practically come to the same thing as is done at present.

27147. Do Local Boards in Berar do much?—I have as yet been unable to see that they do anything at all.

27148. Would you be in favour either of abolishing them or of giving them some real status?—I should be in favour of giving them some real status and seeing what they could do; I should not care now to abolish them, but certainly they want something more than they have at present; the work given to them is generally beneath contempt; you could not expect men to do the trivial things that are sent to them to do.

27149. So far as "the stimulating action of local self-government," about which so much has been written, would apply, it would apply more to a small area than to a big one?—Undoubtedly.

27150. Might it be possible to adopt something like the Madras system, under which the Local Board gets half the cess and other local receipts, and has its own financial responsibilities?—You would have I think to recast your Boards to some extent; you might begin in a small way at first, and give them a certain definite amount, fixing upon them the responsibility for what you gave them. I should not like to give the *taluk* Boards in Berar for some years to come half the local receipts. I do not blame the Boards; they have never had a chance.

27151. In the Central Provinces proper we have been told that the *taluk* Boards are really merely doing the work of the District Council; is that so?—Yes.

27152. Would you give the Boards greater powers?—Yes; if we are going on with this business at all we ought to make an effort in that direction; I have held that opinion for a long time.

27153. (*Sir Steyning Edgerley.*) You said, chiefly as regards mining, but also as regards other things, that when a thing is new you must keep it pretty much in your own hands. That would occasionally touch the sphere of legislation also?—Yes.

27154. Have you thought at all as to the best legislative procedure?—I have not thought over the matter. I think a good system of legislation is the one that has been recently adopted in the matter of the Civil Procedure Code, to lay down general principles and allow the Local Administrations to more or less shape their own course, once the main general principles are inaugurated.

27155. There are the two courses of a general Act of delegation and a special Act for special purposes; have you any opinion about that?—No, I am afraid I have not considered it.

27156. Would you be in favour of a general Act subject to notification?—Yes.

27157. As regards the question of proportionate pensions; standing alone, do you think that that might affect recruitment, as affecting the prospects of officers in the Service?—I do not think it would necessarily affect recruitment; the number of candidates who crave for Government service at present shows no sign of falling off.

27158. But you have not got the proportionate pensions now?—Even if you had, I do not think it would affect recruitment.

27159. Any effect of that sort could be counterbalanced by improving the pensions of men who succeed?—Yes, that would quite counterbalance it.

27160. The Berar Revenue Act is the Bombay Act practically, is it not?—Practically.

27161. Do you know Section 11 of the Act which provides power to enable the Collector to delegate all or any of his powers to his Assistant, subject to revision or appeal. Suppose he delegates the powers of punishment of a clerk up to Rs. 35 to his Assistant; the result is that the man is punished by one officer and gets one appeal; is not that all that is necessary?—That had never been done in Berar. The Collector in Bombay delegates his power to the Assistant to punish a clerk, and then there is an appeal to the Collector; at present, in Berar, the Deputy Commissioner only exercises that power.

27162. You think that an Assistant Collector is competent to punish a clerk?—Yes.

27163. And that one appeal is sufficient?—Yes.

27164. So that the provisions of the Act might apply in that way?—Yes; that has not occurred to people in Berar.

27165. (*Sir Frederic Lely.*) With reference to the reduction of the districts in Berar from 6 to 4, is that an instance of an order of the Supreme Government imposed on the province in opposition to all local opinion?—The matter came down from the Supreme Government, and a Committee was appointed to carry out this reduction; the Central Provinces Government, who had just taken over Berar, had no local opinion of their own on the matter; the local opinion of Berar was very much against the reduction.

27166. Are you aware whether that was ever represented to the Government of India?—I do not think it was represented to the Government of India, unless possibly a telegram may have been sent up by somebody; there was no real representation.

27167. So far as you are aware the order was given without any local enquiry at all?—I think so; an officer came down from the Government of India and submitted a preliminary report; he came down and looked round to see what could be done, and on his report, after the settlement was come to with His Highness the Nizam, the matter was passed.

27168. You think that that was a mistake that will have to be rectified?—Subject to what I have said—that you might go on and try the effect of further sub-divisions and a greater number of them—you might get on with your four districts, but certainly, with the sub-divisional system that we have at present, it is extremely hard work for the Deputy Commissioner in the two larger districts of Amraoti and Akola.

27169. As to a Public Works Department budget in the hands of the Commissioner, do you not think that one effect of that would be that he would consult with the Heads of Departments?—Certainly.

27170. And that would be useful in promoting an understanding and co-ordinating matters?—Yes.

27171. Is it admitted that it is of great importance to preserve the peculiar institutions and customs of Berar?—I think so undoubtedly.

27172. Are you satisfied with the arrangements that have been made for securing that?—Yes, a Berar officer has been appointed Secretary. He deals with the revenue matters which are peculiar to Berar. Other matters, although they may be peculiar to Berar, are dealt with in other departments.

27173. You do not think there is any objection to that?—I think not; in some matters, such as the Municipal Boards and District Boards and matters of that kind, I should prefer to see one Municipal Act and one District Boards Act; they are practically the same in every detail, and I would rather have one set of rules.

27174. That would be doing no violence to the peculiar constitution of Berar?—Not at all; it has been suggested that some violence would be done, but it was merely sentimental; I think no violence would be done in that respect.

27175. Section 11 of your Land Revenue Code in the Central Provinces provides that the Chief Commissioner may invest an Assistant Commissioner attached to a district with the powers of a Deputy Commissioner; is there any corresponding section to that in the Berar Law?—There is a corresponding section; the Commissioner there invests: the Deputy Commissioner may invest, but as a matter of fact it is done with the approval of the Commissioner; I think that is how the rules put it.

27176. Are you satisfied with that?—It is quite sufficient. The Deputy Commissioner as a matter of fact might do it off his own bat in most cases.

27177. Would there be no objection to that?—There would be no objection to allowing that. The Deputy Commissioner knows really more about the officers than the Commissioner does; he gives these powers under the Land Revenue Code; the section reads that the Deputy Commissioner "may" invest, but he does it with the approval of the Commissioner.

27178. Would there be any objection to his differentiating between his Assistants according to their seniority and capacity?—It is necessary. In some cases you get a man who is newly appointed or newly promoted; you give him certain powers to begin with, and, as he gains experience and shows that he is worthy of them, you entrust him with further powers.

27179. Some people think it is invidious?—I do not think it need be.

27180. Is there not a very distinct village constitution in Berar which you do not find in the Central Provinces?—Yes; you have the *patel* with the *patelki* families, and you have the cultivating classes and then the *mahars* and the outcastes.

27181. You have mentioned the *patelki* families; do they not constitute a sort of aristocracy in the village out of which the panchayat would be chosen?—Yes, you might have a panchayat out of the *patelki* families if there is a sufficient number of them; in some places you have only a one-man family you may say. In Berar the *patelki* has been practically recognised in the direct succession; the *patels* are lineal headmen.

27182. But the collaterals would assist?—Yes

27183. The panchayat could be formed from these people?—That is the only way you could tack it on to the *patelki* institution.

27184. Would you agree that if we are to get any popular help in the work of Government the basis should be the village panchayat?—I think so undoubtedly.

27185. Have you any system for promoting Co-operative Credit Societies in Berar?—There has been something done in one district; I have not yet seen it.

27186. Have you got a Registrar of Co-operative Credit Societies?—No, there is the Central Provinces Registrar who does both the Central Provinces and Berar.

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27187. Suppose you have a Registrar, what would you say to giving him cognizance of the village panchayats as well, and as he goes about the country expecting him to encourage the panchayat movement?—I see no objection whatever to that.

27188. One of the witnesses to-day from Berar told us that the rules for touring lay down four months for the Deputy Commissioner and two months for the Assistant Commissioner, is that so?—I have not seen the rules yet. It may be the rule, but I have not seen it. It is not followed. The Assistant Commissioner stays out practically the whole four months — the whole of the cold weather.

(*The witness withdrew.*)

Adjourned.

FORTY-SECOND DAY.

NAGPUR, *Saturday, 8th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. J. WALKER, I.C.S., was called and examined.

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27189. (*Chairman.*) You are officiating as Commissioner at Nagpur?—Yes.

I would not give provincial Governments independent borrowing powers. Such powers would be inconsistent with the absolute nature of the imperial authority and of its responsibility for all public services, which makes an imperial guarantee inevitable. Even if the imperial guarantee could be avoided, the loss owing to the difference in the market price on issue, and in the rate of interest carried, of imperial and provincial bonds would be much greater than any facility of issue would be worth.

There is some scope for the relaxation of the restrictions as to details imposed upon Local Governments by law and by rules having the force of law, *e.g.*, the power to disforest reserved forest under Section 26 of the Forest Act, which the Local Government can, at present, exercise only with the previous sanction of the Governor-General in Council. Each set of relaxations under particular Acts should be considered by the Legislature, after consulting Local Governments on its merits, and should be dealt with by specific amending legislation and not by a general Act of delegation.

The influence of the departments of the Government of India is not in the direction of excessive rigidity. There is perhaps some risk in the direction of uniformity if the department happens to be manned too exclusively by officers whose previous training has been in a single province. It should not be possible for the views of a Local Government to be overruled by a department, as distinguished from the Governor-General in Council.

The work of imperial inspecting officers is of use in collating the degree of success attained by different administrative methods in different provinces after examination of these methods in actual working and in advising Local Governments as to the comparative standard of success obtained and as to possible variations of method. Their function should be purely advisory with no direct authority.

I do not consider that the existing right of appeal requires curtailment.

A genuine effort has been made to keep down the demand for returns and other reports from Local Governments. If the attempt has not been altogether successful, this is merely due to the development of the country and to the necessarily increased complexity of the administration.

There is much scope for the extension of revenue powers of Commissioners of divisions. In some minor points, such as the remission of irrecoverable land revenue and *takavi*, they might be given larger powers. As regards the grant of mining leases and licenses, when experience has crystallised into fuller rules there will be a considerable devolution of authority both to Commissioners and to Deputy Commissioners.

Any decentralization measures should have in view the retention of all possible authority within the limits of a district rather than that of a division. The more the principle that the district is the unit of administration is acted on in practice the better. It is desirable that a good District Officer should have a free hand as far as possible and that this should be apparent to his charge. Commissioners can keep in sufficient touch with their District Officers to control the general executive policy followed by them. Our existing system of administration is generally in accordance with this principle. The cases in which the Deputy Commissioner requires the previous sanction of the Commissioner are mostly of a class in which such reference is not inappropriate. But the following matters seem to me to be susceptible of improvement. The District Officers should, as far as possible, be the first appellate authority for revenue decisions of his subordinates. The investiture with the powers of a Deputy Commissioner of the majority of Sub-Divisional Officers has eliminated the Deputy Commissioner from the disposal of many classes of cases which ought to be settled up to first appeal or even second appeal within the district, *e.g.*, *kotwar* and *lambardar* cases. The Land Revenue and Tenancy Acts should be altered so as to empower Deputy Commissioners to deal with appeals from all officers subordinate to them under Section 6 (2) of the Land Revenue Act. This may involve some devolution of authority from the Deputy Commissioner to his Assistants and from Assistants to tahsildars, and in the large districts probably some strengthening of staff, but the principle is worth it.

The powers of Commissioners and of Deputy Commissioners and their subordinates regarding matters of general administration are on the whole adequate. It would be well to restore the Deputy Commissioner to the position of technical "Court of Wards" of his district. This would increase his influence in Court of Wards matters generally. He might be given increased financial powers to

sanction petty unusual expenditure and to make budget re-appropriations.

The present power of control over expenditure in divisions and districts exercised by Commissioners and Collectors is, on the whole, adequate.

The provincial Secretariat is not given to adopt a too purely departmental point of view. Such a tendency is not likely to be exhibited when each Secretary deals with several distinct departments of the administration. This, however, is not the case with the Public Works Department, which is unique in having a separate Secretariat of its own. Such an arrangement makes for a spirit of departmentalism, and I am not at all sure that it is the only possible course.

I do not think that there is anything to complain of regarding the sufficiency of the Commissioner's influence in matters appertaining to Departments other than Land Revenue. But the administration of the Public Works Department should be brought into line with that of other departments, and worked on the basis of the district being the unit of administration. It has been found possible to make the equally technical Medical and Forest Departments integral parts of the district administration under the general control of the District Officer, and such control would be equally salutary in engineering matters and could be exercised with no more interference in technical subjects than in these departments. When the Executive Engineer's charge extends to more than one district, the matter can be arranged as in similar instances in the Forest Department.

Executive Officers have as a rule sufficient opportunities for personal contact with the people. The amount of time that can be spared for the purpose of interviews is somewhat limited by the pressure of regular official duties, and in the larger places it is often difficult to receive Indian gentlemen except at a good deal of inconvenience as to hours of working. Opportunities for contact are also afforded on tour. It is not the amount of opportunities for contact, but the quality of the contact possible that is defective. Owing to the difference of manners and social customs between East and West, social intercourse between officials and the leading gentlemen of the country is limited, and the opportunities for the candid interchange of ideas which such intercourse affords are largely lost. This obstacle is most difficult of removal, and can only be gradually removed by change of manners, more especially in respect of the education and liberty of women.

Executive Officers generally possess sufficient knowledge of the vernaculars.

The executive staff has been repeatedly increased, but, as work tends to become more complicated and contentious, the increases can never quite keep abreast of the needs. It may be said generally in the Central Provinces that the areas of tahsildars' charges are somewhat too large. This point is recognised. District charges vary very much in area and in general burden of work. As the Chanda district develops it will undoubtedly require to be divided. Probably some division of Nagpur may be advisable. When the district headquarters is a large centre, and particularly when it is the capital of a province, it is desirable that the *mufassal* portion of the District Officer's charge should not be very large or important.

A very strict application of the principle of selection to the appointment of officers to the charge of districts would tend to diminish the attractiveness of the Indian Civil Service as a whole. In any case it would not be possible to arrange that the charge of the districts should be always held by officers whose experience, judgment and temperament are such that a closer and more local supervision of their administration of their charges than can be exercised by the Local Government is not essential. Such supervision is to be exercised by Commissioners, and their authority and power of control in all matters of administration should be of the fullest, but should take the shape, as far as it is not exercised executively, of appellate or revisional power rather than of original orders.

Of late years, at any rate, all possible care has been taken to avoid the unnecessary transfers of officers. I do not see how transfers can be reduced, but as the Indian element in the *personnel* of the staff increases, transfers will be less frequently necessary, as these officers require less leave than European officers.

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The existing powers of municipalities, District Councils, and Local Boards are on the whole sufficient. There has been less a lack of statutory power than a lack of reality of its exercise by the non-official members of these bodies. This defect has its root in a first cause which, while it exists, must entirely prevent any reality of local self-government, *viz.*, the want of any electorate interested in such government. Members of local or municipal bodies must be subject to the control either of their constituents or to that of Government, and so long as the constituencies (or rather the small portion of them that interests itself in the subject) cannot be regarded as in any sense voicing the feelings of the bulk of the ratepayers, the preponderating control must be that of Government. It is easy enough to stimulate the interest of members by giving them larger powers; the real difficulty is to stimulate the interest of the electors so that they, rather than Government, should control the conduct of their representatives. If this stage were reached, it would be well worth the cost of a certain amount of mismanagement to give elected bodies the fullest powers even though the bulk of Indian ratepayers may regard the easing of direct taxation as cheaply bought at the cost of increased dirt and disease. But this stage has not been approached even in municipalities.

I would not extend the functions of local bodies at present.

I am not in favour of formally appointing unofficial gentlemen as advisers or councillors to District or Divisional Officers. I do not think that the fact of formal appointment would induce the gentlemen best qualified to advise to give more assistance than they do at present. It would be impossible and unwieldy to appoint everyone worth consulting, and the distinction between those who have to be formally consulted and those who could be only informally consulted at discretion would be invidious. The matter is best left to the discretion of Divisional and District Officers at least until electoral control of local bodies is more real.

It would be most inexpedient and retrograde to invest District Boards with powers of supervision and control over any municipalities. It would be a mistake to subject more truly representative bodies to the control of less representative ones, though the latter may happen to have charge of larger affairs.

If truly elective panchayats could be obtained for small groups of villages, they would form a good basis for a system of local self-government. The main difficulty would be in stimulating sufficient interest on the part of the body of electors in the constitution and doings of such panches without assigning to these panches functions for which they are hardly suitable. For example, if panches are given petty civil and criminal powers, we get a system whereby judges hold their office by election, and it is the foreign idea of electoral Government that has to be taught. Also when a community has acquired the congenial habit of taking their petty disputes into regular Courts, the denial of this form of relief would be felt to be a hardship, however wholesome it was in reality. Still, on the whole some such system is worth elaborating and trying in a selected locality.

27190. Are you in agreement with the previous witness, who told us that he thought some greater latitude had been given with regard to mining leases and licenses?—Yes; I have now authority to grant prospecting licenses up to one square mile, provided there is no question of principle involved. A Mining Manual is under preparation, and when it comes out probably a good deal more power will be given to the Deputy Commissioner.

27191. What is the area of your division?—About 24,000 square miles. It includes five districts.

27192. Are you of opinion that Sub-Divisional Officers should reside at their sub-divisional headquarters?—Where the headquarters include any

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town of importance they ought to reside there, but I would not make it the invariable rule, because there are some parts where their health would not stand it, and sometimes a district is not well placed or constituted for having a Sub-Divisional Officer living there. One has found it of advantage to live throughout the year in two districts in this province, and we have had them living in the sub-divisions for a long time.

27193. As a rule do Deputy Commissioners do their work well?—Yes; the average is quite satisfactory, and you very seldom find a man who is not quite fit.

27194. If it were necessary at any time to make a practice of retiring or selecting officers for promotion, at what period of their service would you commence the work of selection?—After about ten years' service; some men qualify or ripen more slowly than others.

27195. But after ten years' service you would begin to reject?—Yes; some rejection would be necessary and it would be easier if recognised, but dismissal is a very serious thing. There is nothing between dismissal and retirement on pension.

27196. Would it improve the service if selection were insisted upon?—I would rather have rejection rising to the grade of District Officer, and strict selection for that of Commissioner.

27197. Do you, as a Commissioner, ever hold conferences with your District Officers?—Yes, practically one has most of them in conference, but there is no fixed conference. There is no formal practice of the sort.

27198. Would it be a good thing to do?—Yes; there might be a regulation or rule, but there is an irregular practice which we have during what we call the Commission week, when certainly the great bulk of the officials do come in.

27199. Do they all meet together, or do you take each man in turn separately?—Not together; but we had a meeting of all the Deputy Commissioners and the Commissioners in Nagpur during the last Commission week, at which the Chief Commissioner was present. I take them separately sometimes.

27200. You get annual Administration Reports from the Deputy Commissioners. Are those separate reports on each subject, or a different report for each district?—Separate reports on each subject.

27201. Would it not be better to consolidate those subjects in one report?—That would not be practicable. For general purposes, what we call the Revenue Report serves the purpose.

27202. Would it not be better to have a short paragraph on each subject embodied in one report, instead of a separate report on each subject?—It would tend to simplify the amount of writing in each special department, but the periods would have to be synchronised—for instance, the Forest Report begins on the 1st July.

27203. Would it be very difficult to get them all running concurrently?—No.

27204. Do you post your subordinates?—I post and transfer tahsildars and naib-tahsildars.

27205. Would it be well that you should have the power of both posting and transferring your Assistant Commissioners?—Yes, when once they are assigned to a division by the Chief Commissioner—having got them, a Commissioner might transfer them.

27206. Generally speaking could the powers of municipalities, District Councils, and Local Boards be increased?—There is not much scope for increasing their powers which are very full, especially to municipalities; the control is very complete over them, but they have the power.

27207. Is the control too close?—I do not think so.

27208. Does the system of non-official Chairmen work well?—Very well indeed where we have it, such as in Nagpur for instance.

27209. Does the practice work well with regard to District Councils?—Yes.

27210. Is it practically universal over the Central Provinces?—Yes; the Chairman is generally a non-official, and if it is not the Chairman it is the Secretary.

27211. You are not in favour of Advisory or Administrative Councils?—No, not formally constituted.

27212. Things would be better left to informal consultation?—That is my opinion.

27213. (*Sir Frederic Lely.*) Do you think, other things being equal, a Sub-Divisional Officer should live in his sub-division?—In a good many cases he might live there permanently.

27214. In cases where there are reasons against it, would you approve of providing him with a house in his sub-division, simply furnished, and expect him to make occasional visits there?—It would be an excellent thing to let him have a house where he could live for a part of the year, and the mere fact of his being resident in that way would bring him into closer touch with the people who would know where to find him, while as it is he moves about in tents.

27215. Is it the custom in the Central Provinces, when the Deputy Commissioner goes away for three months, to put in a man on the spot, if possible, irrespective of seniority?—Yes.

27216. Would you extend the period from three months to, say, six months in order to prevent change?—Yes, but you would have to consider qualifications a little more strictly.

27217. But if a man was fairly equal to the position, although he was junior, you would put him in for six months?—Yes, I think so.

27218. Supposing a Deputy Commissionership fell vacant this month, and it was well known that the next man on the list intended taking furlough in a short time, would you approve of passing him over?—Yes, after giving him an opportunity of foregoing his furlough.

27219. Or, to put it in another way, would you approve, when a man is put in as Head of a district, of getting from him an undertaking to remain there for, say, three years?—Yes.

27220. That would not be an unreasonable condition to make?—No, not as a general rule; it would depend of course on what the officer had been employed on before.

27221. Have you any suggestion to make for reducing the number of transfers?—No; barring what you have mentioned, we do what we can to prevent that. I know in arranging tahsildars' leave and that kind of thing one keeps it well in mind.

27222. What is your opinion of tahsildars as a body?—They are a very useful body of men, and their tone is distinctly improving.

27223. On the whole are tahsildars equal to their position?—Yes; on the whole; their position is a difficult one.

27224. Are they generally efficient and honest?—Yes, I should say nowadays they are.

27225. In the case of false rumours spreading in the country have they sufficient intelligence and loyalty to combat such rumours as far as they can?—There are some men, of course, whom one is not quite sure about, but the generality of our tahsildars do act properly in that respect.

27226. Do they recognise that as one of their duties?—Yes.

27227. Do they recognise that their duties are not merely to sit at a table and try cases, but to explain to the people the motives and intentions of Government?—Yes, I think they do as a whole, and we impress it upon them.

27228. Are patwaris, as a class, fairly efficient?—In this division they are fairly efficient.

27229. Are they sufficiently paid?—No, and there is difficulty now in recruiting them.

27230. That, of course, has its effect?—Yes, it is beginning to tell very much.

27231. (*Mr. Dutt.*) Does general appeal work give you much trouble?—It takes up a fair amount of time, but it is not at all pressing; it is not the burden of the work, it is the principle of the thing.

27232. Should the present right of appeal be curtailed?—No, not the right of appeal.

27233. You say the Public Works Department should be brought more into line with the other departments such as the Medical Department and the Forest Department. To some extent the Forest Officer and the Medical Officer are subordinate to the Deputy Commissioner?—Yes, that is quite understood.

27234. Do you recommend that the Public Works Officer should occupy the same position with regard to the Deputy Commissioner?—Yes.

27235. When repairs of roads are taken in hand from year to year, does the Deputy Commissioner always know which particular works are going to be taken up?—He is not informed as to how much money exactly is going to be spent, or whether it is to be transferred from one road to another. He ought to be informed of any changes, but first of all, of course, of what is going to be spent.

27236. Supposing he disapproved of the change, would you allow the Public Works Officer to go on with it, or would you have him modify his programme?—I should require him either to do the latter or to refer it to a higher authority, but practically it hardly ever arises, if the matter was talked over on the understanding that the Collector was the Head of the district and the other man was in a subordinate position.

27237. The Deputy Commissioner would be expected to know more of the requirements of traffic than the Public Works Officer, and for that reason his view ought to be consulted as to the works which should be taken in hand?—Yes.

27238. Is the number of *tahsils* now in your district sufficiently large?—There might be scope for perhaps one or two more. I have sanction for one more in Nagpur, and there might be another in Balaghat. Then there is Chanda with one tahsil of about 3,500 square miles.

27239. In Berar there are two or three tahsils in one sub-division, whereas in the Central Provinces the *tahsils* are about the same area as the sub-divisions?—In the Central Provinces *tahsils* have been formally declared sub-divisions, but the Berar *taluk* is a much smaller area.

27240. Is the lack of interest taken by the members of District Boards partly due to the fact that their resources are very limited?—Yes, that is undoubtedly one reason.

27241. And that a good part of their income is made over to different departments for carrying on their work?—Yes.

27242. Do you approve of the scheme of a Divisional Engineer to do the District Board work in all the districts in a division?—Yes, as an alternative to having one for each district.

27243. Would that be an improvement on the present system of having the big works done by the Public Works Department?—Yes. We have had a man actually in my division for two months, and he has given a lot of useful advice.

27244. (*Mr. Hichens.*) Would you be in favour of increasing the powers of the Local Boards?—Yes, as far as possible.

27245. Would you give them, for instance, independent financial resources?—I would let the District Council make them allotments; in fact, that is now being done.

27246. But you would not give them a definite share of the cess?—No. That was considered by the Select Committee, which reported against it. I think their reason was that the amounts would be so small.

27247. But supposing the funds of a district generally were substantially increased, might it be a good thing to give them more financial responsibility?—Certainly; you might make them independent; the Act allows us to do it, but we have never done so.

27248. Would you regard a District Board then in the same light as now?—It would become what it was at one time intended to be, an Advisory Council.

27249. Would local interests be better served if the Local Boards were considered independent and looked after their own affairs?—They would if we could make our Local Board more fully representative.

27250. Could you get enough good men in each *tahsil* to deal with local affairs?—In most *tahsils*, but certainly not in all.

27251. On the whole, would you be in favour of abolishing District Boards except as advisory bodies?—Yes, I should like to give as much power as low down as possible.

27252. In that case, should not the Local Board have the whole of the cess without its having to be allocated by the District Board?—Undoubtedly; it would come to that.

27253. Are you of opinion that transfers are undesirably frequent?—They are unfortunately frequent.

27254. How long do you think it would be desirable to keep an officer of the rank of a Deputy Commissioner in one district?—Five years.

27255. Would that be the limit?—Yes; after five years he may move on.

27256. Is that on the ground that you think he would be stale after five years?—Yes, he would get parochial in one district.

27257. Would it be possible to establish the principle that a man's training should be as wide as possible until he reached the stage of Deputy Commissioner, and then as he has got breadth of view and experience he should settle down, say, for 10 years, if possible, in one place?—Yes.

27258. If that were the principle, would it be desirable in his junior years that he should obtain experience of several provinces?—After a certain amount of experience in one province it might be useful, but it would tend to confuse him at first.

27259. Supposing he went for two years to another province to see how the work was being done there, would that be a good thing?—It would be of advantage in that way.

27260. (*Mr. Meyer.*) Suppose a District Council became an advisory body purely, what would its functions be?—To advise on general questions of administration; if it did not have the allotment of the funds, it would certainly be of very little practical good. I do not think there would be very much left.

27261. Would it be worth while having a District Council with no administrative powers and no financial powers, but simply to express views and opinions to Local Boards?—But still one desires to link the different Local Boards together in some way.

27262. In Madras Local Boards have powers and resources, but the District Boards have larger powers and resources; would you be prepared to carry that out here?—I do not quite remember the details of the Madras system, but if it was possible still to leave the District Board something really to justify its existence one would be glad.

27263. In that case it would have to get some income, either by contribution from the Local Boards, or independently?—Yes. There is the Government contribution.

27264. It has been suggested that the roads which are now mainly provincial, might be made over to the District Councils, their funds being increased for the purpose; would you be in favour of that?—I have never thought that over, and on the whole I would be in favour of it, as helping them with their engineering staff.

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27265. Would you be in favour of giving the Commissioner a budget of his own for Public Works purposes?—Yes.

27266. Would you allow Commissioners, within budget allotments, to make small permanent or temporary appointments?—They might do so.

27267. Would you allow them to appoint tahsildars and naib-tahsildars?—No; that is much better kept as a provincial matter, but in practice the Commissioners do settle it now in conference with the Chief Commissioner. We draw up a list of candidates and settle their order, and the Chief Commissioner decides it.

27268. Then what is the objection to giving each Commissioner his own appointments to make?—That makes promotion unequal in different divisions.

27269. You cannot appoint naib-tahsildars at present?—No, not permanently.

27270. Would you give Commissioners power, subject to conditions of fitness laid down by the Local Government and in consultation with the Judges, to invest their officers with magisterial powers?—Yes; the Commissioner might very well have that power.

27271. You say that the local bodies have sufficient powers, but is it not the fact that for every re-appropriation of the budget they have to come up to you?—Yes.

27272. Is that necessary?—No; that is very much all detail.

27273. It is all these details that make up the amount of work?—Yes.

27274. Is it necessary that they should come up to you for every re-appropriation of their budget?—I do not think it hampers them very seriously; one likes to keep control of the budget.

27275. At present they have to send up re-appropriations, not merely from one major head to another, but from sub-heads. What is to be gained by that?—I think as to sub-heads it is not necessary.

27276. At present every work that costs over Rs. 500 has to come up to you for sanction; is there much gained by that?—I think it is Rs. 500 as to the Deputy Commissioner and Rs. 1,000 as to the Commissioner in the case of municipalities and Local Boards.

27277. Might these limits be raised?—Certainly. I would suggest Rs. 5,000.

27278. Are some of your municipalities quite small bodies?—Yes, with incomes of Rs. 6,000 or Rs. 7,000.

27279. Is it desirable to keep them as formal municipalities, or might they not be put under the District Boards?—But there is more reality of local self-government in a municipality than there is in a Local Board, and they do take an interest in the administration.

27280. It has been stated that the District Boards will hereafter practically have no control over the veterinary work although they will have to pay, and it has been suggested that it would be better to let the provincial Government take it over altogether; do you agree with that?—Yes; in fact, I recommended that it should be done on the same lines as the medical dispensaries.

27281. Do they contribute to the medical dispensaries?—Yes, but Government finds the staff.

27282. Have District Councils anything to say in the management of dispensaries; are they not practically managed by the Civil Surgeon?—Yes; they do not pay very much, perhaps Rs. 200 a year.

27283. Is it a sound principle of local self-government that a District Council should pay for matters which it has no control over?—Not entirely, but I do not think the giving of a small amount of Rs. 150 or Rs. 200 towards an institution which is managed by a local committee, like a dispensary, is improper.

27284. Are these grants compulsory?—No; when a new dispensary is proposed, the Council is consulted, and asked for a grant; if they refused it would fall through.

27285. Supposing a municipality were asked to contribute and they said they had no funds and refused?—If they said "We cannot afford to pay this extra Rs. 200 and there is no need for a dispensary there," it would be considered.

27286. Does most of the appeal work go to the District Magistrate as a rule and not to the Sub-Divisional Magistrate?—Except in large districts.

27287. Might not the Sub-Divisional Officer take appeals from 2nd and 3rd Class Magistrates?—Yes, he might; I have recommended that in the Nagpur district, and it has been approved.

27288. (*Sir Steyning Edgerley.*) You think that relaxation under particular Acts should be dealt with by separate legislation and not by an Act of delegation; is that your final opinion on the point?—No; on thinking it over, I think a general Act of delegation would be quite unobjectionable, provided there is some provision as to notification for objections and a period allowed.

27289. Your present belief is that a district should be the unit of administration; does not that involve, as well as delegation to the Deputy Commissioner, a full staff below him and placing the power so far below him as is safe?—Yes.

27290. With an appellate and revisionary power in the hands of the Deputy Commissioner?—Yes.

27291. It involves rather a fuller staff of assistants than you really have?—Yes, a little, but it is not such a serious thing as it sounds.

27292. Would you hold the same principle as regards the Commissioner and that he should have every power that could possibly be given him without disadvantage to the administration?—Yes.

27293. And you would relieve the Chief Commissioner in that way?—Yes.

27294. You think there should be some system of proportionate pensions for officers who do not succeed, and you hinted that that might possibly diminish the attractiveness of the Service; could you not counterbalance that by improving the prospects of those who succeed?—I meant if selection to charge of districts were as strict as selection to charge of divisions.

27295. Would a scheme of proportionate pensions *pro tanto* decrease the attractiveness of the Service?—If it were the rule and not the exception.

27296. Could you not counterbalance that by improving the prospects, at the end, of those who succeed?—Yes.

27297. With regard to Local Boards, is what is chiefly required an interest on the part of the electorate?—Yes.

27298. If a Board had power of taxation, would that be secured in any degree?—Yes, it would tend to vivify the interest of the electors.

27299. Is not that one of the main differences between a municipality and a District Board?—Yes, but our Local Boards do not profess to be a popular representative body; they are elected by the *mukaddams* or village headmen, which does not make it a popular body.

27300. Would it be a good change to make it popular?—I think we ought to try.

27301. If that were done, would you give them powers of taxation?—After the elective principle is established, I would.

27302. Suppose effect was given to your suggestion that Local Boards should be independent, would it be possible, as a next step, to make the District Council a general Local Self-Government Council in the district exercising all the needful control over Local Boards and municipalities?—Yes, we might work up to that.

27303. That would furnish a sufficient amount of work, would it not?—Yes, an interesting work.

27304. Were you on the preliminary committee prior to the Police Commission?—Yes.

27305. With regard to the results of the Police Commission had you not to put up with considerable restriction in the matter of head constables and railway police?—Yes.

27306. The views that were enforced were not in those respects at all what you thought the requirements of the province demanded?—There were restrictions of what we asked for; some concessions were made, and we got a working basis.

27307. You finally came to a compromise?—Yes.

27308. At present is there a charge made for the use of the Government Engineer if he does Local Government work?—There is a percentage for establishment, tools and plant on works done by the Public Works Department unless the Chief Commissioner remits it.

27309. Would not a general remission of that charge be a very suitable grant to Local Boards?—Yes, but it would vary of course; it is remitted wholesale in some districts.

27310. If those services were given free, an alternative to the Divisional Engineer would be to have a Government Engineer or an Assistant Engineer in each district who would be practically at the disposal of the Local Board?—He would be under the Collector.

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27311. Would that be more efficient?—I think it would be very advantageous.

27312. Would it be popular?—Quite.

27313. And it would save the duplication of establishments?—Yes.

27314. You say you think that the powers of the Local Government in the Central Provinces should be the same as in Bombay?—Yes; I am not very well aware of the exact conditions of the powers.

27315. The constitution is very different?—Yes, but what struck me was that equally advanced parts of the country ought to have the same system.

27316. Do you think you ought to alter the constitution of the Chief Commissionership?—I think he ought at least to be able to have a Legislative Council.

(*The witness withdrew.*)

Colonel P. A. Weir, I.M.S., was called and examined.

27317. (*Chairman.*) You are Inspector-General of Civil Hospitals?—Yes; I have charge as Inspector-General of Civil Hospitals of the medical arrangements, and I am Sanitary Commissioner,—I am both just now.

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The Head of the Medical Department might have somewhat greater powers than he at present has in regard to certain points; the delegation would save much time and correspondence both to the Secretariat and to the office of the Inspector-General.

The Executive Officers of the Medical Department have sufficient opportunities for personal contact with the people and as a rule they possess a sufficient knowledge of the vernaculars, except in the case of Mahrathi, with which some of them are not well acquainted.

I consider an increase in the administrative staff necessary, this being effected by the appointment of a whole-time Sanitary Commissioner, as it is impossible for one man to carry out, as they should be, the double duties of Inspector-General of Hospitals and of Sanitary Commissioner in a province of the size and population of the Central Provinces and Berar; those before the amalgamation of the provinces were two whole-time appointments. The executive work in Berar further demands at least one more Civil Surgeon; but this would depend on that division being broken up into 5 instead of the present 4 districts.

The gazetted staff of the Medical Department in the Central Provinces includes 16 Commissioned Officers, 1 Uncovenanted Medical Officer, 10 Military Assistant Surgeons and 15 Civil Assistant Surgeons. The 16 Indian Medical Service Officers include the Inspector-General and 15 Civil Surgeons; the Uncovenanted Medical Officer is a Civil Surgeon; the 10 Military Assistant Surgeons include 2 Assistants to Civil Surgeons, 2 Sub-divisional Medical Officers, and 6 Civil Surgeons. Of the 15 Assistant Surgeons, one is a Civil Surgeon. The others are in more or less independent charge of main or branch Dispensaries. The duties of the department include the medical and sanitary charge of the districts and the sub-divisions, the registration of vital statistics, and the carrying out of vaccination; also the management of the two lunatic and one leper asylum, and the superintendence of several meteorological observatories.

In his present appointment the Inspector-General of Civil Hospitals exercises administrative control over the medical, sanitary and vaccination work of the province; he visits and inspects as many of the medical institutions as practicable, all the lunatic asylums, the leper asylum, the jails, and as many of the municipalities in the provinces as he can each year, and records minutes in all cases. He also presides over the meeting of the Sanitary Board in each district. He recommends to the Local Government the posting of Civil Surgeons and the appointment of Assistant Surgeons, and also deals in the first instance with applications from them for leave. He posts Assistant Surgeons and transfers them; appoints, promotes and deals generally with the Hospital Assistant staff. He takes every opportunity of inspecting vaccination work.

27318. Is there such a thing as a Sanitary Board in this province?—There is supposed to be a Sanitary Board. When I go out on tour I see the Commissioner and hold meetings of a so-called Sanitary Board, but it is not really a Board.

27319. There is no Sanitary Board for the whole province?—No, not such as there is in the United Provinces and Madras.

27320. How is the sanitary control of the district managed; is there a committee to help you?—There is no committee to help me.

27321. If a sanitary scheme come up from a municipality, how does it reach you?—Sanitary schemes as a rule do not come up from the municipalities to me.

27322. Do they come up from the District Councils?—They do not.

27323. You have a sanitary scheme for Nagpur; did that come under your consideration as Inspector-General of Civil Hospitals?—It did not.

27324. Did it go to anybody in the province for examination?—So far as I know, it did not.

27325. Is there any use then in having a Sanitary Department in the province or having a Sanitary Commissioner?—Yes, I think there may be at headquarters.

27326. What use is he if he does not examine any sanitary schemes?—On tour he inspects the sanitary state of the villages and towns, and makes any recommendations that he thinks proper, and sends them in to the Commissioner or the Deputy Commissioner for any action that they may choose to take; he has no power to enforce his opinions in regard to the carrying out of any schemes he may suggest.

27327. Are not the sanitary schemes for either a municipality or a District Board sent to the Sanitary Commissioner for his recommendations?—Not as a matter of course.

27328. Are they as a matter of fact?—Sometimes.

27329. You still think that there is great use in the Sanitary Commissioner for the Central Provinces?—I think there would be.

27330. Do you see anything of the Director-General of the Indian Medical Service?—I have seen him once since I came here.

27331. Are you brought much into official contact with him?—Not very much

27332. Does he interfere in your administrative work at all?—No.

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27333. Does he give you any help at all?—I very rarely have to refer to him.

27334. How long have you been Inspector-General of Civil Hospitals here?—Since October, 1905.

27335. You have to send all applications for leave to the Director-General?—Yes. He disposes of them; says whether he can send a man in place of the man going on leave; if he can, we let our man go; if not, we have to make other arrangements.

27336. Has he ever refused to assent to an officer's leave?—No, he has said that, so far as he is concerned, the officer may have leave provided we made local arrangements.

27337. (*Sir Steyning Edgerley.*) When you go to a district, you convene a Sanitary Committee of some sort?—Yes.

27338. Of whom does it consist?—There is the Deputy Commissioner, the Civil Surgeon, the Chairman of the District Council, and the President of any Municipal Committee that the Deputy Commissioner may choose to ask to come.

27339. What are the subjects that you ordinarily discuss?—The first thing that is brought up is what sanitary works have been carried out since the last meeting. These sanitary works invariably have to deal with only water-supply.

27340. Is it part of your duty to call together that committee in every district you visit?—Yes, if possible.

27341. You speak of the difficulty of inspection; do you mean inspection of dispensaries and hospitals?—I cannot go round to all dispensaries in the province and see them all, as I should.

27342. Is the Inspector-General of Prisons a Medical Officer?—Yes.

27343. Could he not help you in that sort of inspection?—He could only inspect at headquarters.

27344. Could you not lighten the inspection work in that way?—I doubt that very much, because he only goes to headquarters; he has to inspect jails, and I, as Sanitary Commissioner, have to inspect medical institutions; he does not go across country, so to speak.

27345. Have you any medical schools in the province?—No.

27346. (*Mr. Meyer.*) You desire to have the first appointment of Assistant Surgeons; have they not to be taken from certain medical institutions?—No. Other things being equal, we should take men who have been educated at the expense of the Central Provinces.

27347. Your Local Government appoints at present?—Yes.

27348. Are there no restrictions; surely they must have some sort of medical training?—Of course the man has to be qualified; we take a man who has the degree of L.M.S. of one of the Indian Universities; I do not think there is any other qualification necessary.

27349. The Local Government has full discretion within that limit?—So far as I know.

27350. You also desire to have full power of posting and transferring Civil Surgeons?—Yes.

27351. The amenities and the lucrative possibilities of civil stations differ very materially, and it might be rather a serious responsibility, occasionally, to post a man?—Yes.

27352. Should the Chief Commissioner have no say in that?—Ultimately he would have the say entirely, but I think probably less weight is given to my recommendations than might be desirable.

27353. At present you submit your proposals and the Chief Commissioner deals with them?—Yes.

27354. You desire to do the thing straight away, and that the Chief Commissioner should only learn of your postings from the Gazette?—I should probably, as a matter of practice, let the Chief Commissioner know what I intended to do.

27355. And if he disapproved?—We should probably talk it over.

27356. You want to be co-ordinate with the Chief Commissioner in the matter of these postings?—I have discussed the posting of an officer, a certain post has been practically agreed upon, and when it came to be gazetted exactly the reverse has been carried out.

27357. Would larger sanitary schemes of drainage or water-works come to you for consideration?—I think they would.

27358. But not the small schemes—expenditure on latrines and that sort of thing?—No.

27359. Do you see the budgets of the local bodies as regards their provision for sanitary expenditure?—No. The medical and vaccination portions come before me not the sanitary.

27360. As regards medical relief, is the position that the dispensaries are worked by the Civil Surgeon?—The dispensaries are supervised by the Civil Surgeon.

27361. And the others are run by a local committee?—By a local committee under the supervision of the Civil Surgeon.

27362. The District Council has nothing to say to them?—The District Council pays for them.

27363. Is that altogether a satisfactory position?—I think so.

27364. You would not be in favour of giving the District Council more power to manage the dispensaries themselves, as they do in other provinces occasionally?—I do not exactly see what powers they would want.

27365. They would have to have Medical Officers, but these would be under the Chairman of the District Council, which might entertain its own Hospital Assistants and Assistant Surgeons, provided that they took qualified men; would you be in favour of that?—I have no views on the subject. I cannot say whether it would be a good thing or a bad thing.

27366. It has been suggested to us that the Indian Medical Service reserve should be broken up and distributed to the provinces; have you any views on that point?—That might be good, because you would have more men available to relieve men going on leave. The other day, men had to go on leave for medical reasons, but I had no way of replacing them except by Civil Assistant Surgeons, men without much training or experience; if I had had men available, I should have posted them.

27367. On the other hand it would prevent you drawing in excess of your normal scale. At present, if you have famine or plague here, the Director-General of the Indian Medical Service can supply you with Medical Officers; if you had your own reserve he would say "I cannot help you, because the rest of my reserve has gone to Bengal or Madras or elsewhere"?—Then I should have to recall some my men from leave, or to recruit locally.

27368. Taking the two considerations together, would you prefer to have the reserve distributed?—Certainly.

27369. (*Mr. Dutt.*) Are the dispensaries in the interior maintained by the District Boards, or only aided by the District Boards?—They are paid for entirely by the District Boards; the only thing Government pays for is the pay of the Hospital Assistant.

27370. Have you Dispensary Committees to manage them?—Yes.

27371. Do these committees consist of some members of the District Council?—I should not like to say what the composition of the committee is. They have local committees; very often the tahsildar is the President, and very often the Hospital Assistant is the Secretary; then there are as members native gentlemen of standing.

27372. The District Council has no sort of control over the management of these dispensaries?—Not that I am aware of.

27373. Are dispensaries within municipalities maintained by the municipalities, or aided by them?—To all intents and purposes they are maintained by the municipalities.

27374. Are they also managed by committees?—Yes.

27375. And there may be members of the municipality who are also members of the committees?—That is very often the case.

27376. Beyond that the municipalities have no other control over those institutions?—No.

27377. Is the Civil Surgeon generally both the Medical Officer and the Sanitary Officer of the district?—He is both.

27378. Excepting in professional duties he is to some extent subordinate to the Deputy Commissioner?—Yes; they work in concert.

27379. Does it give you very much work to send up recommendations to the Chief Commissioner for the appointment of Assistant Surgeons?—No, but it does give work, and the appointments are practically a matter of course; it would save time in my office and in the Secretariat if I had the power,—not much work, but it aggregates in the end.

27380. What is the pay of an Assistant Surgeon?—An Assistant Surgeon starts at Rs. 100; after seven years, if he passes the examination, he gets Rs. 150; after another seven years, if he passes another examination, he gets Rs. 200; then he may be selected to be a Senior Assistant on Rs. 300.

27381. What is their qualification?—Either L.M.S., or M.B.

27382. Is their work generally satisfactory?—Yes.

27383. They have a certain status and position?—Undoubtedly.

27384. Would it not somewhat take away from their prestige and position in the eyes of the people if they were appointed by the Inspector-General instead of by the Central Provinces Administration?—I do not think it would have any effect at all.

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27385. (*Sir Frederic Lely.*) Have you much practical knowledge of the Hospital Assistants in charge of rural dispensaries?—I have never had charge of a civil station in India in British territory; I have had charge of large numbers of officers in Native territories.

27386. As Inspector-General you have not much opportunity of seeing their work?—Not very much, and especially here, where there is such a very large area to go over.

27387. So far as you know, is their work satisfactory?—The work is mostly satisfactory; of course there are some good men and some indifferent men, and indifferent men do indifferent work; but as a rule the work is well done.

27388. Is there sufficient control over them? If a man is not equal to his post and is not a good man, does it come to light?—I think it comes to light if he is not good professionally. The Civil Surgeon has to inspect every dispensary once in three months.

27389. If the people are dissatisfied with a man, have they any means of making their views known?—Yes; petitions are sent in, which, as a rule, would be sent down to the District Officer to consider and report upon.

(*The witness withdrew.*)

Mr. G. M. HARRIOTT, M.I.C.E., C.I.E., was called and examined.

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27390. (*Chairman.*) You are the Superintending Engineer and Secretary to Government in the Irrigation Branch?—Yes. As such, I am in charge of the whole province in irrigation matters.

Larger financial powers should be given to this Administration with regard to irrigation works. This province has suffered considerably, and its progress has been seriously retarded for want of such works and powers; while other provinces have benefited owing to the available funds being diverted to them. The sum annually available for irrigation works may be apportioned to the Local Government, and the Chief Commissioner be given a free hand to utilise it to what he considers to be the best advantage. The Local Government is, of necessity, the best judge of the relative importance of these works.

Irrigation Works may be divided into three classes:—(i.) Minor irrigation works; (ii.) protective irrigation works; (iii.) productive irrigation works.

For minor irrigation works an allotment of 4 lakhs a year has been made to this province by the Government of India. This allotment has been made provincially, and the Chief Commissioner has been given a free hand in dealing with it. Provincial funds may, if necessary and available, be used to supplement it in order to push through works which are urgently needed. I would recommend the increase of the allotment for this class of works from 4 to 5 lakhs a year. Taking into consideration the strong recommendations of the Irrigation Commission, and the fact that no funds were given to this province prior to 1902-03 for the construction of irrigation works, though an urgent appeal was made by the Chief Commissioner in the early seventies, I consider it a very modest demand.

I recommend that the same procedure, described above as to minor works, be followed with regard to protective irrigation works. An expenditure of 300 lakhs in 20 years in this province has been recommended by the Irrigation Commission, or an average of 15 lakhs a year. This is the average annual allotment which this Administration has asked for and it has been promised, with some reservation, by the Government of India. For the reasons given above I consider this also a modest demand. It was recommended as fair and necessary by the Irrigation Commission after a consideration of the requirements of the whole of India. This sum should be placed annually at the disposal of the Administration, and the Chief Commissioner be given a free hand to frame his own irrigation policy, and utilise it to what he considers to be the best advantage. The Local Government should be at liberty to supplement it, temporarily or permanently, from provincial funds when necessary, in order to push on and complete relatively important works. In the case of temporary supplements, recoupment may be made by the curtailment of expenditure in subsequent years. In the case of unavoidable permanent supplements, a share of the net profits, as soon as the works become remunerative, should be allowed to the Local Administration. Till that time funds for maintenance might be provided as at present from budget head "42. Major Works—Working expenses," and the whole of the revenue credited as now to the Government of India, under budget head "29. Major Works—Direct Receipts." Effective control will be assured by the fact that the Local Government will be sharing the responsibility and must work within its means.

Productive works are constructed primarily from borrowed money. No works are likely to be passed as such for this province, till irrigation has been firmly established, and such water-rates actually secured as will place their productivity beyond a doubt. This will take a few years yet, but as soon as it may be possible the Local Administration should be empowered to sanction the construction of such works within the limits of such financial powers, and powers of sanction, as may be given to it. Till then it must rest with the Government of India to accept the proposed works as productive, as well as to sanction and provide funds for them.

Local Administration should be given borrowing powers, on the same lines as such powers are given and controlled in the case of Government of India, though on a limited scale proportionate to their finances.

The first appointments of Upper Subordinates to permanent posts are at present made by the Government of India. There seems no reason why

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they should not be made by the Local Administration. In fact the Local Government can make these appointments after places have been found for such passed students from Roorkee, or non-commissioned officers and soldiers of the Royal Engineers, as may be available. There seems no reason why lists of passed students and available Sappers should not be communicated to the Local Administration, who might then make all the appointments.

The powers of the Local Administration to sanction estimates for the construction of imperial works should be increased. Sufficiently effective control will be provided by the fact that their power to do so must be limited by the grants made by the Government of India. A Local Administration may sanction estimates annually for ordinary imperial works, estimated to cost up to Rs. 20,000 for works, and Rs. 25,000 including establishment, tools and plant. It can sanction no protective irrigation work at all, and the classification of any work as protective rests with the Government of India. I see no necessity for this restriction, especially in a province like this one, where all the large works must be protective until they can be proved to be productive.

A Local Administration can sanction estimates for provincial works up to a limit of 10 lakhs for works only, and 12½ lakhs including establishment, tools and plant. It seems to me that if a Local Administration can deal successfully with its provincial works to this limit, there can be no reason why it should not deal equally well with imperial works of all classes to the same extent. The financial limit appears to be the only one necessary, and that is in the hands of the Government of India which makes the allotments. The Governments of Madras and Bombay are empowered to sanction estimates for ordinary imperial projects up to 2 lakhs for works only, and 2½ lakhs with the inclusion of establishment, tools and plant. I see no reason for this distinction, and recommend that these limits be extended to all Local Governments and Administrations, and be made to include protective irrigation works.

The powers of Local Administration to accept contracts should be increased; it is at present limited to its power of sanctioning estimates, so that while it can accept contracts for provincial works estimated to cost 10 lakhs, exclusive of establishment, tools and plant, its limit for imperial ordinary works is Rs. 20,000, and for protective irrigation works it has no power at all. This entails continual correspondence with the Government of India, in the making or altering of contracts exceeding the above limits. I see no necessity for these restrictions. Once the estimates have ben sanctioned, the Local Administration might surely be allowed to deal with contracts. After all the Government of India almost invariably accepts the recommendation of the Local Administration, which must be in a more favourable position to judge of the best course to follow in each case. The Local Administrations should be able to deal with contracts for imperial works up to a limit of 10 lakhs as for provincial works. I recommend that, once a work is sanctioned, Local Governments and Administrations be empowered to deal with the contracts without limit.

Local Governments can only fix the classification of minor works which are estimated to cost less than Rs. 50,000, including establishment, tools and plant. In the case of works estimated to cost more than this sum, the sanction of the Government of India to the classification has to be obtained, unless both capital and revenue accounts are kept. Local Governments seem to me to be the best judges as to the importance of a minor work justifying both capital and revenue accounts, only revenue accounts, or neither being kept for it. After all the action of the Government of India is invariably taken on the recommendation of the Local Governments, who should be empowered to fix the classification up to their limit of sanction.

After the Government of India have decided on the particular policy which is applicable to a province, and has indicated the general lines on which it is to be applied, Local Governments and Administrations should be given a free hand to suit it to local conditions, and to apply it in the most favourable way possible. Under present conditions this is not always done. For example, the Indian Irrigation Commission was appointed to inquire into the necessity for extending irrigation in India to afford protection, and to report where it was most necessary, and how it could be best provided. After detailed inquiry they indicated the necessity for protection in the Central Provinces, and the lines on which it could be best applied. The Administration started to work and framed a protective policy on these lines, but at the end of six years it still finds itself in its original position of trying to prove that protection by irrigation is absolutely necessary for parts of the province, and that the policy it is working on is sound. Had it been given an annual grant for expenditure on irrigation works and been allowed to frame and pursue its own policy, much more might have been done by this time.

So far as irrigation works are concerned, the Imperial Secretariat is certainly dominated by considerations of direct revenue. Progress with these works has been retarded, because owing to State irrigation being recently started it has been impossible to show for certain that Rs. 2 per acre will be paid for it. It has been shown by the Local Administration that the indirect advantages are very large, that irrigation will improve the country enormously, that it will put large sums into the pockets of the cultivators, and save them from being pauperised by famine; yet the stumbling-block is the net direct revenue which the Local Administration knows is trifling in comparison with the indirect return which Government must secure.

Directors and Inspectors-General under the Government of India should merely act as technical advisers to Local Governments and Administrations, in dealing with departments, which are primarily administered by the latter. They should not interfere in any way with the policies adopted by Local Governments and Administrations.

So far as irrigation is concerned, the initiative came from the Local Administration. This Administration appealed for irrigation in the early seventies; a response was made by some schemes being investigated, and then the question was dropped by the Government of India. After the famine of 1896-97 another appeal was made, and investigations were again begun. This response continued till the Irrigation Commission came, and by their decision got construction started.

It is desirable to allow provincial Governments to develop their Administrations on their own lines, and leave them to adopt or not suggestions of reform brought to their notice from other provinces. It is desirable that provincial Governments should be kept informed of successful reforms in other provinces, and if this is done no provincial Government is likely to reject them without a trial, if they are applicable to their province. On the other hand, if ordered to introduce a reform, they have to do so whether it is applicable or not.

A Local Government should be empowered to refuse to transmit any appeal made in general terms, and including references to matters not connected directly with the order appealed against.

Executive Officers have ample opportunities for personal contact with the people with whom they have to deal, but there is not the intercourse now between departments that there used to be formerly. For example, I have always known most of the Extra-Assistant Commissioners, tahsildars, and native officials in the stations I have been in. They came to see me occasionally, and I got to know them. But I seldom see any of the officials now. It is not because I do not see them if they call on me, or discourage their visits in any way. On the contrary I make it a point to see them. This is partly due to the higher pressure under which every one has to work now, and to the more reserved nature of the official of the present day. I think something might be done to bring officers more in contact with the people, by officers of one department encouraging their subordinates to go and see officers of other departments when they get an opportunity of doing so.

I know that this leads to officers coming in contact with non-officials also.

Executive charges are too large as they stand in some cases. To get work done properly there should be at least an Assistant Engineer to each district apart from those on special works. I consider that every important sub-division should be in charge of an Assistant Engineer instead of under subordinates as they are at present.

Transfers are over-frequent occasionally. For example, the Chanda and Bhandara districts have had quite a series of Deputy Commissioners in the last few years. I cannot suggest a remedy because transfers are often forced by so many causes. The only course for the Local Administration to follow is to determine not to make a transfer if it can possibly be avoided, unless the officer has been in the district for a long time.

Superintending Engineers should be given practically the same powers as Chief Engineers have. They should be the Engineers-in-Chief for their circles, and should arrange for all the public works in it with the Commissioners of divisions. All the technical work should be done by the Superintending Engineer under the direction and advice of the Chief Engineer. The latter will then act as chief technical adviser to the Superintending Engineers and help these officers with advice when they have any difficulties in construction. Relieved of technical work in this way, the Chief Engineer will be able to give more time to direction and organisation.

The time has not come yet to extend the powers of municipalities and Local Boards. It is as much as they can do to make full use of the power they have at present.

I do not think Advisory or Administrative Councils will be of any use. Most, if not all, District Officers and Commissioners invariably consult the people who would be on such Councils, and discuss important questions with them. It has been my experience that such people when consulted singly give their opinions and advice freely, which they will not always do in a Council, for fear of offending some one else who is present and who holds different views from themselves. In my opinion such Councils will do no good, will waste time, and, last but not least, will have an adverse effect on work by making officers feel that they have been relieved of responsibility. The members of the Councils would not appreciate the honorary work, because it would only give them trouble, without power and authority.

The smaller municipalities would resent the control of the District Board. It will be better to let them work out their own salvation. It might answer in individual cases to allow such control.

27391. Who is responsible, in the case of irrigation, for the actual distribution of the water from field to field?—The officers of the Irrigation Branch. The arrangement we have is that for each tank a panchayat of the villagers is formed; they settle when water is required, and ask for it to be supplied; there are certain petitions sent in; those are sent on to our officers, who then start the running water, and the panchayat arrange the distribution among the villages; we simply open the sluice and let the water down to the extent that is required.

27392. They arrange the actual distribution themselves?—Yes.

27393. You have no canal irrigation, it is all tanks?—Tanks and distributaries; we cannot have canal irrigation here very well; we depend on the rainfall simply; we do not depend on the yield from snow.

27394. You tell us that for one reason and another progress has been retarded in the matter of irrigation in this province for want of works and powers. Are the works to which you make reference productive works?—Not at present, but if these works had been constructed some years ago they would by this time have been productive.

27395. Were they large works?—Yes; there were three or four large works surveyed and some smaller ones, as far back as the early seventies.

27396. You would agree, that if the Government of India, having only limited resources to fall back upon, have to choose between works that are profitable and works that are not, they are justified in selecting works that are profitable?—That is done already. The funds are provided from borrowed money, and the Government of India decide whether the money can be borrowed; but so far as protective works are concerned, each province should get a fair share. At present we can only deal with protective works; though we can get strong evidence; we cannot exactly show which works will be certainly profitable.

27397. You want the works to be done from funds available for protective works, that is to say, from revenue?—Funds for protective works come from the Famine Insurance Grant.

27398. Is the allotment of 4 lakhs a year of which you speak from revenue or from the Famine Insurance Grant?—That comes from revenue.

27399. You say that the Chief Commissioner should be given a free hand to frame his own irrigation policy; has he not a free hand now?—Not at present; he has just now applied for it.

27400. Have most Heads of Provinces a free hand?—I think in the Punjab and in the United Provinces they have got to that stage when they can well frame their own policy.

27401. That is the distinction between those provinces and this?—Yes; we are rather held by the bridle more than the other provinces are.

27402. You tell us that the Local Government can make appointments of Upper Subordinates; do they as a matter of fact make them?—No, we have to apply to the Government of India.

27403. Although under the Government of India's own rules you can make them?—Yes; because certain appointments have to be kept for Sibpur and Roorkee men.

27404. Otherwise you have no more places than can be filled by Roorkee men?—We do get some sometimes. If men are not available we are allowed to appoint them, but the correspondence in sending up the appointments might be avoided.

27405. You tell us that with regard to protective irrigation works the Local Government has no power at all to conclude contracts?—No; all such contracts have to go up to the Government of India.

27406. Have you power to conclude contracts for productive works?—We have done no productive works at present, but I conclude that we should, in the case of productive works, be able to do so.

27407. Can you sanction estimates for protective works in the case of sanctioned schemes?—No; we can sanction no protective works without reference to the Government of India.

27408. Not the contracts, but the estimates?—No; all estimates for protective works have to go up to the Government of India.

27409. Then is the position that the Local Government has to send up to the Imperial Government and get sanction, not merely for the scheme itself as a scheme, but also for the estimates of every protective work?—Yes.

27410. And of every productive work?—For every productive work we have to go up, too.

27411. But in the case of provincial works, while you can sanction estimates you cannot sanction contracts?—No; provincial works contracts can be sanctioned up to the sanctioning amount.

27412. For imperial works can you sanction estimates?—That is, minor works; there is a certain grant given for "43.—Minor works and Navigation"; the Government of India have given us 4 lakhs, and that 4 lakhs is made provincial, so that the Local Administration can deal with that itself.

27413. There are major works and there are minor works?—Yes; the major works are protective and productive works; at present in this province we are dealing solely with protective works; we have no productive works.

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27414. Then with regard to protective works can you sanction estimates or not?—We cannot sanction them.

27415. Can you sanction contracts for protective works?—No.

27416. Then for minor works?—We can sanction the estimate and contract.

27417. (*Mr. Hichens.*) What is your relationship with the other branch of the Public Works Department here?—I am Superintending Engineer under the Chief Engineer.

27418. Have you got a separate staff?—Only the ordinary staff of a Superintending Engineer.

27419. Are the works that are carried out in the district carried out by a joint staff?—No; the men are more or less specially trained. We have some men who have been transferred to us from "Roads and Buildings," but when they get our special training we have to keep them.

27420. Are they entirely under your control?—No. the establishment is under the control of the Chief Engineer.

27421. (*Mr. Dutt.*) You say that the water from these irrigation tanks is generally let out by the Engineer in consultation with the panchayats. Does it sometimes happen that the Irrigation Engineer is unable to act on the suggestion of the panchayat?—We have had no such cases.

27422. Has the Deputy Commissioner any voice with regard to the letting out of the irrigation water from the tanks?—He has not any direct voice at the time, but the arrangement has been to work with the Commissioner and the Deputy Commissioner, and if any complaint was made to the Deputy Commissioner he would take action; all he would have to do would be to send instructions which would be carried out at once, and a copy sent to me.

27423. So far as you are aware there has been no friction?—Absolutely none.

27424. When you let out this irrigation water, you impose a certain irrigation rate; what is the rate in this province?—The rate was settled after consultation with the Deputy Commissioners and the Commissioner, and sent up to the Government of India for approval; it is for the first watering Re. 1-4-0, for the second watering Re. 1, for the third watering 12 annas, and 8 annas for every subsequent watering. These rates are only provisional and full latitude has been given to the Commissioner and Superintending Engineer to vary the rates experimentally. At present we are working on very low rates; we are giving water to the people in order to let them get educated to it, because their land rents have been so small that the water rates appear heavy; we are trying to work them gradually up to the full rates.

27425. The rates you have mentioned are really standard rates to which you are working up; you have not arrived at those rates yet?—No.

27426. Do you water the whole village from field to field at the request of the cultivators?—In this province we are dealing mainly with rice irrigation; when water is wanted they generally come up in blocks; it is not always a whole village, but we give water to whatever area requires it; so far we have given it to the smallest areas.

27427. Generally you let out water for a whole block; it would not be convenient for you to let out water, say, for half an acre or so?—It is not quite convenient at present, but we are working to that eventually, when we get all the little field channels completed; I do not think, however, that that will ever be necessary, because, wherever a single acre of rice wants water a whole block will want water.

27428. Is the irrigation rate levied by the Engineer or by the Revenue Officers?—It is decided with the Deputy Commissioners and the Commissioner, chiefly with the Commissioner. In Raipur last year the people had been holding back; I went round and interviewed the *malguzars*; I eventually gathered from them that if we started on certain rates they would take water; having decided that with the Deputy Commissioner on the spot, I sent up the recommendation to the Commissioner, who approved of it, and it was sent on to the Chief Commissioner. The Commissioner settles the matter with me.

27429. But who actually realises the rate?—A *jamabandi* is made out and given to the village panchayat, who collects the rate and pays it in to the Deputy Commissioner, getting a percentage for the collection.

27430. So far there has been no difficulty in realising these rates?—None whatever.

27431. Are higher Engineers all recruited in England?—There are some recruited from Roorkee.

27432. What is the designation of those who are recruited from Roorkee—how do they begin?—They began before as Apprentice Engineers, but I believe that now that is altered. I am an old Roorkee Engineer myself; I was an Apprentice Engineer for six months, then I was made a 3rd Grade Assistant, and I went up in the ranks.

27433. So that a Roorkee Engineer can go up to the highest posts open to Engineers in this province?—Yes. There have been some changes since I left the college; I think they come in now to the Provincial establishment, and in the Provincial establishment they can go up, but there is a difference in the pay and pension rules.

27434. The men who are recruited in England form the Imperial Service as opposed to the Provincial Service?—Yes.

27435. Is the Provincial Service recruited by the Chief Engineer himself or by the Central Provinces Administration?—They are appointed by the Government of India.

27436. (*Sir Frederic Lely.*) Have the District Officers nothing to do with the distribution of water?—They have not actually to do with the opening of the sluice, but the whole of the arrangements are controlled by the Commissioner of the division; everything is arranged with the Commissioner after consultation with the Deputy Commissioner.

27437. You say that the actual arrangements for distributing the water are made in the first instance by the panchayat, and then you let the water through?—We open the sluice; they make applications for water for certain areas, and we open out sufficient water; if they say 2,000 acres want water, we gauge the water for 2,000 acres at the head and let it down the channels.

27438. If there is any dispute about the distribution what happens?—The panchayat decides that, or if there is any dispute between them they refer it to the Deputy Commissioner; he refers the matter to us; and if there is any further dispute it goes up to the Commissioner of the division.

27439. There is no friction?—Absolutely no friction so far as the Irrigation Branch is concerned; we work all together.

27440. (*Sir Steyning Edgerley.*) You say that you are still in your original position of trying to prove that protection by irrigation is absolutely necessary for parts of the province. Can you illustrate that?—The best way I can illustrate it is by letting you see the letter from the Local Administration to the Government of India on the subject.

27441. You say that "So far as irrigation works are concerned the Imperial Secretary is entirely dominated by considerations of direct revenue"; does that refer to protective or productive works?—All to protective works.

27442. Then you say "progress with these works has been retarded because owing to State irrigation being recently started it has been impossible to show for certain that Rs. 2 per acre will be paid for it"; does that refer to protective works?—Yes; but we have got beyond that now; we are actually getting Rs. 4 in places; that is on small works.

27443. You say that it was a recommendation of the Irrigation Commission which was accepted with some reservation by the Government of India that you should have an average expenditure of 15 lakhs

a year?—The Irrigation Commission have laid down in their report that 300 lakhs should be spent in twenty years.

27444. What was the reservation made by the Government of India in accepting that recommendation?—The view taken by the Government of India was that this 300 lakhs was only to be spent if, after the construction of these famine works which are now being completed, it could be shown that we could get these rates.

27445. I do not quite understand your position about the supplement to expenditure from provincial revenues. If you want to get a work through, you say you should supplement from provincial revenues, and then you should share the profits?—My proposal is this. We have got 300 lakhs for 20 years; that gives an average of 15 lakhs a year; we have at present three large works under consideration; all three are in areas that need irrigation and protection very badly, but we shall not be able to do the works within the 300 lakhs; they will probably run out during the twenty years. It is very desirable to construct those works; if the Government of India cannot give us more than 300 lakhs, the Local Administration should be permitted to supplement the 300 lakhs, and recoup themselves afterwards.

27446. How would the provincial Government get the extra money?—We have run up in certain years to 25 lakhs; at the beginning we commenced lower; we began say at 11 lakhs, and have passed up gradually to 17, 20 and 25. In the beginning we may get our money, but towards the end the Government of India may not be able to give us 25 lakhs; then I ask that the Local Administration be permitted to supplement the amount given by the Imperial Government, so far as they can, in order to push on these works.

27447. From what sources?—From revenue—their own balances.

27448. Then how would they share profits—Proportionately to the expenditure that each had incurred.

27449. Is the revenue entirely separate?—The revenue would be entirely separate from each one of the three works.

27450. It would be a separate water-rate that could be ascertained?—Yes.

27451. Will those three works be likely to be productive?—I certainly think they will be productive.

27452. But you have not yet submitted them as productive?—No; worked out on the Rs. 2 rate, which we hope to get, those works will be productive under the classification of the Government of India.

27453. You also say that you think the distinction as regards estimates and so on between provincial and imperial is unnecessary, because the Government of India get their control by the grants which they make?—Exactly. We cannot go beyond the grants which they make to us every year. This would save correspondence and references.

27454. Does not the amount of the estimate react upon the amount of the grant?—But the estimates are originally sanctioned by the Government of India.

27455. Suppose you had a work of 9 lakhs, that estimate and everything connected with it you would settle here?—But then the Government of India in that case only give us so much money every year to spend.

27456. You think that they should give you a fixed sum, and that you should spend it as you chose, subject to the ordinary provincial limitations?—Exactly.

27457. You think the distinction between imperial and provincial works might be entirely abrogated?—Yes.

27458. That would practically give you complete control over protective works, to the same extent as over minor works?—Yes.

27459. You say you think the Superintending Engineer should be given practically the same powers as the Chief Engineer. Have not the Government of India proposed that they should have powers up to Rs. 50,000?—Yes.

27460. Your proposal is that their power should be unlimited?—No; it is practically the same as what the Government of India put; in fact, the Chief Engineers have not got quite those powers at present.

27461. What power has the Chief Engineer here in the Central Provinces?—I think he can only run up to something like Rs. 10,000 sanction.

27462. Your proposal is not intended to run beyond the proposals which the Government of India have recently sent in?—No.

27463. You consider that the Inspector-General of Irrigation should have nothing to do with policy, but should only advise on the technical points of a scheme?—I think he should advise the Local Administration.

27464. That is to say, before they send up to the Government of India for sanction?—When the Local Administrations are drawing up their policy they should consult him.

24765. (*Mr. Meyer.*) Protective works are financed from the Famine Insurance Grant?—Yes.

27466. Are not the funds from that limited?—Yes.

27467. Perhaps you will take it from me that under the present orders the total grant is 150 lakhs and the first charge is actual famine expenditure. Apart from that if there is money, 75 lakhs may be used for protective irrigation works; the balance, if any, goes to the reduction or avoidance of debt. Those are the Secretary of State's orders. Therefore your maximum is 75 lakhs for particular irrigation works and in a famine year such as the present it might be very much less; it might be reduced almost to nothing?—No doubt.

27468. The Government of India, therefore, having this limited sum of money to deal with all round, have to be careful about it?—Yes.

27469. Would it be practicable to earmark 15 lakhs year in and year out to a minor province like the Central Provinces?—I think it would, because this province has had no protective fund yet; other provinces have benefited not only from productive funds, but from protective funds, whereas the Central Provinces have had no share in those until within the last few years. Since the Irrigation Commission we have spent now up to this year about 40 lakhs.

27470. There may be a special case for the Central Provinces, but is it not impossible, as a matter of policy, to earmark perpetually, from a grant that necessarily fluctuates, any particular amount to any particular province?—There is that difficulty, but a certain amount might be told off to a province if it could be given except in famine years; in normal years the province should have that earmarked for it.

27471. The resources for constructing protective works being so limited, and the demand so great, is it not reasonable that the Government of India in deciding between competing schemes should give preference to a scheme that will yield some amount of profit though not the full amount necessary to make it productive?—But there are none of them that do not yield any return.

27472. But between competing projects the one that yields a higher return is better than the one that yields no return, assuming that they are both protective works?—I think preference should be given to a certain extent to a small province which has not had irrigation in it before, and which is not in a position to be able to prove its position. Take the Punjab and the United Provinces and Madras and Bombay; they have all had irrigation in progress for a long time, and they are in a position where they should be able to make their projects remunerative. We are not; we have to prove our position.

27473. You want special treatment for the Central Provinces because in irrigation matters you

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are a backward province?—Yes. We have suffered very badly here from famine. Since 1896-97 we have had practically four famines in the 12 years.

27474. Before that it was assumed by everybody that the Central Provinces was immune from famine?—Yes, because the grain did not go out of the province.

27475. Was not the Local Administration as unprepared as the Government of India?—The Local Administration applied for irrigation in the early seventies and again after the famine of 1899. We only got it after the Irrigation Commission.

27476. Are not estimates occasionally largely exceeded?—They are largely exceeded when circumstances alter the rates. For instance, here in the Central Provinces, out rates have gone up; round Nagpur they are double what they were a year or two ago; where you could get a labourer for 2 annas you cannot get him for 6 annas now.

27477. Is it not the fact that estimates on big projects tend to be materially exceeded in practice?—Yes, because there are certain points about them which cannot be definitely settled to begin with, for instance, foundations; you cannot always tell what you are going to come upon. Engineers, as a rule, not only Public Works Engineers in India, but Engineers all over the world, find difficulty in telling what they are going to come across and estimates do get exceeded.

27478. In the case of a provincial work, if the estimate is exceeded the Local Government has to pay?—Yes.

27479. In the case of a work that is financed from imperial funds, whether a protective work, or a productive work, or an ordinary imperial building, the Government of India have to pay?—Yes.

27480. Is it reasonable, therefore, that the Government of India should scrutinise the estimates of works, for which they have to pay, much more closely than the estimate of works for which the provincial Government pays?—Yes, the Government of India should have that right; they should have the right to scrutinise estimates where they provide the funds; but if an allotment is made to the Local Administration the Local Administration takes the responsibility of it.

27481. If you start a work which is debited to imperial funds and say (quite in good faith) that it is going to cost 5 lakhs, and it eventually costs 10 lakhs, you have got to see it out?—Yes.

27482. At the same time that extra 5 lakhs will fall on the Government of India?—Yes, but it will come to that in any case.

27483. But the Government of India can protect themselves as far as possible by having the estimates scrutinised by their own men?—Yes.

27484. And *primâ facie* the engineering advisers of the Government of India, are the most competent men in your department?—Yes, but I have said that the Inspector-General of Irrigation should advise the Local Administration; in that case the Local Administration would have the advice of the same advisers that the Government of India has now.

27485. But suppose the Inspector-General of Irrigation says that your estimates are in his opinion unduly sanguine; under your scheme what would happen?—The Local Administration would be bound to reconsider the matter.

27486. You admit that the Inspector-General of Irrigation in considering estimates has not to look merely at the technical estimates, but in an irrigation work he has got to scrutinise the revenue returns?—Yes; I have absolutely no objection to the scrutiny of the Inspector-General of Irrigation; the Local Administration should take full advantage of his advice.

27487. As regards productive works pure and simple, you have none in this province and you have no suggestion to make with regard to them?—No.

27488. As regards Upper Subordinates you desire that the Local Government should have a free hand in enlisting men who have come out of Roorkee? Is it not possible that you will have two or three Local Governments all addressing the same person and saying, "Come to us"?—I do not think it makes any difference because, as a matter of fact, the Local Government's recommendations are accepted; the only difference would be that the Local Administration would appoint the men they send up for, and it is merely a matter of correspondence.

27489. You have got A, B, C and D passing out of Roorkee in a particular year. Do you know much about them?—No, but the Principal, who is applied to, does.

27490. The Government of India say, "A shall go to the Punjab, B shall go to the United Provinces and so forth"?—I do not think they make much selection; the men put down the province they would like to go to; that used to be the practice.

27491. Does it make any material difference; men come out of Roorkee and in their order they are allowed to select their province; what is the inconvenience?—It is the correspondence and extra work that is entailed; it merely means a reference where no reference should be necessary.

27492. As you probably know, the Madras and Bombay Governments can appoint their own Superintending Engineers and their own Chief Engineers; other provinces cannot do so. Would you be in favour of allowing a province like the Punjab, for instance, to appoint its own Superintending Engineer?—The Superintending Engineers are appointed as a matter of selection, and it is only right that the Government of India should have the option of putting the best men in appointments where they would get the best results from them.

27493. For engineering work do the Government of India know better than the provincial Government which men will suit?—It is a question of selecting the best men for the highest appointments.

27494. So far it is an exception to your idea that it is desirable to allow provincial Governments to develop their administration on their own lines; you would have a clause "provided that the Government of India shall appoint Superintending and Chief Engineers"?—No; in that case the Government of India would apply to a Local Administration for a man if they wanted him as they do now, but it should be open to a Superintending Engineer to be appointed from one province to another; there is no reason why a good man should necessarily be kept in one place if the Government of India require his services elsewhere.

(*The witness withdrew.*)

Mr. J. B. LEVENTHORPE was called and examined.

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27495. (*Chairman.*) You are the Chief Engineer and Secretary to the Chief Commissioner in the Public Works Department for Roads and Buildings?—Yes.

27496. Have you anything to do with the appointment of subordinates in your department?—We have two sets of subordinates, the Lower and the Upper. The Lower Subordinates are all appointed now by the Superintending Engineers; they used to be appointed by the Chief Engineer; the Upper Subordinates we can appoint to a certain extent; we have just got more powers from the Government of India; previously we had to take what they sent us; now they allow us to appoint some ourselves as well.

27497. Do you post your subordinates to the different divisions?—The Superintending Engineers do that.

27498. Do they post both the Upper and the Lower Subordinates?—Yes, within their Circles.

27499. You have got three Circles?—Yes, two in "Roads and Buildings" and one Irrigation Circle; that is practically a separate business altogether. The Superintending Engineer of Irrigation in these provinces corresponds with the Joint-Secretary of Irrigation in the larger provinces.

27500. You wish to see much larger powers given to the Superintending Engineers?—Yes, and to the Executive Engineers also.

27501. Are you responsible at the present moment for all engineering work?—Yes.

27502. Would it be possible to throw the whole burden of responsibility upon the Superintending Engineers?—It would not be altogether advisable.

27503. Have they not sufficient experience or training?—The Head of the administration should know something about what is going on.

27504. I am not talking about the scheme, but about the actual technical engineering?—Subject to approval, responsibility should be thrown on the Superintending Engineer.

27505. You would not make the Superintending Engineer merely submit the details of large works and then give the Secretary power to say, "I approve" and then throw the whole responsibility on the Superintending Engineer?—No. He should have the Chief Engineer's advice when necessary, and in big works, certainly, the Chief Engineer should be responsible.

27506. You would not merely give the Chief Engineer a power of interference?—Up to a fair limit I should say the Superintending Engineer should be responsible, as it were, but beyond that the Chief Engineer should be responsible.

27507. What limit would you fix?—I should say half a lakh, perhaps in the case of roads and such like things a lakh; that is the proposal of the Government of India. I do not see any harm in that, but in the case of a building costing half a lakh, it has to go to the Government Architect and the Chief Engineer has a say in it also.

27508. It only goes there for design?—Yes, we have to take his advice on anything costing half a lakh.

27509. Both as to appearance and accommodation?—As to accommodation he has to accept what we say; as to appearance we have to accept what he says to a large extent.

27510. You would not give the Superintending Engineer complete responsibility for anything costing more than half a lakh?—Half a lakh in buildings and a lakh in other things might be allowed. The Government of India proposes a lakh in both cases, but I think the line should be drawn at half a lakh in the case of buildings because we have to refer there to the Government Architect; it should be referred through the Chief Engineer.

27511. Would you give larger powers and responsibilities to the Executive Engineer?—Much larger.

27512. Up to what limit would you give them freedom, acting on the same principle?—They might sanction anything up to Rs. 5,000, say, for original works.

27513. What is their present sanction?—Practically nothing—Rs. 200.

27514. Cannot a man pass into the first grade of Executive Engineer without selection?—There is selection the whole way through; it is seniority tempered by selection.

27515. All the way through?—Yes, the Assistant Engineer, the three grades of Assistants, and the three grades of Executive Engineers; a man cannot claim to be promoted though he is senior.

27516. Are there many rejections?—Often.

27517. What happens when there are rejections?—A man may be passed over for a time, or he may remain for many years.

27518. Would it be better to get rid of a man altogether rather than let him remain many years as a very junior officer?—It is very exceptional for them to remain as junior officers; by junior I take it you mean an Assistant?

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27519. I was thinking of an Executive Engineer of the first or second or third grade?—He does not reach the Executive, first grade, until he has about 20 years' service; that is the best he can hope for.

27520. I did not mean junior in age, I meant junior in the *cadre*. If a man has been passed over several times is it wise to let him remain in the Service?—There are some it would be well, perhaps, to get rid of.

27521. Would it be well to let them remain or to get rid of them?—I think if a man is hopeless and not fit for promotion he is not fit to be in Government service.

27522. You do not get very many of those?—Not many, but we have had some.

27523. A first grade Executive Engineer has to be reported on as fit for an administrative appointment?—Yes.

27524. Are there many rejections of that kind?—Some; not very many.

27525. Does this system of selection work well?—I think so.

27526. I suppose the money has run out for a building or a road, at the end of a year you get what is called provisional sanction to prevent your having to disperse your labourers?—No, we allow for the allotment coming next year.

27527. You spend without any sanction?—Practically we do so at the end of the year, very often.

27528. You do not have to get provisional sanction?—No, we go on without any delay, we do not stop because it is the 31st March.

27529. Even though you have got no money?—Of course on the 31st March we have got no money, but we start on the fresh year. The estimate is sanctioned and the work is in hand, and we do not stop our work; we have the greatest difficulty in getting our budget for the year published until about May or June very often.

27530. But notwithstanding that delay in getting your budget published you have no delay in continuing your work?—No, we carry on.

27531. Therefore any representation of that kind which may have been made to us has no effect so far as regards this province?—None, so far as this province is concerned.

27532. (*Mr. Meyer.*) You suggest that the preliminary budget be done away with; what do you mean by that precisely?—We have to send up a preliminary budget and then there is the final issue of the budget.

27533. When do you send in your preliminary budget?—On the 15th February.

27534. That is what the province does, but what do you do departmentally; you say you submit a six months' estimate in November and then you submit the preliminary budget in February?—Yes.

27535. Do you desire that the Local Government should go on your six months' estimate without a separate preliminary budget?—With the preliminary budget that we prepare. I think all that the Government of India require is our total figures; I do not see what use the details of the preliminary budget can be to the Government of India.

27536. Some of the works may be productive, others may relate to imperial works?—No, I am speaking purely of provincial works; I am not talking of the small budgets we have of imperial civil and imperial military works.

27537. You mean that as far as the Government of India is concerned, all they want to know is the total amount the province is likely to spend from provincial funds on Public Works?—That is all

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27538. Who has prescribed this detailed preliminary budget?—It has been given from time immemorial.

27539. Is it in the Public Works Code?—I do not know whether it is in the Public Works Code; we have had to do it as long as I can remember.

27540. We have had it stated that in this province the whole attitude of the Public Works Department has been one of independence of what they call the Civil Department, which is really the Administrative Department—the Commissioners and Deputy Commissioners—and that the Executive Engineer regards himself as quite as good as the Deputy Commissioner and does not trouble to consult him in any way; what have you to say to that?—I should say that it is the remark of a very young Deputy Commissioner.

27541. Would you be surprised if you heard that the Head of the province shared that opinion?—I should.

27542. You think that the relations are quite satisfactory?—On the whole they are very satisfactory.

27543. Are Deputy Commissioners consulted before roads are made in their districts?—Very much so; we cannot start on any road until we have it properly in the road scheme, and that has to be approved by the Deputy Commissioner and the Commissioner, and it is not allowed to go into the road scheme until the Chief Commissioner sanctions it.

27544. But what we have heard is that there being a variety of roads in the scheme, your department fixes A or B road without consultation with the different officers?—Not at all.

27545. You do not alter the alignment of roads without consulting the Deputy Commissioner; it has been suggested that in some cases you start quite a different alignment of road from what was originally intended?—I presume that that was when the road was going down in a hollow, and when it was actually aligned it came up to the high ground.

27546. No, the suggestion was that the road was to have gone to a particular village and that it took some other line which left that village out altogether?—No. The Deputy Commissioner always has a say in that matter.

27547. Does your budget of works for the district go to the Deputy Commissioner?—No.

27548. Every year the Executive Engineer has to prepare and send up through the Superintending Engineer to you a list of the works he proposes to execute in the coming year and the amount of money he proposes to spend on any of them; and in the same way with buildings; is that submitted through the Deputy Commissioner?—It comes through the Commissioner.

27549. Not through the Deputy Commissioner?—I do not think it comes through the Deputy Commissioner.

27550. Might it profitably come through the Deputy Commissioner?—It would not do any harm, but the Commissioner is the man we deal with, and he is the most satisfactory.

27551. The real pivot of the district administration is, or ought to be, the Deputy Commissioner?—Quite so, but the Commissioner, if he does not know, will probably consult the Deputy Commissioner on the subject.

27552. It has been suggested that without in any way affecting the professional control of your department, the provincial Public Works budget should be split up; a certain amount would have to be kept at headquarters for emergencies and for the biggest works; in other matters each Commissioner should receive a minor Public Works budget and sanction work out of that. Would you approve of that scheme?—He does that to a certain extent as it is; we give him an assignment for all minor works.

27553. That is a very paltry sum—Rs. 10,000?—Something of that sort.

27554. What is your Public Works budget?—60 lakhs.

27555. It would be a matter of lakhs not of a few thousand rupees; might you give each Commissioner say 7 lakhs, and all the matters that the Chief Commissioner has now to sanction financially therefrom would be sanctioned by the Divisional Commissioner for his own division. Are you prepared to say whether you approve or disapprove?—No, I think there would be some difficulties about it.

27556. (*Sir Steyning Edgerley.*) How many of those Roorkee men do you get per annum as Upper Subordinates?—We get Provincial Service Assistant Engineers, and we get Upper Subordinates.

27557. How many Assistant Engineers do you get?—About one a year.

27558. And how many Upper Subordinates?—It varies very much; we have not had one for two or three years now; sometimes we get them, sometimes we do not.

27559. What is the understanding with the Government of India about the Upper Subordinates?—When they send them to us we have to take them; we are allowed a certain number, and when the Government of India see that we are one short they send us a man, and we have to take him.

27560. Suppose you agreed with the Government of India to take one Assistant Engineer per annum and x number of Upper Subordinates per annum, the whole of your *cadre* might then well be left to you to deal with; would there then be any other reason for appointments going to the Government of India?—At present what we complain of is not that we are so short of Assistant Engineers; it is the higher grade, the senior Executive Engineers, that we are so short of. The Local Administration now has the power to appoint Upper Subordinates within limits. We are obliged to keep a place for a Government of India man who passes through Roorkee College, but if we have a vacancy, and they have no man to send us from Roorkee, then we can appoint a man ourselves.

27561. Is the arrangement you have now sufficient?—It is satisfactory now; that has come out within the last month or so.

27562. Since this note of Mr. Harriott's was written?—Probably.

27563. Is not this limit of Rs. 50,000 for buildings which requires to go up to the Government of India Architect very small?—We have no skilled Architect in these provinces and we are very glad of the assistance of the Government of India Architect; I know he is looked upon as an enemy in most parts, but we are glad of him.

27564. Would it be better to have the power of consultation with him rather than the obligation to send up everything over Rs. 50,000?—It might be done.

27565. So that you could go to him only when you were in difficulty, and not have to send up for any ordinary building?—Yes. There are plain-sailing work that we might do ourselves; it might be a good thing to make it optional instead of compulsory.

27566. In Dacca we were told that it led to considerable delay in getting under way in works; do you find that it leads to great delay here?—Only in one case that I know of in the year that I have been here.

27567. Was the result when it came back to you worth the delay?—We are quite satisfied, and so is he.

27568. Did he make important alterations, or did he just simply approve your proposal?—He made valuable alterations; one or two of our works here are practically his design; the planning is all done here, but the face work is his.

27569. Is a Rs. 5,000 limit for a really senior first grade Executive Engineer as big as it is safe to give him?—Perhaps it might be Rs. 10,000; that is at present the power of a Superintending Engineer.

27570. You think plans and estimates should be sent up in all cases over Rs. 50,000?—Only in the case of buildings.

27571. Simply because of the rule regarding the Government Architect?—Yes.

27572. Suppose that limit were raised would you raise the Superintending Engineer's powers also, or suppose the Government Architect was made simply consultative, would you alter the Superintending Engineer's powers then?—I think I would. It might go to a lakh then.

27573. (*Sir Frederic Lely.*) The question of proportionate pensions has been raised for getting rid of bad bargains; would that not be very unpopular and perhaps prejudicially affect the supply of recruits?—I do not think so.

27574. What would you say to a sort of compromise, saying to a man who has been passed over and declared unfit for further promotion, "We cannot promote you any further, but if you are disgusted and want to go you can go on a proportionate pension"?—It would be a very good thing.

27575. Would it be better than compulsory retirement, or would you advocate insistence on a man's going if he was unfit for further promotion?—Perhaps it would be the safer thing to insist on his going.

27576. It would be preferable to giving him the option, allowing him to stay if he wished?—Yes.

27577. As to the requirement to refer buildings over Rs. 50,000 to the Government Architect; has it ever happened within your knowledge that a man of your own department has developed a bent for architecture?—Yes, some of them have; it is exceptional.

27578. Would not such a system of compulsory reference to the Government of India Architect tend to depress a man like that?—I do not think so; he would be very glad of the advice of the Government Architect, however good he was.

27579. Who at present compiles the Public Works budget for the province?—It is compiled in the Chief Engineer's office, that is to say, in the Secretary's office by the Secretary; it is all passed by the Chief Commissioner.

27580. The Secretary compiles it from requisitions from various departments?—The requisitions from various Superintending Engineers and departments.

27581. The budget once being completed and duly passed, who makes the re-appropriations, or who has the power to substitute one work for another, or one road for another?—That we should not do without taking the Chief Commissioner's orders.

27582. Would it be done without consulting the local officers?—I fancy the Chief Commissioner would not alter it as a rule without consulting the local officers.

27583. But there is nothing in the rules to prevent a Deputy Commissioner from getting up some morning and finding that a work in his budget had been substantially altered?—Nothing at all, as the budgets have been prepared hitherto. We are trying to alter that now so that the budget in the future shall represent exactly what is going to be done in the year, and then Commissioners and Heads of Departments will only act up to that and send in their requisitions; then in future the budget will represent what is going to be done.

27584. Is there to be any alteration in the system of making alterations in the budget?—No.

27585. Suppose, as is suggested, an allotment was made to each division for roads and original works, and suppose the Commissioner got together the chief authorities of his division and worked out a budget according to the allotment made to him; would not that tend to promote co-operation in the general interests of the division?—It might, but it would be very troublesome towards the end of the financial year. In one Commissioner's circle a great deal will have been spent, and in another very little; one would be wanting money, another would have a lot of money lapsing. It would be very difficult to co-ordinate the five divisions.

27586. But you admit that it might have an advantage such as I have suggested?—It might.

27587. (*Mr. Dutt.*) Would it relieve the Executive Engineer if the District Board roads which he is now asked to construct were taken away from his hands and given to a special officer under the District Board?—Yes.

27588. Would it be a considerable relief?—Not a very large one because the District Boards in the Central Provinces have very little money, but in Berar the system is quite unsatisfactory and they are endeavouring to alter it.

27589. In what way is it unsatisfactory?—They have a very large amount of money in the District Boards in Berar, but the unfortunate Executive Engineer has to give completion certificates. He has to make estimates for them and then give completion certificates for works that he cannot possibly see and can only take on hearsay.

27590. On the whole if a plan was worked out to make over District Board roads to special officers under the District Boards that would have your approval?—Undoubtedly, especially in Berar.

27591. In that case, suppose each District Council could appoint an engineer of its own, would you recommend a number of the provincial roads being transferred to the District Boards, keeping in your hands only very important roads and buildings?—That might be done if they had any decent staff, which they have not got at present.

27592. If they had a qualified engineer in each district you do not see any objection to that being done?—Not at all.

27593. In that case their resources would have to be increased in the same proportion?—Yes.

27594. You have spoken of the appointment of Lower Subordinates and Upper Subordinates, the Lower Subordinates being appointed by the Superintending Engineer and Upper Subordinates by yourself?—They are appointed by the Chief Commissioner really; they are appointed by the Local Government.

27595. What are these Lower Subordinates generally?—Sub-Overseers.

27596. And the Upper Subordinates?—Overseers, supervisors and sub-engineers.

27597. Where are the Upper Subordinates generally recruited from?—From Roorkee and Subpur and Poona.

27598. Do they constitute the Provincial Service in the Public Works Department?—No, the Provincial Serice consists of the Assistant Engineers that come from Roorkee; they are all Provincial now. Sometimes we get them from Poona or Sibpur, but nearly always from Roorkee.

27599. The appointments to the Provincial Service are nearly always made by the Local Government?—No, the Provincial Service consists of Gazetted Officers; those appointments are made by the Government of India.

27600. And the appointments in the Upper Subordinate Service?—They are made by the Local Government.

27601. You do not make any suggestions as regards any change in the system of appointing Lower Subordinates?—No.

27602. But the Roorkee men, you think, might be appointed by the Local Government?—The Upper Subordinates, yes.

27603. Instead of their being sent to you by the Government of India they might be appointed by the Local Government?—Yes; we have power to do that now; we have quite lately got the power; we could not before appoint a single man without the sanction of the Government of India; now, if we have a vacancy, the Local Government has power to fill it without reference to the Government of India.

27604. (*Mr. Hichens.*) Do the District Boards make any contribution of funds to the Public

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Works Department for the roads which are built by the Public Works Department?—Sometimes if they are District Board roads.

27605. Are they scheduled as provincial roads and district roads?—Yes.

27606. You look after some of the district roads?—No, we survey for them and sometimes we make them, but they are all looked after by the District Boards.

27607. They do not pay you anything in respect of the provincial roads?—Yes. We took over many roads from them and made them provincial. Each district pays a certain proportion into the provincial revenue; it does not affect our budget at all.

27608. Roughly speaking, do they pay enough to keep them up?—No, they do not now at all. Many of their roads that we took over—this was about four years ago—have been raised in class; they still go on paying into the provincial revenues the same annual rate that they paid for the road as a low class road.

27609. Will you define what is meant by provincial roads and district roads; are those the classes A and B that you refer to?—Yes.

27610. What is a provincial road?—A road that is maintained out of provincial revenues; the other roads are roads that are maintained out of district revenues. As a rule the provincial roads are first and second class roads, that is to say, metalled or gravel roads; that is, the *kacha* roads are looked after by the District Board.

27611. Do you think it would be a good plan that all the roads should be transferred to the District Board, given that they had an adequate enginering staff?—No, I do not say all of them, not the first and second class roads. I would retain the main roads certainly; I would keep them under the Public Works Department.

27612. You do not think it would be an economical plan to have a highly efficient District Board Engineer who was responsible for all the roads in the district?—I have never seen an expert District Board Engineer yet; we have not got them in these parts; I believe they have them in other parts. The District Board Engineer of the Central Provinces is generally a sub-overseer on Rs. 20 a month.

27613. You say that the rules regarding the cost and rent of residential buildings are not satisfactory, and that the Local Administration should have much wider powers. How far would you be prepared to go in recommending wider powers?—I think the Local Government should be able to sanction residential buildings as it likes.

27614. To frame its own rules?—Yes, you cannot keep to the rules in one particular building; to have to refer each individual case to the Government of India is absurd.

27615. You would have certain broad principles laid down such as that, in normal circumstances, the rent should not exceed some percentage of a man's salary, but there might be power to make exceptions?—There might be power to the Local Government to make exceptions in individual cases.

27616. (*Chairman.*) You have been out here some time?—Over thirty years.

27617. Has there been in the course of that time a great rise in the price of building materials?—An enormous rise. I should say it is certainly double what it was thirty years ago; our rates are certainly 50 per cent., if not 75 per cent., higher than they were then.

27618. The size and importance of the building you carry out now is then about one-half of the size and importance of the building you could carry out thirty years ago?—Yes, the value is only half what it was practically.

27619. Then the building or work that you now sanction on your own responsibility is practically one-half the size and importance of what you could do, or a man in your grade could do, thirty years ago?—Yes.

(*The witness withdrew.*)

Major T. C. PLOWDEN, I.A., was called and examined.

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27620. (*Chairman.*) You are the Third Secretary to the Chief Commissioner?—Yes. I am responsible for the Education, Medical, Berar Revenue and Separate Revenue Departments of the Secretariat.

It seems anomalous that while Local Governments can add appointments on pay not exceeding Rs. 250 per mensem to existing grades up to a limit of Rs. 25,000 per annum they cannot create new grades or abolish existing ones. This restriction is due to a desire to secure uniformity in the pay of grades in all provinces, but the necessity for such uniformity is not apparent. I would remove such restrictions and allow Local Governments a free hand in establishing new posts, in creating new grades, in abolishing existing grades, and in adding to the pay and allowances of existing appointments subject to a rule that the net additional expenditure to be incurred in each financial year on all schemes in the year should not exceed one lakh of rupees. Local Governments should also be able to sanction deputations up to one year at least, without limit as to salary or deputation allowance.

With regard to the general question as to the best method of securing delegation, I think specific amending legislation for existing Acts is the more convenient. Future Acts should contain provision for the delegation of power by the Local Government to officers subordinate to it.

What has struck me in my Secretariat experience is the small amount of official intercourse between Local Governments. This must be due to too much centralization in matters of detail in the Government of India. If Local Governments were given greater freedom in developing their administration on their own lines, subject to general principles of policy which must remain in the hands of the Central Government, they would interchange views more frequently and each would benefit from the experience of the other. On the other hand, on all important questions of policy the pronouncement of each individual Government should be considered on its own merits and should not be overruled because the policy is accepted by some other province. I would illustrate my meaning by a reference to the question, still under consideration, of making primary education free in this country. This Administration has pronounced against the adoption of the policy as premature for these provinces, and the mere fact that other provinces in a more advanced state of progress may have accepted it should not be taken as a sufficient reason for applying it here.

Much greater discretion might be allowed to Local Governments in withholding petitions of appeal. Within my own recent experience we had to forward two memorials relating to orders with which there was not the remotest chance of the Government of India interfering. As a matter of fact that Government did not interfere, but in one of the cases a great amount of time and labour was expended in preparing the forwarding letter. Local Governments should not be required to forward returns of petitions and memorials withheld by them.

In the smaller and the more remote districts District Officers have plenty of opportunities for keeping in contact with the people, and of making themselves accessible to them. In large districts or in districts which are rapidly developing the Head of the districts has far less opportunities for keeping in touch with the people.

The real cause of increase of work is to be found in the progress and development of the country. The unit of administration in India is,

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and must continue to be so far as we can see, the district. One man must be the Head of the district and must be held ultimately responsible for its efficient government in all the various branches of administration. But as the country develops legislation increases, and with the increase in legislation the duties of the Head of the district must increase. For instance, factories multiply and increase, and a Factory Act follows. Again, the progress of the country demands executive initiative on the part of its administrators. It matters not whence the initiative comes, it may be from above or it may be from below, the net result means an increase of work. The initiative as often as not comes from the District Officer himself. For example, a Deputy Commissioner who has had much to do with the mineral development of his district discovers errors of form and procedure; he reports these with his suggestions to the Secretariat; other officers are consulted; all the points raised are then carefully considered in the light of the various opinions received, and the result is probably a new circular or a more elaborate form of return, as the case may be. But it cannot be contended that the new Act, or circular, or return is the result of a desire on the part of Government to legislate for the sake of legislation; it is prescribed because it has been found indispensable to the more efficient working of the matter to which it pertains. As an instance it has recently been found necessary to add a Manual on Mining to the manuals already in use in these provinces.

The only remedies are to reduce unwieldy districts to reasonable dimensions, and to give the Deputy Commissioners of those districts in which the desk work is very heavy a senior Assistant who could be empowered with the powers of a Deputy Commissioner. Recently the districts in Berar have been reduced from six to four. I think it was a mistake to reduce them. The Amraoti and Akola districts as at present constituted are too large for a Deputy Commissioner to administer properly. At least one more district should be made of portions of the Amraoti and Akola districts with headquarters at Ellichpur. Both Nagpur and Jubbulpore are very heavy charges, and might well be reduced. Chanda and Raipur are very large in area though perhaps the actual work is not so heavy as in Nagpur and Jubbulpore, but these two districts as well as Bilaspur might be reduced. I am unable to say what the dimensions of a district should be limited to; the area alone is no guide; the density of population, the state of progress in each district, the number of factories in each and kindred matters must be taken into consideration.

Appeals are far too frequent, and the result of allowing them to be made to the extent at present permitted is to diminish the District Officer's prestige and consequently his influence. The people now are much too fond of ignoring the local authorities and coming direct to the Head of the Government. This practice should be discouraged as strongly as possible. Reasonable facilities for appeal should of course be allowed, but excessive facilities lead the people to think that the higher authorities have no confidence in the ability and discretion of District Officers. Under the Berar Revenue Code it is possible for there to be two appeals and an application for revision in some cases, and one appeal and two applications for revision in other cases. As regards appeals and revisions I would lay down general principles as follows:—A first appeal should always be allowed. If on first appeal the original order is confirmed, no second appeal should be allowed unless the Appellate Court gives leave for a second appeal to be made. If on first appeal the original order is reversed or modified a second appeal should be allowed. No third appeal and no application for revision should be allowed in *any circumstances* in cases in which there has been a second appeal. In cases in which no second appeal can be made, an application for revision *on points of law only* should be permitted to the authority immediately superior to the first Appellate Court. No second application for revision should be allowed in *any circumstances*. With these principles embodied in the law, I would not deal with any details in the law. I would leave such details to be dealt with by rules under the law and having the force of law, issued by the Government. To Commissioners I would give the power of investing Assistant Commissioners in their divisions with all or any of the revenue powers (including appellate powers) of a Deputy Commissioner, and of determining the area in each district within which such powers should be exercised. When an Assistant Commissioner exercises any of the powers of a Deputy Commissioner the appeal against an order passed in the exercise of any such power should lie to the same Appellate Court as would an appeal from the Deputy Commissioner's orders, and should not lie to the Deputy Commissioner as is the case under the Berar Patel and Patwari Law. The idea of investing an Assistant Commissioner with the powers of a Deputy Commissioner is to afford relief to the Deputy Commissioner in his case work, but if the Deputy Commissioner remains the Appellate Court there is practically no relief; he does appellate work instead of original work.

In the old days the District Officer was looked upon by the people as the principal source of their benefits and as the final arbiter of their destinies, and in remote and jungly places this idea still exists. But progress in education and in civilisation, increase in material prosperity, the opening up of the country, the great improvement in communications, and the spread of local self-government are all factors which have brought the people more into contact with the outer world and have disturbed or displaced the traditional faith of the East in personal rule. This result is only the natural consequence of progress, and is a matter for congratulation; no one would dream of putting the country in its present condition of advancement back to the old methods of administration when the work of the District Officer was law. At the same time so long as the unit of administration remains in the district, the District Officer continues to be the back-bone of our rule, and to enable him to continue to discharge his functions efficiently we must search for other means of restoring his waning influence. Among these might be the grant of larger powers of control over expenditure to Divisional Commissioners and to Deputy Commissioners, and an increase in the Deputy Commissioner's patronage. With regard to the former lump sums might be allotted to Divisional Commissioners for distribution among their Deputy Commissioners; and as an instance of the latter the Deputy Commissioner might be empowered to grant naib-tahsildars leave up to three months and to appoint the officiating incumbent.

A sufficiently high standard of colloquial knowledge is not at present insisted on. The colloquial examination should be made a much severer test, and at the same time young officers should have more leisure and greater opportunities given them for preparing themselves for the examination. In the departmental examination all papers without books should be abolished; the test is of no practical use. No one works without reference books at hand, and what we want to find out is whether the examinee knows how to use his books. I would also abolish the rule which does not allow increases of pay till the examinations have been passed, as it only encourages cramming, and would increase the period for passing from three to four years. As a standard I would insist on candidates being able to converse fluently; they should also know something of the proverbs and sayings of the people, and should be able to understand the lower classes as well as the more educated classes. A man who can crack a joke in the vernacular will always get on with the people; greater attention should be paid to pronunciation. A young Assistant on joining should be attached for at least six months to the office of a good Deputy Commissioner; he should go into camp with the Deputy Commissioner, should see how case work is done and should try his hand on unimportant cases and petty inquiries. At headquarters he should make himself thoroughly acquainted with all the routine of the

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office. He should then be attached to the office of a Divisional Commissioner for another six months. He should not be put on to regular work during his first year. I am also of opinion that every officer should be given an opportunity of seeing the working of the Secretariat, and would make it a rule that every officer of about six to eight years' service should do a spell of special duty for at least six months in the Secretariat.

I am not in favour of District Advisory or Administrative Councils. Their creation would not tend either to increase efficiency or to diminish work; on the contrary much of the work would have to be done twice over. Local self-government was started too soon in this country and a beginning was made at the wrong end. We made provision for creating elective bodies before we had a properly qualified electorate. As recently as 10 years ago at some *taluk* Board elections which I held only 4 per cent. of the voters turned up, and it was obvious that the mass of the people took no interest in the proceedings or in the results. I would not repeat the same mistake with regard to District Advisory or Administrative Councils. I very much doubt whether such Councils would be popular and whether they would attract the best class of man, and they would therefore do more harm than good by becoming barriers between District Officers and the mass of the people.

The old village panchayats cannot be revived now. The present generation is too much used to having its petty criminal and civil cases decided by properly constituted tribunals to wish to have these cases settled in the village. But a beginning might be made by forming village councils on modern lines in selected areas. Their functions should be limited to purely administrative matters such as sanitation and education. I do not think they could ever be placed in control of the police, and I am very doubtful whether they should be allowed to deal with revenue questions. Local self-government has done best in municipal areas, and I see no reason why District Boards should be given any control over the smaller municipalities in their districts.

A simpler form of legislation, especially in Acts of local application, would tend to make administration generally less rigid and more elastic. The law should be limited to general broad principles; the detailed procedure for giving effect to these principles should be dealt with in rules issued by Government under the law and having the force of law. Such rules grow up in time in the light of actual experience of the working of the law; they can be made elastic and flexible, and they can be altered from time to time without necessitating fresh legislation. The Local Government should also be empowered to delegate any of its powers to any Revenue Officer not below the rank of Deputy Commissioner.

27621. You tell us that there is very small official intercourse between Local Governments; is there any restriction on the intercourse, official or non-official, of Local Governments?—No, none whatever.

27622. So that if they do not consult each other as to their proceedings and as to the changes which they want to make in their administration, that is not due to any restriction on their actions by the Government of India, but to their own want of action?—If the Government of India did not pass detailed orders, such, for example, as in the matter of a School Final Examination, we should probably consult the United Provinces on our scheme. But when we get down a letter from the Government of India, laying down the lines on which a particular subject is to be dealt with, there is not much scope for us to discuss matters with other Governments.

27623. You get a letter down from the Government of India simply saying what they want; they do not order you?—No.

27624. Is there any reason under those circumstances why you should not write to the United Provinces Government and say, "India asks us to do so and so; we find it inconvenient; what is your practice"?—No.

27625. Nothing is done in that direction?—No, the intercourse between the provincial Governments is very small.

27626. Might it be advantageously increased?—I think it might.

27627. You have never made any suggestion to that effect during your Secretariat career?—I have. We have consulted the Bombay Government on two or three occasions as to land tenures in Berar.

27628. To the advantage of both Governments?—Certainly to our advantage.

27629. You tell us that the unit of administration in India is the district, but you also suggest that as the country develops the duties of the Head of the district must increase. That would be not only in volume, but in variety?—Certainly.

27630. Can one man have such a cognizance of factory legislation, the distribution of water, the alignment of roads and so forth, that he can possibly continue to direct the policy of a district in all these different matters?—It is very essential that one man should do it, and it is possible that he should be able to do it as long as he is relieved of a good deal of routine desk work. He has got more or less expert advisers in every department to help him; he does not profess to be an expert, for instance, on irrigation or forestry, but, as District Officer, he knows the requirements of his district, and he knows where the shoe pinches.

27631. You are fairly familiar with the work required of a District Officer and the proposals made by your Government here to lighten him of that work; if those proposals were accepted would he have time to direct the policy in all the various departments?—He would in the smaller districts; in the bigger districts you would have to reduce the area.

27632. No amount of decentralization would help him to keep pace with all the work unless the size of the area was reduced?—That is my view.

27633. No increase of the staff subordinate to himself would meet the difficulty?—It would meet it to a great extent. Suppose you have two subdivisions in a district and you made four subdivisions; that would give relief in a certain amount of case work. But I am in favour of having respectably sized districts, because the Deputy Commissioner is much more able to get to know the people and the needs of a respectably sized district than he is of a huge district like Chanda, for instance.

27634. What in your judgment would be a respectable size for a district?—You cannot do it by area alone; a very sparsely populated district of 4,000 square miles might not be too big, and a densely populated industrial district of probably 600 square miles might be sufficient.

27635. Can you give it to us by a sort of combination of area and population?—The Chanda district is 10,000 square miles; a good deal of Chanda is in a backward state; I do not know it personally, but a great deal of it is jungle. I should say that it would be easier to manage a district like that than Amraoti with 4,000 square miles which contain 4 municipalities and 32 factories, whereas Chanda contains only 7 factories; the population of Chanda is 57 to the square mile; the population of Amraoti is 169 to the square mile. I think the density of the population is perhaps the most important factor of all.

27636. You cannot give us any generalisation?—No, that could only be done by a committee going into the conditions of each district.

27637. How long would you keep your Deputy Commissioner in his district?—At the minimum 3 years. As a maximum I see no harm in 7 years, but it is as great a mistake to keep a man too long as to keep him for too short a time.

27638. You speak about a young Assistant being attached for at least six months to the office of a good Deputy Commissioner. Would you approve of a suggestion which has been made that an

assistant should be sent for training under a Settlement Officer?—It would be a good thing if he was attached to a man who was doing settlement work; there is no better way of getting to know the people.

27639. Would you send him straight to headquarters?—I would attach him first to headquarters to let him get hold of the routine work.

27640. For how long would you have him there?—At least six months.

27641. Then you would send him out on settlement work?—Yes, or he might go with the Deputy Commissioner in camp. Perhaps it would be better not to send him out with a Settlement Officer after he had done a few years both in camp and at headquarters.

27642. (*Mr. Dutt.*) You spoke of Amraoti as one of the heavy districts in respect of its population and area combined. The population I find is 85,490. Are you familiar with the size and population of the Bengal and Madras districts?—No; all I know about Bombay was when I served in Buldana, which is next door to Khandesh, a very unwieldy district which has since been broken up.

27643. You are not aware that the average Bengal district has about double that population—a million and a half?—I should be very sorry to be Deputy Commissioner of a district like that.

27644. And the area of a Bengal district may be over 4,000 square miles?—That is greater than Amraoti.

27645. The average area of a Madras district would not be less than what you have put down here for Amraoti; they run nearer 6,000 than 4,000 square miles. Considering these facts would you still think it unreasonable to expect a Deputy Commissioner in Berar to manage a district like Amraoti?—I do.

27646. Are there any other circumstances which make it very difficult for a Deputy Commissioner in Berar to manage districts, the size and population of which are less than the average districts in Madras?—Yes. One thing is that the Berari is a very litigious person; he is also a very rich person, and Berar is very small in area, very compact, very densely populated, and very well served with communications.

27647. You said that if instead of decreasing the number of districts the number of sub-divisions were increased that would give some relief to the Deputy Commissioner?—That is an alternative plan, but I prefer the reduction of districts.

27648. Is it desirable or necessary to increase the number of *tahsils* in each sub-division?—In Berar there is no doubt you will have to give some help to some of the *tahsildars*; they are very much overworked at present. Take a *taluk* like Akot in the Akola district, where the land revenue alone is 6½ lakhs; that is an enormous revenue for one *taluk*.

27649. I understand that in the Central Provinces the number of *tahsils* is even smaller than in Berar; generally there is only one *tahsil* corresponding to one sub-division?—It may be so, I am not very familiar with the Central Provinces.

27650. Is it desirable that the Sub-Divisional Officer should reside in his sub-division throughout the whole of the year or the greater part of the year?—I think he should always reside in his sub-division.

27651. You think he would be more in contact with the people?—Yes. As a matter of fact in Berar, in the three principal sub-divisions, the Sub-Divisional Officers all reside at the headquarters of their sub-divisions.

27652. (*Mr. Hichens.*) You are in favour of allowing the Local Government a free hand in the establishment of new posts?—I would rather like to qualify that. I think the powers of the Chief Commissioner should be confined to the Provincial Service, and that he should be able to create new appointments up to the maximum pay of the highest grade Provincial Officer. Under his present powers the Chief Commissioner could add two officers at Rs. 250 each, that is to say, he could add Rs. 500 to the total expenditure of the province, but he could not add a Rs. 300 post in place of those two at Rs. 250 each; therefore he cannot do a thing which would result in a saving of Rs. 200. He might be allowed to deal with his own *cadre* in the Provincial Service.

27653. Suppose every province was allowed to decide for itself in such cases what pay it would give, would that give bad results?—There would be inconveniences attaching to it, and that is probably why the Government of India have kept this power; you might find a certain grade paid a certain amount in the United Provinces, and the men in the Central Provinces might ask to be placed on the same footing.

27654. Is there any reason why the Central Provinces should be hampered in considering what they should pay their own people?—No, it should be decided on its merits.

27655. You think they would be capable and rational enough to decide the matter on its own merits?—I should say so, certainly.

27656. Would you say that the same thing applied to many of these allowances as to which there are very rigid Government of India rules, such as travelling allowances?—You must have more or less uniformity in travelling allowance rules.

27657. Is the general principle that you have got to try and find out how much it costs a man to travel, and to reimburse him his out-of-pocket expenses?—I suppose so.

27658. Is not the Local Government perfectly capable of applying itself to that problem and solving it satisfactorily?—Yes, they are quite capable of it.

27659. And if one solution applies to one Local Government and another to another, it may be that each system is more applicable to the particular province in which it is applied?—That would be the deduction.

27660. There is every reason to suppose that they would be capable of working out the schemes most suited to themselves?—I think so; I had not travelling allowances in my mind; I was thinking more of grade pay.

27661. There is no particular reason to suppose that if the Local Governments had that power they would abuse it?—None whatever.

27662. And if they would not abuse it, there is no reason to suppose that the travelling allowance in one province would be excessively higher than in another?—No.

27663. They would allow more or less the same, and if there were slight divergencies it might be even an advantage; in order to give you a basis of comparison?—Yes, if the provincial Governments had to lay down their own travelling allowance they would communicate with each other and try to get them as near the same level as possible.

27664. Would you say that there is no one road in regard to administration which is absolutely right to the exclusion of any others?—I should agree with you there.

27665. Therefore it might be well that the Local Governments should experiment to see which is the best?—Yes.

27666. (*Mr. Meyer.*) Are not Local Governments composed of officials?—Yes.

27667. And they deal with travelling allowances and other concessions to other officials?—Yes.

27668. Those officials may be related to them?—Yes.

27669. Or they may be their personal friends?—Yes.

27670. Might there not be some little risk in giving Local Governments in those circumstances an entirely free hand as to travelling and other allowances?—If they were fixed by rule by the Local Government, I do not see how friends and relations would get any advantage.

27671. If the Local Government fixed the rule, and it found it was inconveniently affecting certain

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officials, it could alter the rule?—Yes, as to officials *qua* officials.

27672. Is there not a possible advantage in having these questions referred to higher authority which does not know the men and which deals with them as abstract personalities?—That is, of course, supposed to be the advantage of the Government of India system. I think the Local Government can be trusted not to be biassed in the way suggested.

27673. A local allowance is supposed to be simply in compensation for the additional work or additional expense of a particular locality?—Yes.

27674. There were three local allowances granted for the Berar sub-divisions?—Yes.

27675. We have been told that ever since those were granted, there has been a constant transfer of officers; was that in order that they might get the local allowance?—The posting of officers is not dealt with in my branch of the Secretariat, but I should say the senior men are posted there because they are most fitted for the post; if I had the posting, I should certainly put the most senior man in, irrespective of the local allowance.

27676. Although you knew that the senior man would be presently going off to be a Deputy Commissioner?—Yes, because being in a sub-division gives him the best training for his work as Deputy Commissioner. The only way to avoid frequent transfers would be to increase the *cadre*.

27677. You do not think that local allowances might come to be regarded as additions to salary?—The senior Assistant Commissioner always looks upon himself as having a better claim to a sub-division than the man junior to him.

27678. Because there is the local allowance?—There is the local allowance, and it is also because the work is so much more responsible.

27679. He is so chivalrous that he desires to go to the place where the work is heavier?—It is not a question of chivalry, but as a matter of *izzat*.

27680. You have read the report of the Excise Committee?—Not all of it.

27681. You have read the portion in which they brought to notice the way in which provincial Governments got into compartments in the matter of excise and had not consulted each other; is that an instance of what would happen if in all things provincial Governments were simply allowed to consult each other, and did not receive instructions from the Government of India?—We ourselves formed our own excise system here on our own initiative, and we went to Madras for help in revising it.

27682. But as regards most provinces, the Excise Committee found that they had gone on with their own provincial methods?—Yes.

27683. Have you had the Inspector-General of Excise here?—Yes.

27684. Have you had the benefit of his advice?—I only saw him once, but I can quite imagine that we shall benefit from his advice.

27685. You think the appointment is a good one, and that it is likely to help the province without sapping provincial independence?—Yes.

27686. Your old system in Berar was apparently one of centralization at the district headquarters?—Very badly.

27687. There was no such thing as a sub-division in former days?—Only in one place.

27688. Your Deputy Commissioners did everything practically through the headquarters Assistants?—Yes.

27689. At the same time they were constantly being transferred, so we have been told by a previous witness?—Yes, there were a good many transfers of Deputy Commissioners; I was most of my time in one district.

27690. The sub-divisional system has been due to the amalgamation of districts?—Partly, and partly to breaking up the old system of centralization; the revenue work in those days was very much centralized; it was almost entirely in the hands of the Deputy Commissioner.

27691. You are rather in favour of the old system; you like small districts and everything centralized in the hands of the Deputy Commissioner?—Not everything centralized in the hands of the Deputy Commissioner; I am in favour of relieving him largely of routine and case work.

27692. With regard to magisterial and revenue work you have two alternatives; you have the policy of sub-divisions with the Deputy Commissioner controlling or inspecting, and you have your old Berar policy of letting the Deputy Commissioner run things direct; which do you prefer?—I am not in favour of the old Berar policy. I did not mean that; I am in favour of relieving the Deputy Commissioner of a great deal of routine work and giving him more time to travel about and get to know the people.

27693. You approve of the sub-divisional system as introduced in the places you have mentioned?—Yes.

27694. You have heard Mr. Dutt's remarks about the Madras system; in accordance with the policy that you yourself indicate here, suppose your Local Government were to start a scheme of reducing districts, might it not be advisable before you do that to send an officer to study the Madras system?—I should have no objection to the case being examined on its merits.

27695. Where your Sub-Divisional Officer has been vested with the powers of a District Officer under the land laws, the appeal goes to the Deputy Commissioner as the District Collector?—Yes.

27696. Do you object to that?—I do; you relieve him of original work, and you give him appellate work; therefore his desk-work remains very much what it was before.

27697. It is much easier to deal with a case on appeal than to go through an original case and hear witnesses?—Personally, I would rather deal with a case originally than on appeal.

27698. Under the system you advocate the appeal would go to the Commissioner?—Yes.

27699. And the second appeal would go to the Chief Commissioner?—Either a second appeal or an application for revision, as the law stands at present.

27700. Your proposed system relieves the Deputy Commissioner at the expense of the Commissioner and of the Head of the province?—Yes, it would give the Commissioner more work, and would throw more work on the Secretariat.

27701. Is that a sound system?—I certainly think so.

27702. The Deputy Commissioner is to be relieved first, and the Head of the province later?—I would not put it in that way, but I do not see any other way in which you can relieve the Deputy Commissioner.

27703. In Bombay and Madras, the Deputy Commissioner hears the appeals first; it is supposed to be one of his methods of knowing what is going on in his district?—I do not wish to press the point.

27704. Might not Sub-Divisional Officers when they exist, take criminal appeal cases within their sub-divisions?—Yes, and they do; if they are considered fit for appellate powers under the Code, they have those powers.

27705. We were told that they did not take them as a matter of course, but only when the District Magistrate chose to give them those powers?—So far as I remember, we issued an omnibus notification investing all Sub-Divisional Officers in that capacity with appellate powers.

27706. (*Sir Steyning Edgerley.*) You suggest that you should take the present opportunity of specific amending legislation for past Acts, and for the future have a sort of General Clauses Act allowing delegation?—Delegation clauses might be included in each new Act.

27707. You would not put it, for instance, into a general Act once for all?—No, it depends of course very largely on the nature of the Act.

27708. Would you, by the procedure of a Legislative Council, get more security of notice to the people of what was going to be done, than by the procedure of notification of intention under a general Act?—I should think that under the Legislative Council you would get more notice. Probably people would talk about it, and would tell other people about it.

27709. There was a specific Act passed, Act I. of 1903; it was published by order of the 20th February; it was passed in the Viceroy's Legislative Council on the 6th March; do you think that people would have had more chance under that form of procedure than they would have had by notification as to specific legislation?—I think the time given by that notification is far too small to let people know.

27710. My suggestion of your opinion is that by a notification under a general Act, you can give just as efficient notice as you do in connection with the passing of a specific Act in the Viceroy's Council. If you had a general Act, which you could use at any time, with a clause of the sort I suggest, would you not practically protect the people against surprises?—Yes, if you gave very ample notice.

27711. If you had such a general Act, you could then use it without going to the Legislative Council on every occasion?—You mean a general Delegation Act, and notice given that in pursuance of the terms of that Act you propose to delegate certain powers; yes, that would be an advantage.

27712. Berar is very liable to the influence of the Deccan, Poona, and so on, and of course it is close to the Central Provinces. Have you ever found that your officials have been much affected in the matter of differences of pay in Bombay or in the Central Provinces; have you had much trouble in meeting complaints that they were paid higher in the two neighbouring provinces?—No, but as a matter of fact the pay of some of the subordinate officers in Berar has lately been raised on the merits of the case of these officers, on account of the increasing dearness of living.

27713. It is practically quite simple to hold the principle that each province can be treated on its merits without much attention to arguments as to the rates paid in neighbouring provinces?—Yes.

27714. Your system of appeals omits one contingency; there may be three views of a case; it is just possible that a first Court should take one view, your first Appellate Court another view, and your second Appellate Court agree with neither. What would you do in that case; is it provided for under your system?—I say "If on first appeal the original order is revised or modified, a second appeal should be allowed."

27715. But suppose the second Appellate Court modified it again, agreeing with neither actually, would that be absolutely final?—Yes, that would come under my proposal that no third appeal and no application for revision should be allowed in cases in which there had been a second appeal.

27716. You do not want to allow appeals to go on until you reach two concurrent decisions?—If a man is allowed a first appeal and can go on to a second Appellate Court if the first Appellate Court does not agree with the Original Court, that seems to me to be quite sufficient.

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27717. Is not the Government of India composed of officials?—Yes.

27718. Even the Finance Department of the Government of India is composed of officials?—Yes.

27719. They frequently have friends and relations in India?—Yes, I think they must have.

27720. So that if you want a thoroughly impersonal decision, you must send everything to the Secretary of State?—That would be the logical conclusion from that argument.

27721. But you think you might trust the Local Government to hold the scales even in its own province, just as much as you can trust the Government of India to hold the scales even in an Imperial Department?—Yes.

27722. (*Sir Frederic Lely.*) What is the rule about touring in Berar?—In the old days, before we came over, the Assistant Commissioners were allowed to do very little touring, but now the Central Provinces orders have been applied, and there is no complaint about not enough touring done in Berar.

27723. Is it not of great importance to prevent Berar from being forced into the mould of the Central Provinces as to its fundamental institutions?—Yes.

27724. Are you satisfied with the arrangements that have been made to secure that?—I am.

27725. As an officer of Berar experience, you are in special charge of Berar land revenue?—Yes.

27726. Other matters not connected with land revenue are dealt with along with similar matters in the Central Provinces?—Yes.

27727. Are you ever consulted as to any of those other matters?—Yes, I frequently have cases such as forest cases, sent across to me for my opinion.

27728. Then you are the repository of the Berar traditions in the Secretariat?—Yes; if the other Secretaries are dealing with a case referring to Berar, they can always send across to me, and they do so frequently; similarly if I am dealing with any Central Provinces matters, with which I am not very familiar, I send the file across to a Central Provinces Secretary for his opinion.

27729. Has the Berar village more of a constitution than the Central Provinces village?—I am not very much acquainted with Central Provinces villages, but the fact that you have a hereditary *patel* and a hereditary patwari in Berar means that you have a greater constitution in a Berar village, I should think, than in a Central Provinces village.

27730. Would it be possible to form a panchayat and to endow it with a certain amount of authority?—As regards civil and criminal cases, I do not think people would like to go back to the panchayat, now that they are so used to regularly constituted Courts, but you might try a sort of small village union for their own internal affairs on a small scale.

(*The witness withdrew.*)

Mr. W. N. Maw, I.C.S., was called and examined.

27731. (*Chairman.*) You are Second Secretary to the Chief Commissioner?—Yes, as such I am responsible for the Agriculture, Forests, Commerce and Industry, Finance, and Local and Municipal Departments.

The Government of India should maintain an effective control over the finances of Local Governments and that principle should not be relaxed. Proposals for giving provincial Governments larger financial powers should be confined to matters of detail, and should not be directed against this principle. Local Governments should be given a limited power of appropriating money from their estimated closing balances on objects of public utility which have not been specifically provided for in the budget. The concession of this power would not in any way impair the effective control of the Government of India over provincial finances, though it might to a trifling extent curtail its borrowing powers. At present if the budget provision of a department proves inadequate the Local Government has, if possible, to supply the deficiency by re-appropriating money from some other department. When no re-appropriation can be suggested, it is necessary for the Local Government to apply to the Government of India for an additional grant; in other words, for permission to draw on its own balance. This procedure is inconvenient and causes delay; but it is avoided to some extent by the device of providing

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lump sums in the budget estimates for the reorganisation of establishments which have not received sanction, or for improvements which are contemplated, but have not been worked out in detail. Much inconvenience and unnecessary correspondence would be saved by the introduction of a rule empowering Local Governments to reappropriate up to a certain limit from their closing balance. In the case of the Central Provinces this limit might be fixed at 5 lakhs, and this amount should be entered on the expenditure side of the budget under a new head, "provincial reserve."

The Government of India are too apt to reduce the provincial estimates of expenditure sent up with the budget. Petty reductions by the Government of India are quite unnecessary because the Local Government, which is in the best position to estimate the requirements of the province, is in the habit of curtailing the departmental budgets when they are framed on too liberal a scale. The Government of India in some cases make reductions in the estimates of expenditure with the sole object of obtaining accurate budgeting, and declare that they have no desire to curtail useful expenditure. The result of this procedure is however that the departments concerned, in their desire to keep within their budget provision, postpone works or reforms which they had intended to carry out; and thus the expenditure at the end of the year tends to approximate to the reduced estimates sanctioned by the Government of India, not because the estimates as submitted by the Local Government were too liberal, but as a direct consequence of the reduction made by the Government of India for the sake of accuracy. When this happens the Government of India must conclude that their reductions were warranted; similar reductions are made in the next year; and the expansion of the department concerned is unnecessarily retarded.

Under the quasi-permanent provincial contract which came into force with effect from the 1st April, 1906, the following heads of revenue and expenditure were divided equally:—Stamps, excise, assessed taxes, forest and land revenue as to receipts but not as to expenditure. The settlement was much more liberal than preceding ones, and the Local Administration is perfectly contented with it; but it may be found necessary from time to time to revise the allocation of funds.

I see no reason why Local Governments should not be given borrowing powers provided that they are in a position to repay the interest on the loans and arrange for a sinking fund for the liquidation of the debt. By this means it would be possible for Local Governments to raise money for feeder railway lines which are badly needed. At present there is no prospect of feeder lines being constructed on any considerable scale for years to come. The progress in opening main lines, which are the ones most likely to be sanctioned by the Railway Board, has been very slow; the provinces had for instance to wait years for sanction to the construction of the Nagpur-Itarsi line.

With regard to the delegation of financial powers the present rules confer on this Administration as much authority as could reasonably be expected. The tendency of the Government of India is to relax the restrictions imposed on the powers of Local Governments by the Civil Service Regulations and the Civil Account Code, and future delegation of powers should be left in their hands to be proceeded with gradually and cautiously. There are however numerous petty restrictions which might with advantage be removed at once. With regard to local bodies the account rules should be examined in detail, and it would then probably be found that there are numerous petty matters requiring the orders of the Chief Commissioner which might perfectly well be left to Commissioners. Much has, however, already been effected in the direction of decentralization: and the general tendency is for the Local Administration to divest itself of powers the retention of which serves no useful purpose.

Many of the districts in the Central Provinces are too large to be administered under one Deputy Commissioner. I refer especially to Chanda, Raipur and Bilospur.

27732. Is the provincial budget prepared by districts or by subjects?—It is prepared both by subjects and by districts. The budget by subjects, such as excise, is based upon estimates submitted by the districts. In the same way with all the subjects. The budgets are first of all checked by the Comptroller; he sends them on to the Finance Secretary.

27733. But who makes up the budget?—For the greater part the budgets are departmental, and they are prepared by the Heads of the Departments; the Deputy Commissioner has very little work in connection with the budget; he only prepares the budget for his own expenditure and for land revenue and for other things which are not directly departmental, such as excise, education, registration, and so on.

27734. But does a budget of expenditure and revenue come up to the Finance Department from each Commissioner's division?—Not for the division; it is prepared for the province as a whole.

27735. By the Finance Department?—Yes; first of all it comes through the Comptroller; the Comptroller makes any alterations or corrections he thinks fit, and sends it on to the Chief Commissioner for sanction.

27736. If there was a system of divisional budgets as has been suggested, either in whole or in part, there would have to be quite a new system in vogue throughout the province?—Yes, there would be a very great alteration.

27737. Do sanitary schemes come to you in the Municipal Department?—Yes.

27738. Before they come to you, are they criticised by any experts?—It is very seldom that we have had any big sanitary schemes.

27739. You have got a big one for Nagpur in preparation?—Yes, that is about the only one.

27740. Has that been to you in the Local and Municipal Department?—It is just commencing.

27741. Have you any expert advice to guide you?—The Sanitary Inspector has been employed at present, in Nagpur, working out a drainage scheme; the scheme in Nagpur is a scheme for the construction of a large reservoir because the water obtained from the present reservoir at Ambajhiri is not sufficient for the necessities of the town.

27742. Will it come to you eventually for criticism?—This big scheme about the large reservoir that they are going to construct is not really a sanitary scheme. There is a large drainage scheme which may cost about 40 lakhs; that has all been worked out in detail by Mr. Lane-Browne, who is an expert; it will come to me, because I deal with all correspondence in the Local and Municipal Department, and it will be necessary, among other things, to provide the funds.

27743. Is there any necessity for the Government to employ expert assistants?—The technical part of the work will be entirely done by Mr. Lane-Browne; we could not, of course, pretend to criticise that.

27744. You tell us that the Government of India have been too apt to reduce the provincial estimates of expenditure. What has been the result of their reductions in the last few years? Has the Local Administration spent up to the reduced estimates sent back by the Government of India?—We have not quite spent up to them, because when you get a provisional budget it is necessary to keep within it. It is impossible to exceed it without getting a grant from the Government of India, and that entails a certain amount of trouble. The very fact of reducing the estimate tends to lower the expenditure under that head during the course of the year.

27745. Have you practically worked up to it?—In 1906-07, for the Central Provinces and Berar, we budgeted 3 lakhs under excise; the Government of India cut us down to 2¾ lakhs, and we only worked up to Rs. 2,38,000. In the same way with regard to forests; as a general rule the Government of India estimates come out nearer to the actuals, in almost every case, than ours.

27746. Did you practically work up to the reduced estimate, or were there some considerable discrepancies?—We practically worked up to it.

27747. Your suggestion is that you could have worked up to your own original estimate if you had not had your figures reduced?—Yes. If there had been a smaller margin, we should probably have worked up to a smaller amount than was given to us by the Government of India. Fresh orders have come out upon this subject, which will obviate all difficulties in the future.

27748. What is the date of those orders?—The 18th January, 1908. We are going to have two figures, one will be the full amount we ask for and want; that will be passed; for instance, the Forest Department will be allowed to work up to that figure, but the Government of India will take a reduced figure, reducing it on account of probable savings, and it will be the duty of the Comptroller and the Head of the Department to warn the Head of the Administration if the lower figure is likely to be exceeded; if it is likely to be exceeded, the Head of the Administration will apply for an additional grant. In that way the Head of the Department is unaffected by the reductions; he may not know anything about them. If he has a big scheme for roads, tanks, wells, or rest-houses, he makes up what he wants, and if he is going to exceed the figure fixed by the Government of India, it is increased without his knowing anything about it. That I think ought to work very well.

27749. You think it will give you the reasonable freedom which you desire?—It will also render it unnecessary for us to ask for reserve funds, as I have suggested.

27750. (*Sir Frederic Lely.*) You say that the system of divisional budgeting would involve great alterations; in the provincial budget all the change that would be required would be that instead of details of certain smaller Public Works, you would substitute a lump sum for each division?—I imagine that it would be necessary to put down all the details as at present in the provincial budget, but to give them according to divisions also; otherwise it would be impossible to work up to any lump sum.

27751. The details, according to this system, would be settled by the Commissioner?—There are a lot of subjects in the budget which really do not come to the Commissioner very much. I do not know whether this proposal will affect excise, for instance, and education.

27752. The proposal in one form is that the smaller Public Works, both original and repairs, of all departments in the division, should be provided for in a divisional budget, which should be framed by the Commissioner in consultation with the departmental authorities; if that was feasible, at any rate it would bring about more co-operation between the Commissioner and the various departments?—I think it would.

27753. It would probably bring them all into line more than they are at present?—I think it would, and it would be very desirable with regard to Public Works.

27754. And also with regard to other departments who demanded expenditure?—In the case of other departments, I do not know that the Commissioner has very much to say. Take the Police Department, the Inspector-General of Police makes out a list of new police buildings.

27755. Is that not a matter in regard to which the Commissioner of the division should have as much say as the Inspector-General himself?—My idea is that there would be no difference of opinion as a rule between the Commissioner and the Inspector-General.

27756. Would it not bring the Commissioner to some extent into touch with the Police Department?—It would have that effect.

27757. (*Mr. Dutt.*) You suggest that the Local Government should be given borrowing powers. Should the sanction of the Government of India be taken before a loan is contracted by the Local Government in each case?—No, that is not my idea.

27758. You think the Local Government should be allowed to borrow without informing the Government of India and without obtaining their sanction?—I imagine that if powers were granted, it would be subject to certain rules. I certainly would not like to say that it should not be necessary to inform the Government of India.

27759. You think that the Government of India should be simply informed when a loan is made?—I think so, and that limit might be prescribed as to the amount up to which we might borrow, which might depend on the state of our finances; it would not be a fixed amount.

27760. Would there be any advantage in that procedure, or could the Local Government borrow on easier terms from the Government of India when it required to borrow?—I can scarcely express an opinion as to whether they could borrow on easier terms. If we could borrow from the public, it would be very useful to carry out works for which it is very difficult at present to enlist the sympathy of the Government of India. There are several small feeder lines which I know would pay hand over fist, and which have no prospect of being constructed for years and years to come. Our recent settlement will probably enable us to borrow at any time up to about 50 lakhs or a crore. If it were laid down that we were allowed to borrow that amount for remunerative work of that kind, it would create a great stimulus to the construction of such works.

27761. You cannot tell us whether it would be possible for the Local Governments to borrow on the same easy terms as the Government of India?—I think we could borrow in the Nagpur Division on quite easy terms. Some years ago an attempt was made to raise money for a small railway; the capital was forthcoming; I do not know what the rate of the interest was. I have no doubt that money will be forthcoming at a reasonable rate of interest.

27762. That would not require any sort of guarantee by the Government of India?—No; I suggest that the Local Administration should be responsible for any loans that they raise.

27763. You do not think there is any risk of Local Governments launching into a great many enterprises which would not be remunerative in the long run?—There would be considerable risk, and therefore permission should only be given under certain conditions prescribing the kind of work for which the loan should be taken, and also laying down certain limits which should not be exceeded

27764. Could you, by any rules laid down beforehand, prevent a Local Government from undertaking doubtful enterprises, if they were so inclined?—If you give the Local Government power to embark on schemes which promise to be remunerative, they might be trusted; they would not knowingly embark on schemes not likely to be remunerative.

27765. In every such case should the Local Government have a sinking fund to pay back the loan within a certain number of years?—Yes.

27766. We have been informed that the resources of the District Boards, especially in matters of education, are so limited that the requirements of primary education cannot be even approximately met in the Central Provinces, and we were told that in a sub-division with about 500 villages, there were only about 40 primary schools. Can you suggest any way in which that could be remedied?—Every year almost we give enhanced contributions to District Councils, and these are fixed contributions; they are not doles. For instance we have just raised the contributions to Rs. 5,09,000; that was raising the contributions by about half a lakh. That is rather unsatisfactory, because there is no elasticity about it. It is really Government money which the people are expending. We have a scheme at present (we are very shortly going to send up a draft Bill to the Government of India) to give District Councils power of controlling markets in certain circumstances, also to license

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brokers, and to order compulsory registration, to charge bazaar dues, and things of that kind. There are two or three cases in which that procedure is adopted at present in the Balaghat district and the Seoni district; it is at present illegal and we propose to legalise it. The result of that will be to bring in an income of something like two lakhs, perhaps, to the District Councils in the whole province. At present the receipts are about Rs. 20,000, over one or two bazaars. It is quite possible that in the end the receipts may come out at four or five lakhs for the whole province; that is a very important measure, and it will help to remedy the present state of affairs. It will give at any rate much more elasticity.

27767. Would you invest the District Councils with the power of imposing this new taxation which has been proposed?—Yes.

27768. You would not make any rule that the taxes should be universally imposed?—No, it would be very similar to the working of the Village Sanitation Act; in fact the power is given just as it is enjoyed by the panchayat under the Sanitation Act; it is to enable the District Councils to declare markets, on payment of compensation if necessary, to be public markets, and to manage them and impose taxes, tolls and dues.

27769. Are the District Councils likely to impose these taxes in every case?—Certainly; they will take the bazaars one by one; they will take the most important ones first. In a small district there are not likely to be more than half a dozen of these markets; in advanced districts like Nagpur and Warora there may be more; in several places markets are held on waste land, markets that have been held there from time immemorial, and at present no revenue is derived from those.

27770. Would not such taxation be unpopular?—No; the compulsory registration of cattle is very popular.

27771. Apart from that, if the District Councils had a freer hand in managing their own schools at a cheap rate, could they multiply schools faster than they can under the present rules?—I do not think they will require any more power; they have as much as they desire. They can manage their own primary schools almost entirely in the Central Provinces.

27772. We understand that a part of the management is in the hands of the Education Department, that the District Boards cannot establish a school or close a school without the sanction of the Deputy Commissioner, who consults the educational inspector?—I believe there is a rule in the Education Manual to that effect; it is a very trivial matter. I know that when I was Deputy Commissioner of Chanda, the District Council wanted new schools, and they simply organised them, and no one interfered with the area in which they wanted to open them.

27773. In some provinces the schools are founded and managed by villages, and the District Council only gives them a certain monthly aid. If that system was adopted, could a large number of schools be established within a moderate sum?—No, not in the Central Provinces.

27774. You have referred to two or three districts of very large areas; is not Chanda a district with a very sparse population?—It is about half a million, spread over 10,000 square miles.

27775. Is it mostly jungle?—About 5,000 square miles is jungle—about half the district.

27776. Raipur has been recently divided?—It has been slightly reduced; it is pretty large now; I think it is 8,000 square miles.

27777. With a population of less than a million?—I cannot say.

27778. What is the population of Bilaspur?—About 700,000.

27779. Would that not be considered a very moderate population for a district in Madras?—I have never served in any other province, but I understand that they have no Commissioners, and the Collector is very similar to the Commissioner here.

27780. (*Mr. Hichens.*) What is the basis on which the provincial grants are given to the District Councils to-day?—It is different from doles in this way; it is fixed for three years.

27781. It is a dole for three years?—You can call it that; it will be renewed, and probably increased, at the end of the three years.

27782. What basis is it fixed upon?—It is based upon the requirements of the district, on their spending capacity, on their areas and their population, and on their readiness to accept education; in fact these recent grants were considered for months before they were finally sanctioned; as many considerations as you could think of were taken into account in order to make the grants as fair as possible.

27783. Do not the Government of India give a certain grant to the provincial Government to be distributed?—That is now included in the provincial settlement under the last contract; it has been amalgamated, so that it does not appear.

27784. Therefore the conditions applying to that grant are no longer in force?—They are really; we are under moral obligation to spend so much; as a matter of fact we send a report every year to the Government of India telling them how much we spend on primary education, and it is not less than the amount it was in 1903, plus this two lakhs grant.

27785. Have you ever worked out what the proportion of the provincial grant is to the amount collected locally by the District Councils?—In some District Councils it is more than half—Chanda, for instance: it varies from about 30 to 50 per cent. as far as I remember.

27786. Would it be a sound principle to give a fixed grant to the different District Councils, as opposed to an indefinite dole—to adopt the principle, for example, of giving them a percentage of their own collections?—I do not think that would be at all fair, because the poor, thinly-populated districts which have the greatest need of education and roads would come off very badly. What you do at present is to consider the requirements of each district, and having found out what you have to dispose of, you fix it for three years; it does not vary in any uniform proportion in the total calculations.

27787. You do not think that that would be a sound system here at all?—No, I do not think it would be suitable.

27788. Do municipalities get any grants?—No, they only get grants accidentally, varying from year to year; they get very few fixed grants. Lately we have been giving them fairly liberal grants on account of plague measures; that is considered a good excuse for giving them money; otherwise they are supposed to carry on their business entirely on their own financing.

27789. What is your view with regard to the appointment of a Divisional Engineer in each division?—I certainly think it is desirable.

27790. If that were done, would you increase the powers of the District Boards in regard to those matters?—Yes, their powers have been increased just recently; they used not to be allowed to construct roads; now they are allowed to construct roads of Class III. or Class IIb.; there is no reason why in a short time they should not be allowed to construct roads of Class IIa. also.

27791. Would you increase the Government contribution?—If any new roads were handed over to them under the present system, we should increase the grant. There are certain roads considered to be district roads; at present they are maintained by the Public Works Department at a cost of about 2 lakhs a year. If any of these district roads were to be handed over to the District Council, it has been ordered, or promised, that the grant shall be increased by the amount that is necessary for the maintenance of the particular road.

27792. You have nothing to do with the audit of the District Board accounts?—No, nothing directly.

27793. Is that done under the agency of the Accountant-General?—The Comptroller, yes.

27794. Does he send in reports to you?—Yes, he sends them in to me as Secretary in the Local and Municipal Department.

27795. There is no system of Local Auditors such as they have in other provinces?—No; the Deputy Commissioner inspects the offices twice a year.

27796. Suppose you had a system of that sort, would it be possible to give them wider powers and more freedom?—I am not sure that we could not give them wider powers without that; in any case we might give them wider powers, and we are sure to do so gradually.

27797. The inspection principle, roughly, is that you give a body very wide powers and trust to the system of inspection to see whether the powers are properly carried out?—Just so.

27798. Would it be desirable to adopt the English system of Local Government Inspectors?—I think not; it would be better to rely on the Deputy Commissioner for the inspection, because he is the controlling authority. The proposal is to have inspection quite apart from the controlling authority; we have inspectors now, namely the Deputy Commissioners.

27799. (*Mr. Meyer.*) You have Inspectors of Local Fund Accounts who go around and audit locally?—Yes, the auditors.

27800. We have had complaints that the municipalities and local bodies here are bound by the complete application to them of all the restrictions laid down in the Civil Service Regulations and the Civil Account Code; who is responsible for that?—It is in the Act with regard to the servants of these bodies, if their appointments are governed by the Civil Service Regulations. I do not think it is true at all to say they are bound down by the application to them of these rules and regulations. There are separate rules for the municipalities and Local Boards; they are bound by those, and the rules are constantly altered; they have been altered of recent years very much.

27801. The Codes are entirely provincial matters?—Yes.

27802. Therefore if you find that the audit conditions press too hard they can be altered?—Yes.

27803. There is no question of the Government of India at all?—No; the powers have been increased very much of recent years.

27804. Did not the Government of India intend the District Council to receive one quarter roughly of the amount it got in the shape of Land Cess?—I do not know.

27805. Did the Government of India not decide that each District Council should receive a subvention from Government amounting roughly to a quarter of what they got in the shape of Land Cess?—Yes, and our contributions to the District Councils are based on that to a certain extent.

27806. Do you apply that in this province, or do you adopt the system of giving whatever you please?—When the division was last worked out, a quarter of the amount we received as Land Cess was taken as the minimum.

27807. That is to say each District Council does not receive less than that?—Exactly.

27808. And some receive a great deal more?—That is my impression.

27809. We were told that in Berar the Boards got one-third of the cost of their schools contributed by Government, and they do not apparently get that in the Central Provinces?—They get contributions in Berar on the same system practically as in the Central Provinces; they get smaller grants because their balances are very large at present.

27810. You do not take a third and say "We will bear that"?—No.

27811. As regards these grants that the Government of India make from time to time towards education and police and so forth, do the Government of India ask of you detailed statements as to the way in which you dispose of the grant?—I only know of their having asked for a statement of that kind with regard to primary education.

27812. All they ask is that you should compare th lump expenditure now with the lump expenditure before the grant was made?—That is all.

27813. There has been no extra accounts labour thrown on you in connection with these grants?—No.

27814. You speak of the Local Government borrowing for remunerative works. Do you mean by "remunerative works" works which will pay all their working expenses and interest on initial capital and leave something over?—I should say works which will pay about 3 per cent. interest after clearing off working expenses; I think that is a reasonable definition.

27815. Do you think the Government of India could borrow at 3 per cent.?—No, I do not think so.

27816. Would the works be "remunerative" then?—I meant after paying the interest on the amount borrowed.

27817. Suppose you could borrow at 4 per cent., do you mean by a remunerative work a work which would pay the working expenses plus not less than 4 per cent. on the capital?—I do not know that I would put down any limit on "remunerative."

27818. You talk of raising a crore of rupees in the Nagpur Division; do you really think you could raise all that money here?—I should say 50 or 100 lakhs perhaps; I think it would be easy to borrow something like that.

27819. In Nagpur?—In Nagpur or in the province; I think it would be quite possible to borrow 50 lakhs in the Nagpur division and more in Berar.

27820. Does the province contribute anything worth mentioning to the Government of India loan?—I do not know.

27821. Would you be surprised to hear that it does not?—I should not at all.

27822. I suppose you also know that estates under the Court of Wards cannot find people to lend them money in the open market?—I borrowed Rs. 60,000 for an estate under the Court of Wards when I was in Nagpur from the Alliance Bank at Simla; they gave it to us at 6 per cent.

27823. That is not in this province?—No.

27824. You seriously think you could raise large sums of money locally which people do not lend now either to the Imperial Gvernment or to estates?—When there was a proposal to start a railway from here to Samair by a local syndicate, I always understood that the money was available; there is no doubt that the money was there; a few rich bankers could provide the money themselves.

27825. We were told that your Government thinks it does not get enough money for protective irrigation works; is that your idea, too?—At present we have as much as we can spend.

27826. You have been promised, as far as circumstances will admit, an allotment of 15 lakhs a year?—Yes.

27827. That is out of the total of 75 lakhs available for all India; is that not a pretty liberal allotment?—Yes.

27828. If there is a work that you want to push on, is there anything to prevent your Government undertaking it as an ordinary Public Work out of current revenue?—I am not acquainted with the details of the works which require sanction from the Government of India, but I understand that there is a classification between major and minor works, and that reference to the Government of India is necessary before irrigation tanks can be undertaken.

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27829. If you were impressed by the desirability of getting on with a work which the Government of India could not find room for in their protective programme, and you had money to spare yourselves, might you not offer to carry it out as an ordinary work?—I do not know that has ever been thought of; on one or two occasions we have had sanction to tank projects refused by the Government of India, where we considered that they were very necessary; for instance, one tank in the Chanda district and another in the Bhandara district.

27830. There you were asking the Government of India to find the funds; I am speaking of cases where you should find the funds yourself?—It was never suggested to us that we would find the funds.

27831. You are pretty strict in regard to re-appropriations by District Councils and municipalities; we have been told that they may not make a reappropriation within their budget from one major head to another major head, and even within a single major head, without going to the Commissioner; is that so?—Yes.

27832. Is that necessary?—No.

27833. How far would you go in relaxation?—I forget what the present rule is; I think it might be relaxed.

27834. You are not prepared to say to what extent?—You might get rid of re-appropriations within the major heads, at any rate?—Certainly.

27835. (*Sir Steyning Edgerley.*) We have been told that as to matters such as re-appropriations and many similar matters, the provisions in the Municipal Manual in Berar are absurd; that I think is what was said by the Commissioner of Berar, and apparently all the responsible witnesses agree that very much more freedom could be given to Local Boards and municipalities. Is there any amendment of these local manuals on hand?—When a point like that occurs, it is considered for amendment, and it is brought out in the account rules.

27836. When were these manuals last revised as a whole?—The manuals are constantly being revised.

27837. As a whole?—No, we have got manuals such as the Forest Manual.

27838. I am talking of Local Board Manuals?—We have two; we do not take up periodical revisions as a whole; when any amendment is necessary it is added by means of an amendment slip.

27839. Is local self-government making any progress in the Central Provinces?—Yes, it is undoubtedly making gradual progress.

27840. Is it more advanced than when you first became acquainted with the province?—Yes, I think it is.

27841. Would it not be a good thing to undertake a general revision of these manuals?—It is almost impossible to foresee in what direction revision is necessary until a case arises which suggests some revision.

27842. You have taken over a certain number of roads of the Local Boards, roads which are called class I. and class II. roads, and in Nagpur at any rate apparently the Local Board still pay a lump sum contribution of some Rs. 20,000 towards their maintenance?—That will be abolished from the 1st April next.

27843. They will then become wholly provincial?—They are still regarded as district roads.

27844. But the responsibility will be wholly provincial?—If any road is transferred to a District Council.

27845. I am only asking about these roads in the Nagpur district, for which Rs. 20,000 is at present paid; you say that that is going to be abolished from the 1st April?—Yes, but the fact that it is going to cease has been taken into account in fixing the revised contribution; the money that we spent on these roads was really spent on behalf of the District Councils.

27846. So that it is simply a matter of the transfer of items in the accounts?—Yes.

27847. The District Councils will not benefit by the revision?—No, because when the contributions were revised they benefited then.

27848. There has been a Bill sent up which will give them certain limited powers of taxation; has it been considered whether those are all the powers of taxation which could be safely entrusted to them?—I do not know that that was considered.

27849. It has been suggested to us that one of the chief methods of promoting an interest amongst an electorate is to give these bodies powers of taxation; do you agree with that view?—Yes, generally.

27850. Are there any other matters in regard to which they might have powers of imposing taxation?—I cannot think of any at present.

27851. It has been suggested to us that it would be quite sufficient control that the municipalities and local bodies should send up their budget and their monthly accounts and annual reports for information, instead of for sanction; has the time come when they might go so far as that?—I do not think it would do any harm.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I.—Note on the Organization of Government in the Central Provinces and Berar, filed by Mr. Slocock, Chief Secretary.

II.—Note on the subject of Decentralization by the Chief Commissioner, Central Provinces.

APPENDIX I.

A Brief Note on the Organization of Government in the Central Provinces and Berar.

The Central Provinces, which were constituted in 1861, were enlarged in 1903 by the addition of Berar. Berar forms part of the territories of the Nizam of Hyderabad, and the laws of British India are applied to it through the exercise of the jurisdiction vested in the Governor-General in Council under the terms of the Indian (Foreign Jurisdiction) Order in Council, dated the 11th June, 1902, but, although the amalgamation of the two territories is not complete in all respects, Berar may, for administrative purposes, be simply regarded as one division of the Central Provinces.

The Administration of the Central Provinces and Berar is conducted by a Chief Commissioner on behalf of the Governor-General of India in Council. His provincial staff consists of—

(1) Members of the Central Provinces and Berar Commissions, filling the cadre posts shown below, which are now recruited solely from the Indian Civil Service, but contain a certain proportion of Military Officers and of Uncovenanted Officers both European and Native, recruited in former days.
(2) Members of the Provincial Civil Service.
(3) Members of the Subordinate Civil Service.
(4) Officers specially recruited for the service of special departments — Police, Engineering, Education, Medicine, Forestry, Agriculture, Excise, Factories and Veterinary Science.

Under Act XXXII. of 1867 the Governor-General of India in Council has delegated to the Chief Commissioner the powers of a Local Government under Act V. of 1861 (Police Act), including the power of appointing an Inspector-General of Police. The Chief Commissioner has also been authorised by the Government of India to make appointments and promotions in the Commission, which is now entirely recruited from the Indian Civil Service, up to and including Deputy Commissioners of the 1st class; appointments and promotions in the Education and Settlement Departments, excluding the posts of Director of Public Instruction and Commissioner of Settlements; appointments to the post of Director of Agriculture and Commissioner of Excise; and appointments and promotions in the Provincial Civil Service. The appointment of a Commissioner of a division must receive the previous approval of the Government of India.

Most of the superior posts, both judicial and executive, are reserved to members of the Indian Civil Service and to the members of the Berar Commission, who were recruited by a different system before the amalgamation of the two provinces. Three posts in the cadre of the Commission are reserved for selected officers of the Provincial Civil Service, viz., one Deputy Commissionership and two Divisional Judgeships, and at the present time one post of Additional Judicial Commissioner, one headship of a district, and two Divisional and Sessions Judgeships are held by Statutory Civilians or members of the Provincial Civil Service.

The Provincial Civil Service is composed of "Natives of India" selected according to rules approved by the Government of India and by the Secretary of State. It is divided into two branches, viz., Executive and Judicial.

The Subordinate Civil Service is recruited from natives of the Central Provinces, qualified according to a prescribed educational standard. It also is divided into two branches — Executive and Judicial.

For the purposes of general administration, the unit in the executive scheme is the Deputy Commissioner. The province is divided into 22 districts, with a Deputy Commissioner at the head of each. The Deputy Commissioner as District Magistrate is the chief of the police and magistracy in his district; he is the chief collector of revenue; he is also registrar; he is in addition responsible for the administration of the forests of his district, besides having supervisory duties in connection with popular education and local bodies. He is assisted by one or more Assistant Commissioners or Extra-Assistant Commissioners, members of the Indian and Provincial Civil Service, respectively, who are generally vested with the powers of a Sub-Divisional Officer, though the Sub-Divisional system has not been adopted in its entirety in this province. Each district is divided into from two to six *tahsils*, the *tahsil* generally being co-extensive with sub-divisions. The *tahsil* is under a tahsildar, who exercises both magisterial and revenue powers, and is generally assisted by a naib-tahsildar exercising revenue powers only. In Police matters the Deputy Commissioner is assisted by a District Superintendent of Police. For the charge of forests he has the aid of a Forest Divisional Officer. In medical matters he can command the services of a Civil Surgeon, who also, as a rule, holds executive charge of the district jail. In the control of education he is assisted by a deputy inspector of schools; in the supervision and collection of excise, stamps and miscellaneous revenue, by an Excise Inspector, or, in a few districts, by an Excise Extra-Assistant Commissioner, and in the inspection of the village papers and agricultural returns by a District Superintendent of Land Records. In engineering matters he is entitled to call on the local Public Works Department officer who is generally an Assistant Engineer, but such Public Works Department officer is not in any sense an Assistant of the Deputy Commissioner.

The districts of the province are grouped into five divisions, three of which, viz., the Nagpur, Nerbudda and Jubbulpore Divisions, contain five districts each, while the Berar Division comprises four districts and the Chhattisgarh Division three. Each division is under a Divisional Commissioner selected from among the members of the Commission, who is responsible for the general administration of his division, and through whom all correspondence between the districts in his division and the Secretaries of the Chief Commissioner is transmitted.

The work of the following branches of administration of the province is vested in special officers :—

Department.	Provincial Head of the Department.	Departmental Executive Officer (District or Divisional.
Public Works	Chief Engineer...	Executive Engineer of the Public Works Division.
Forests	Chief Conservator of Forests ...	Forest Divisional Officer.
Police	Inspector-General of Police	District Superintendent of Police.
Prisons	Inspector-General of Prisons ...	Superintendent of Jails.
Education	Director of Public Instruction ...	Inspector of Schools.
Excise and Miscellaneous Revenue, Customs, Stamps and Registration.	Commissioner of Excise and Miscellaneous Revenue, Chief Customs Authority and Superintendent of Stamps and Inspector-General of Registration.	Deputy Commissioner.
Settlements and Land Records ...	Commissioner of Settlements and Director of Land Records.	Settlement Officer, or Deputy Commissioner.
Agriculture	Director of Agriculture	
Medical Relief, Sanitation, and Vaccination.	Inspector-General of Civil Hospitals and Sanitary Commissioner.	Civil Surgeon.
Factories	Inspector of Factories, Central Provinces and Berar, and Inspector of Boilers, Central Provinces.	
Veterinary	Superintendent, Civil Veterinary Department.	Veterinary Inspector.

(i.) The strength of the Public Works Department at present consists of one Chief Engineer, three Superintending Engineers, one of whom is in charge of the Irrigation Circle, 14 Executive Engineers, 25 Assistant Engineers, 17 Temporary Engineers, 2 Engineer Officers under Covenant, and 3 Sub-Engineers, besides supervisors, overseers and subordinates. The Chief Engineer also acts as Secretary to the Chief Commissioner in the Public Works Department, while the Superintending Engineer in charge of the Irrigation Circle acts as Deputy Secretary, and one of the Executive Engineers as Under-Secretary. The executive unit is the Public Works division, which may or may not correspond with the revenue district, but usually has its headquarters at a headquarters civil station. The accounts of the department are supervised by 1 Examiner, 1 Deputy Examiner, and 2 Assistant Examiners.

(ii.) The Forest Department is under a Chief Conservator. For the purpose of forest administration the province is divided into three circles, each under a Conservator, and into 23 divisions, which latter as a rule correspond with the revenue districts. The divisions are held partly by Deputy Conservators and Assistant Conservators belonging to the Imperial Service, and partly by Extra-Deputy Conservators and Extra-Assistant Conservators belonging to the Provincial Forest Service. There are at present 14 Deputy and 7 Assistant Conservators belonging to the Imperial Service, while there are 2 Extra-Deputy Conservators and 14 Extra-Assistant Conservators belonging to the Provincial Forest Service. Divisional Forest Officers form a part of the office of the Deputy Commissioner in whose district their charges fall.

(iii.) The superior cadre of the Police Department consists of one Inspector-General of Police, two Deputy Inspectors-General and 28 District Superintendents of Police. Six of the District Superintendentships are held as follows:—By Assistant to Inspector-General; by Assistant to Deputy Inspector-General, Criminal Investigation Department; by Superintendent, Railway Police; by Principal, Police Training School; by Superintendent of Police, Secunderabad and Hyderabad Residency Bazaars; and by Superintendent, Railway Police, His Highness the Nizam's Dominions. The rest are held by District Superintendents of Police, in charge of the police of each of the civil districts, who work as the assistants of the District Magistrate in police matters. There are also 14 Assistants to District Superintendents of Police and 4—to be increased later on to 17—Deputy Superintendents of Police, these last being recruited from natives of India and forming a Provincial Police Service; officers of both these classes act as Assistants to the District Superintendent of Police. There are also 31 European reserve inspectors, who are stationed at headquarters stations, and 52 circle inspectors. Each district is divided into a number of station-houses, each of which is in charge of a sub-inspector.

(iv.) The Jail Department is under an Inspector-General of Prisons who has under him three officers specially in charge of the central jails at Nagpur, Jubbulpore and Raipur, besides the Civil Surgeons of all Stations, who are also Superintendents of the district jails. The two central jails at Amraoti and Akola are also in charge of the Civil Surgeons of those districts.

(v.) The Head of the Educational Department is the Director of Public Instruction. The province is divided for educational purpose into five circles co-extensive with the revenue divisions, each under an inspector, who, except in one case, is a member of the Indian Educational Service. European Schools are under an inspector shared with Bombay, while Girls' Schools are supervised by an inspectress belonging to the Indian Educational Service. Inspectors are not, except to a limited extent, administrative, but are purely inspecting and advisory officers. The administrative and executive officer of each district in educational matters is the Deputy Commissioner. The posts of principal, Jubbulpore Government College; principal, Morris College, Nagpur; professor of English in the same College, and professor of chemistry and physics, Victoria Technical Institute, Nagpur, are also held by members of the Indian Educational Service. Schools are grouped into 41 ranges, each in charge of a deputy inspector of schools who is a subordinate of the Deputy Commissioner and is included in the Deputy Commissioner's office. In addition to these, there is a deputy inspector who has charge of the schools in the Feudatory States with the designation of inspector. The control of expenditure on primary and middle schools rests with local bodies. High schools and colleges are a provincial charge.

(vi.) The Excise Department is under a Commissioner of Excise and Miscellaneous Revenue, who is a selected Deputy Commissioner and also acts as Chief Customs Authority, Superintendent of Stamps, and Inspector-General of Registration. He is assisted by a Personal Assistant. The departmental executive officer is the Deputy Commissioner, who is assisted either by one of his ordinary revenue staff appointed by him for the purpose or by a special Excise Extra-Assistant Commissioner. These latter are members of the Provincial Civil Service, and are at present 10 in number. Each district has also one or more excise inspectors.

(vii.) The Settlement and Land Records Departments are under the Commissioner of Settlements and Director of Land Records, who is a selected Deputy Commissioner. He has under him at present 5 Settlement Officers who are assisted by 13 Assistant Settlement Officers, selected members of the Provincial and Subordinate Services, while there are 19 sanctioned posts of District Superintendent of Land Records. The Deputy Commissioner is responsible for the supervision of the land records work in his district, except when it is under settlement.

(viii.) The Agricultural Department, which has only recently been separated from the Settlement and Land Records Departments, is under the Director of Agriculture, who is a selected Deputy Commissioner, and who has two Deputy Directors and an Assistant Director to assist him. The department also comprises an agricultural chemist and a principal for the Agricultural College, Nagpur. The Director has charge of the Agricultural College, Nagpur. of the botanical and other public gardens, of Government Agricultural Stations, and of the Veterinary Department. He is also the Registrar of Co-operative Credit Societies, and is assisted in this branch of his work by an assistant, who is a selected member of the Provincial or Subordinate Civil Service.

(ix.) The medical staff is under an Inspector-General of Civil Hospitals and Sanitary Commissioner, who is appointed by the Government of India from the Indian Medical Service, and includes 19 Commissioned Officers of the Indian Medical Service, and one uncovenanted officer. There are also two Military Assistant Surgeons and 8 Warrant Officers, some of whom hold Civil Surgeonships: besides these there are 16 Civil Assistant Surgeons.

(x.) There are two Inspectors of Factories, who are also Inspectors of Steam Boilers for the Central Provinces and Berar.

(xi.) The Civil Veterinary Department consists of a Superintendent and six inspectors. Four of these latter have charges whose area is co-extensive with each of the civil divisions of the Central Provinces, whilst the two others are in charge of East Berar and West Berar respectively. The veterinary dispensaries are in charge of veterinary assistants and are paid form Local Funds, except those at Nagpur and Pachmarhi, which are maintained by Government.

(xii.) The Postal and Telegraph Services are controlled by officers of the Imperial Service. In the Department of Finance, the Chief Commissioner has the guidance of a Comptroller appointed by the Government of India.

The channel through which communications are conducted between all these various branches of the Administration and the Chief Commissioner is the Civil Secretariat, except in the case of the Public Works Department for which there is a separate Secretariat. The superior officers of the Secretariat are the Chief Secretary, the Second Secretary and the Third Secretary, the first two

of whom are each assisted by an Under-Secretary, and the third by an Assistant Secretary. The Chief and Second Secretaries and their Under-Secretaries are members of the Central Provinces Commission, while the Third Secretary has hitherto been a member of the Berar Commission. The appointment of Assistant Secretary is a special one. The work of the Secretariat is controlled by these Secretaries and their Assistants, and is divided into sixteen departments.

APPENDIX II.

Note on Decentralization by the Chief Commissioner, Central Provinces.

After the first outburst of activity on the formation of the Central Provinces, mainly due to the energy and enthusiasm of Sir Richard Temple, the Administration settled down to somewhat humdrum lines. They were a poor Non-Regulated Province which seemed remote and unimportant in the eyes of the Indian world generally, and did not receive much attention from the Government of India. For 25 years they were free from anything approaching famine, and the principal distinctively local matters which came before the notice of the general public were the Land Revenue and Tenancy Acts passed in 1881 and 1883. The period from 1870 to about 1887 was one of quiet, almost parochial progress.

From the time that tenancy legislation and the new land settlements began to be made, the province began to loom more largely in the controversies which usually range round that subject. The Central Provinces Local Self-Government Act, being only a small local manifestation of the larger policy of delegation of local powers to local authorities inaugurated under Lord Ripon, excited little attention ; and the change from Local Fund Committees to District Councils and Local Boards provoked no revolution in local management.

2. From 1868 to 1883 the Provinces were administered by Sir John Morris, under whom, if they had little history, they continued to prosper and progress. His times are still gratefully remembered by the people. He was succeeded by Mr. W. B. Jones, an officer of great activity and industry, but bad health compelled him to retire after one year. From that time onwards the province has been entrusted to the charge of a series of administrators sent out from the Government of India, whose abilities are testified to by the names they have made in their subsequent careers. Among this roll of names the only officer of almost purely local service was Mr. (now Sir Andrew) Fraser. That these successive Chief Commissioners have had a wonderful effect in stimulating and improving the administration of the province there cannot be the smallest doubt. They brought to the task varied experience of other parts of India, and applied themselves to the problems of administration with a wider general knowledge and with a greater power of initiative than could have been found among the members of the local Commission, though the latter contained in its ranks many excellent administrators, both military and civil, among whom especially the claims of Mr. John Neill to the Chief Commissionership were regarded at the time as overlooked by the Government of India.

The one defect in the arrangement was that the Chief Commissionership of the Central Provinces became a stepping-stone to higher office, and most of these administrators were transferred to Council or to Lieutenant-Governorships before they had an opportunity of maturing the schemes which they had initiated. With the advent of each new Chief Commissioner there was a necessary period of quiet while the Head of the Administration was engaged in acquiring local knowledge and in learning the previous history of the various branches of Government. Before he was well under way with reforms and improvements he was moved up higher, and the same process began again. In the case of Sir Andrew Fraser, he had already, on appointment, a minute knowledge of the province, but the whole of his energies were taxed with the great famine of 1899-1900 and the measures for recovering from it.

3. While, however, the province suffered from some want of continuity in policy during the period subsequent to Mr. Jones' retirement, it enjoyed the advantage of new blood and new ideas infused by men of wide experience and ability, and their very withdrawal to Council was of direct service to the provinces, for it ensured that the Viceroy's Executive Council always possessed one, sometimes two, members who had acquired experience of the Central Provinces, and understood many of its local problems, a factor which is always a most valuable asset to any Local Government or Administration.

4. Under the rule of these several administrators from outside (with which period my own service of twenty-three years happens to synchronise), the province has advanced from step to step in agriculture, trade and communications, and with its cotton industry, and its recently developing mineral enterprise, together with the accession of territory and importance that it has received in the addition of Berar, it has acquired a more important position among the provinces of India than it ever aspired to reach in the olden days.

With the Revenue Administration of the province and the early development of its Settlement, Land Records and Agriculture Departments, the name of Mr. (now Sir Bampfylde) Fuller must ever be associated. It was by his efforts, under the guidance of Chief Commissioners, like Sir Charles Crosthwaite, Sir Dennis Fitzpatrick, Sir Alexander Mackenzie, Sir Anthony MacDonnell and Sir John Woodburn, that the present Land Revenue assessment system was founded, the Land Records Department established, and the seed sown for the improvement of agriculture.

Although some doubt may be felt as to the wisdom of the actual demand made upon the landlord, now that a crushing series of crop failures have rendered abatement and reduction necessary, the skill and accuracy with which his system deduces land valuation from the facts of each village has admirably stood the test of time.

5. From the older Military Officers we, in this province, learned that system of personal government which is so much understood and appreciated of the people ; by Sir B. Fuller the officers trained under him were taught to apply the information gained in the field and village to the problems of administration. The famines of 1896-97 and 1899-1900, sad and disastrous as they were, had the great compensating advantage of bringing the people and their officers into the most sympathetic relations, the memory of which will linger for many a day. These same famines and their relief also brought the province into greater prominence with the outside world and the Government of India, and induced further sympathetic and generous financial treatment to which they had long been strangers. During the administrations of all but the last two Chief Commissioners, the province was very largely dependent upon the charity of the Government of India.

After a large series of prosperous seasons in the eighties Sir A. Mackenzie had amassed together a substantial provincial balance, only to find it taken away by an embarrassed Financial Member in the stringency which accompanied the fall of exchange. Later on I can well remember as Secretary how in 1896, when our adversities had begun, we had to beg for the return of a small sum of 4½ lakhs which had been taken from us outside our contract a short time previously. Throughout the whole period from the eighties, and up to 1902-03, the province was always desperately hard up for ways and means, and its progress was undoubtedly checked. From that time onwards, however, with the improvement of the imperial finances, we have been most generously treated, and our present contract gives no

ground for complaint. If it were not that we have so much leeway to make up in such matters as communications and buildings, we might be able to proceed further with schemes for improvement of education, extension of medical relief, and irrigation than we can at present expect: but a good deal of our progress in all directions must be rendered slow from want of men, from dearth of materials and labourers, as much as from want of funds.

6. My own earliest opportunities of forming any opinion upon the relations of the Administration with the Government of India only began in 1895, when I was appointed Revenue Secretary to the Administration; but tracing the history back from what one has learnt of it in the files, and bringing it forward from that time to this from such opportunities as I have since enjoyed, I should describe the province as gradually emerging from the position of a Cinderella among provinces into a position of a kindly-treated younger daughter; not, indeed, so important as her elder sisters, but still much more valued and recognized than in the quondam position of the step-daughter. I can remember the time when we had to justify in detail the necessity for suspension of revenue in the face of calamities and when our revenue assessments were criticised in great detail. We now enjoy nearly all the financial powers of a Local Government though not the same patronage. Also I think formerly that proposals for reforms costing any appreciable sum were apt to be set aside on the ground that much less elaborate establishment or procedure were quite sufficient for the Central Provinces and that there was no money to spare for a poor province, which must increase its own resources before it went in for luxuries. I have never had the advantage of service in any other province, or of being behind the scenes in the Government of India, and I cannot therefore say how far this view is correct, but it was very generally held, and that by many of the Chief Commissioners who had enjoyed these advantages.

7. But whatever may be the exact facts in the past, all this is now changed. I feel that our schemes for reforms will always be sure of sympathetic consideration, and will not be rejected as a matter of routine because we are a lesser province, and do not require the luxury of expensive improvements. Such causes as we have for complaint are now few, and the note put forward by the Chief Secretary will indicate a few major points in which we might still be conceded more liberty. There are of course many minor points in which reference has to be made to India on matters of irritatingly small importance because of the rigidity of principles upon such matters as conveyance allowances, officiating and charge allowances or gratuities, or because the expenditure is nominally Imperial and the Government of India are very suspicious that Local Governments will be led into making good-natured concessions, almost amounting to jobs, to officers who put in claims for cost of railing horses, or claims to transit pay. But in these financial matters it is the practice of all Governments—and I imagine that the Treasury at home is no exception—that exceptions to rule which work hardly in individual cases must be sanctioned by those who will be deciding on purely impersonal grounds. In particular one must recognize that such matters as grants of land made outside ordinary rules, or special pensions, must be left to the decision of those who can view them impersonally. Otherwise "special cases" must have a tendency to multiply, and local views as to what constitutes "a special case" to become enlarged.

8. There is one important direction in which the greater subordination of the Central Provinces to the Government of India has produced unsatisfactory results. The subject is a delicate one, but requires to be mentioned. The appointments of Chief Engineer, Inspector-General of Civil Hospitals, Inspector-General of Prisons, Director of Public Instruction and Conservators of Forests rest, and have to rest, with the Government of India, because it will only occasionally be the case that there are officers serving in the provinces sufficiently senior or sufficiently fit to hold these higher appointments. I think that there has been sometimes a tendency to hold that men who are not considered fit for such posts in the larger provinces are good enough for the Central Provinces, and we have been sometimes provided with men who are about to take long leave or have only a year or two to their retirement, or are anxious for a transfer to a better paid post elsewhere. I wish to keep quite clear of any personal considerations in this matter, but I think that too little regard is paid to the interests of the province when these appointments are made. Transfers of Conservators of Forests are in particular too frequent. If these officers are officiating the Administration is consulted before they are confirmed, but an opinion is required before it can fairly be given. Allowance has always to be made for a new Head of Department owing to his strange surroundings and want of local knowledge, and no Chief Commissioner likes to condemn such an officer as unfit before he has had an extended trial.

9. There is obviously no sovereign remedy for these drawbacks, but they can be reduced if (in cases where pay is low) the pay for the Heads of Departments is put on a level with those of other provinces, and if the province is never permitted to be the dumping-ground of officers soon about to retire, who, though not quite fit for the higher administrative functions, have rendered good service to the State. It is not necessary to give higher pay to such officers on appointment, but as soon as they would be eligible for a transfer to another province, where their pay would be higher, they could be given an increment in the Central Provinces, if the Administration desired to retain their services. The expense would be very trivial as the number of these appointments is so small. I do not deny that we have had some very good men supplied to us under the present system, but we have had some unsatisfactory ones, while we have lost some good officers, because in fairness to themselves they could not be debarred from promotion. Among the particular Departments of the Government of India which appear to be too rigid in limiting the discretion of the Head of the province, I consider that the Public Works Department is the worst offender; they interfere in details to an extent which is often irritating. This is due not to a desire to interfere so much as to the over-rigid prescriptions of the Public Works Department Code. Suppose, for instance, that an official or clerk has no suitable residence; that to get one he has to pay 20 or 25 per cent. of his salary; that if private enterprise will build him one he will have to pay 15 to 20 per cent. of his pay. I build him a house and wish to charge him 10 per cent. I have to obtain the sanction of the Government of India to charge this rent, and if I want to charge him more I shall not be allowed to do so. If, on the other hand, I am to limit his rent, then the building will not pay Government the requisite return, and I shall not be allowed to continue the policy of building quarters, while the clerks and officials will continue to pay 20 or 25 per cent. of their salary as rent, or herd together in chummeries or in insanitary houses in the bazaar. Perhaps it is not generally desirable that Government should have to build houses for its officers or quarters for its clerks and officials; but local circumstances entirely alter considerations of this kind. The Local Government may sanction a work costing 10 lakhs or an establishment costing Rs. 25,000 a year, but it cannot decide whether it is expedient to charge 10 or 12 per cent. of salary on clerks' quarters in order to save them having to pay over that amount for possibly inferior accommodation. I have used this case as an illustration, but I think it is a good one, of how rigidity of rule will hamper necessary measures. Circumstances have entirely changed since the rule was framed. Rates of building materials and labour are very high. A four-roomed house which formerly cost Rs. 2,500 will now cost Rs. 5,000. Private enterprise is timid; it always lags behind a demand; and it wants 10 or 12 per cent. on its money and has no regard for the exact percentage of salary which the rent it demands represents to the occupant. But I do not want to press the subject of such sanctions; year by year these

restrictions are relaxed, and I have no doubt that the overhauling given to the question by the appointment of the Royal Commission will result in further relaxations.

10. Reverting to larger questions, I do not see how a Local Administration could carry on without the frequent support, advice, and suggestions of the Government of India. The Government of India receive suggestions from all the Governments in India, and from these they select the best for circulation, or as the foundation of far-reaching improvements and reforms. They are a necessary medium of communication between Local Governments, for if each Local Government has to apply to its neighbours for information and advice correspondence would be greatly increased. The published returns and reports of each Local Government are always of some service, and occasional interchange of references is found useful; but the existence of a central supervising authority is, I consider, absolutely essential to the Indian polity. Perhaps the older and more elaborately administered provinces might think otherwise, and their equipment with expert advisers is of course far more complete than can be the case with an Administration. But from all that I have heard and read I should think that there must be many matters in which even the older Governments are the better for outside influences. It is astonishing how apparently obvious and practicable improvements are not thought of until they are pointed out, and in how many places some admitted evil is regarded as a necessary one because everyone has become accustomed to it. Where local knowledge and experience is the principal ingredient in a decision the interference of the Government of India is undesirable; but there are numerous matters in which great principles or larger interests or heavy expenditure are involved, and in these a Local Government cannot be the sole arbiter.

My general conclusion is that, subject to a few matters in which control might be relaxed (most of which relate to, or have their origin in, financial considerations), the relations between the Government of India and the Local Administration are now (whatever may have been the case in the past) perfectly satisfactory. I am not afraid that my proposals for improvements or reforms will not receive sympathetic consideration, and I am not afraid of being compelled to introduce in the interests of uniformity measures which I know to be totally unsuited to the provinces. It is impossible to eliminate every difference of opinion between any given authority and the authority superior to it. I think that in these Provinces great progress has been made in releasing the local authority from the rigid control of the central authority, and I ask for no great radical changes in those relations.

11. The peculiar constitution of Berar, as foreign territory leased to the King Emperor, has led to numerous anomalies in respect of that province. But I think it unnecessary to go into these with the Commission. The Chief Commissioner should exercise in Berar exactly the same powers and authority as he exercises in the Central Provinces, no more and no less; but the means to that end are not so much a question of decentralization as of the removal of the legal obstacles which its anomalous position creates, entailing thereby numerous separate references to the Government of India. The laws applicable to the Central Provinces as part of British India should operate *proprio vigore* in Berar also, leaving as local laws only those concerned with its revenue system, which is peculiar to itself. Once the extension of laws already applicable to British India has been brought about, any new legislation should be carried out under the safeguards attached to legislation in British India. The question is really one for the lawyers, but put briefly what is required is a statute providing that for the purposes of the validity of laws and legislation, territory permanently leased to His Majesty shall be accounted as part of British India. We should then require a Berar Laws Act, extending or confirming the laws to be retained, and thereafter legislation would pursue its ordinary course under whatever procedure is in force in British India generally or the Central Provinces in particular.

12. The distribution of powers between the Local Administration and the officers subordinate to it is a question of no small importance. There has been on two occasions a general overhauling of powers that may be delegated to Commissioners and Deputy Commissioners, and apart from these almost every year, as rules on any subject are revised, additional powers are handed over to these officers. As having been Commissioner for over five years I can say that I did not find any cause of complaint against the Secretariat on account of undue or unnecessary interference. No Commissioner can expect that all his recommendations will always be accepted intact, and where there has been some misunderstanding it is in most cases possible for the Commissioner to obtain a reconsideration. The Commissioners meet at Pachmarhi for an annual conference on matters of importance, which they discuss among themselves and with the various Heads of Departments concerned. They have thus an opportunity of seeing all the opinions and criticisms received from other divisions and districts, and of comparing notes on many subjects, and the Chief Commissioner has an opportunity of meeting them all, and is thus able to decide on questions of policy after a free interchange of views. Besides this the Chief Commissioner, on his tours, meets District Officers and Commissioners, and they have many opportunities of expressing their views to him. With only 22 districts it does not take a Chief Commissioner very long to become acquainted with the various officers, their capacities, and their strong and weak points. When the Chief Commissioner is already a member of the Commission he knows most of them already. There is therefore no aloofness in this province between the Head of the Administration and his officers; and this is a strong point in favour of the smooth working of the machinery of government. Although there exist yet many points—most of them minor—in which further powers may be delegated, I do not believe that any Commissioner will complain that his administration of his division is unduly hampered.

13. It is in my judgment imperatively necessary that the position of the Commissioner should be maintained and strengthened, and that he should in no way be made into a post-office with a fifth wheel in the coach. Apart from the fact that all District Officers are not of equal service or calibre, and that owing to sickness, leave, and inevitable transfers, junior men will have to be in temporary charge of a district, it must frequently happen that the Commissioner knows more of a district than his newly appointed Deputy Commissioner until the latter has had time to acquire local knowledge. To maintain the authority and influence of the District Officer as the pivot of our administration is a matter of the highest importance, and this end should be furthered and not hampered by a judicious Commissioner, who will give him sympathy and support, see that he is consulted on all matters touching his district, keep him informed of what is afoot in the way of reforms or improvements in other districts and let him know the reason why any particular proposals of his are not approved or are postponed. The mutual confidence which should subsist between a Commissioner and his District Officers should preclude harassing interference. The increase of powers to District Officers should not take the form of wholesale conferral of authority on them as a class, but on the delegation to them by the Commissioner of those powers which he considers them fit to exercise. It would be idle to assume that such ideal relations always exist in every case, and in no human institution can they be ensured; but the system of administration which is in vogue in these Provinces tends to create those relations, and the tendency is in my opinion on the increase rather than on the wane.

14. There is, however, one important respect in which the influence of the District Officer is likely to be diminished, and this is in regard to the work

of the ever-increasing departments. It is inevitable that as administration becomes more complex the aid of the expert becomes more and more necessary, but it is equally certain that whenever the work of the expert is directly concerned with the co-operation of the people, or affects their interest or their feelings, it is through the District Officer that that work must be undertaken. Whether it be the extension or working of hospitals or sanitary measures, the system, apart from purely technical detail, of working the forests, the extension or improvement of education, the development of irrigation, the introduction of agricultural improvements, the application of veterinary knowledge to the welfare of the cattle, the selection and alignment of new roads, it is the Deputy Commissioner who must be kept informed at every step, and his assistance be regarded as the necessary preliminary to successful action.

In regard to police, medical, education and forests this relation is on the whole well maintained, because these departments are well established; but there is some slight tendency towards slipping back, and in new branches of administration the requisite touch is still lacking.

15. But there is one department—that of Public Works—which is a conspicuous exception to the general rule. That this is so involves no slur or imputation of any kind upon the officers of that department. They work as hard and ungrudgingly as those of other branches of the Administration. But it is a cardinal point in the creed of the Department, that they are on a par with and independent of the Commission, which is termed both in Account Codes and in departmental literature as the Civil Department. The nomenclature is incorrect. The Administration of a province consists of its Head and the officers in charge of revenue divisions and districts, and all the branches of public business involving technical knowledge and skill are departments or subsidiary branches of the Administration. These departments may be branches of the Supreme Government, as the Military Department, or Post Office and Telegraphs, Railways, Survey of India, and therefore independent of provincial Governments, but under the Government of India; or they are branches of the provincial Government and subordinate to it. The Executive Engineer should be the assistant for local purposes of the Deputy Commissioner and the Superintending Engineer the co-adjutor of the Commissioner. What happens is different. No doubt the Deputy Commissioner and Commissioner suggest and urge the necessity for certain buildings or roads, and are consulted about the plans or alignments, though even this consultation was neglected in some cases; but after that they know nothing further, the allotment of funds rests with the Chief Engineer and the Superintending Engineers, and these are granted and withdrawn without any information given to them; so that it is often impossible for the Deputy Commissioner or Commissioner to say what works are actually in progress at any given time. He sometimes finds a building completed which he did not know was begun, and that another work which he believed to be in progress has not been started, the money having been directed to some other purpose by some superior authority in the Public Works Department.

From the Head of the Department down to the lowest subordinate, it is the watch-word that the Deputy Commissioner has no authority over the Executive Engineer. The same feeling makes the department extremely sensitive of any criticism and extremely prone to uphold the cause of a peccant subordinate because the independence of the department is assailed by the criticism. That an Engineer should be considered to be independent of the administrative officers of Government, any more than a doctor or schoolmaster or a forester, does not appeal to commonsense. The administrative officer will naturally not wish to interfere with his professional conduct of his work any more than he does with the doctor's treatment of medical cases or the forester's fire-protection or cutting operations. But the order in which buildings should be made, the selection of roads, and the diversion of funds from one work to another, as well as the relations of Public Works subordinates with the people, are all matters in which the Deputy Commissioner and Commissioner should be able to make their voices heard much more effectively than at present.

16. There are instances in which the personal equation has reduced this evil, and there has been hearty co-operation; but there are many more instances in the other direction. This anomaly in the relations of this one department produces unfortunate results. The spirit of independence among the Department of Public Works begets criticism at the hands of our district and divisional authorities. They are prone to overlook the difficulties of the department, and to speak slightingly of its work, thereby producing feelings of retaliation and engendering opposition in the place of co-operation. The allocation of funds to the district and division and the distribution of these to works within those areas by the Commissioner and Superintending Engineer, and by the Executive Engineer and Deputy Commissioner, together with the recognition that the Executive Engineer is the assistant and adviser of the Deputy Commissioner, and the Superintending Engineer the co-adjutor of the Commissioner, just as the Chief Engineer is Secretary and adviser to the Chief Commissioner, would at once put a stop to the evil complained of. It should give each of these officers greater liberty than they now enjoy in respect of their own departmental superiors, and they would be working in co-operation with the District and Divisional Officers. The good sense of educated men should prevent any more friction than is now felt between Civil Surgeons and Deputy Commissioners or between the latter and their District Superintendents of Police or Forest Officers. In the event of disagreements due to want of tact on either side, there would be the same authorities to appeal to for their adjustment. The authority and influence of the Commissioner and the Heads of Departments are, as it is, generally invoked when members of different departments disagree, or their relations become strained.

17. I have seen instances of want of co-operation under the existing system in which one department of Government has by its action caused loss to Government in another department. For instance, the Forest Department are anxious to have a road pushed on to enable them to carry out a sleeper contract; but the Public Works Department insist on beginning another road or divert funds from this particular one in total ignorance of the loss done by the failure of the contract. In such cases the Deputy Commissioner and Commissioner should come to the rescue early. They do so now. But by that time it is generally too late; the mischief has been done. The Commission will do great service to the country if it secures the recognition of the principle on which I have here laid stress. Such a measure would, however, excite, as attempts to enforce it have excited before, very vigorous opposition on the part of the Public Works Department. I end this part of the subject as I began by saying that in my remarks I intend no reflection upon individuals; many of them are as willing to help as anyone could wish, but the system followed is inimical to that co-operation and co-ordination between various branches of the public service which should subsist if the best results are to be obtained. As a matter of fact I have the good fortune to have as chief advisers in the Public Works Department officers who are singularly free from departmental prejudice.

18. The next question that very naturally arises is, how, with the increasing burden of work in every direction, is a Deputy Commissioner ever to find time to meet all the demands made upon him, if he is to keep a finger upon every part of the administrative machine. The Commission will find hosts of persons ready to suggest that reports and returns should be swept away wholesale, correspondence reduced to a minimum, and to paint a picture of a District Officer going about here and there among his people and his officers and co-adjutors giving oral orders here, a brief note of instructions there, penning now and again a terse despatch much in the same way as a Military Governor might do if given a free hand in a newly conquered and backward country. Or, on the other side, they will have witnesses who favour

the conversion of the District Officer into a President of a sort of District House of Representatives elected by the people and ably managing all their own local affairs, with taxation reduced or remitted and expenditure on all local objects enormously increased.

19. Both these pictures in their several directions represent a counsel of perfection—the first because the time for it has long passed, the second because the time for it has not yet come, and is yet very far distant. Sir B. Fuller in a recent article in the *Nineteenth Century and After* described Anglo-Indian administrators as opportunists, who have to decide and do what seems best to-day without attending much to what was done before, or attempting to take a long view of what is to happen in the future. But I suppose the charge might be brought against all Governments in a greater or less degree.

Long-sighted statesmen may make a shrewd forecast about future developments, and they may shape their policy with a view to them, but the immediate steps that they take at any one time have perforce to be determined by the actual needs and hard facts of the present, and they have yet to wait until public opinion is educated up to the more distant aims before they can hope for their realization.

Here in India it is again to-day with which we are concerned. The educated classes, yearly becoming more numerous, would bitterly resent any reversion to the absolute personal rule of the District Officer, and the visions of the two sections of the Indian politicians, the one of a Dominion of India under a British Governor-General as the sole representative of the Imperial Crown, the other of a United States of India under a President separated from the British Empire, are both alike too dim to shape our present policy. The only course is to fall back upon the dull realities of the moment. Any sudden upheaval of the existing system is out of the question. Heroic measures are neither necessary nor possible. The system of Government has developed after years of patient endeavour. As regards the relations of our officers with each other we must prune excrescences which retard their well-being, and as regards the people we must continue to educate them in the duties of civic life.

20. To leave again the language of metaphor, it is impossible to abolish all reports and returns, though they are no doubt capable of further reduction. They are our only means of judging progress or decadence, and though annual fluctuations are in certain branches of administration (though not in all) entirely fallacious, triennial or quinquennial figures are in all cases indispensable. The real test is whether a competent and zealous officer well acquainted with his district, on sitting down to a report with annual figures before him, finds something that he really wishes to write or has to cudgel his brains in order to write something. The latter kind of writing is generally waste of time. There is nothing so dangerous as generalization, and nothing to which an Indian officer is more prone. The periodical report, if the intervals between its submission are lengthened, and the statements attached to it further pruned, must in my judgment continue, but we require protection as much as possible from the conscientious questioner in Parliament whose demand for statistical information sometimes gives endless trouble over a whole continent to a host of hardworked men. Such persons should be referred to the published returns of the Government of India and the provincial Governments which will contain all the information that the Government considers it necessary to demand from their officers. If it appears to the Government that the desired information is of a character on which periodical information is essential it can include the return in its future periodical statements. Every Government has already cut down its returns to a great extent, and further pruning will require careful consideration. The forms and statements of the several Accounts Departments are perhaps now the most voluminous, but no one but financial and departmental experts can be trusted with the task of overhauling them. The matter is one in respect of which I should suppose that the Commission could only undertake a general recommendation. The majority of our more complicated returns are required by the Imperial Government.

21. The division of large and overworked districts into smaller ones is another measure to be gradually adopted; it is a step which is taken from time to time, but one which involves considerable expense not so much in staff as in new buildings: akin to this is the sub-division of large *tahsils* into small ones, and the addition of assistants and sub-divisional officers. One of the principal measures to reduce the work of the District Officer has been his complete relief from all civil judicial work, and Commissioners have been relieved both of this and of criminal work. The next step will be to free Deputy Commissioners, in their capacity of District Magistrates, from original criminal cases, leaving them appellate and revisional powers. Their complete divorce from magisterial work is not a step which can be taken in these Provinces for some good time yet. Step by step the District Officer is being relieved of various original work which ties him to his Court table examining and recording statements of witnesses, and during my own period of service the relief given him in this direction has been enormous. If greater powers are delegated to him by Commissioners in the manner that I have suggested, and if his reports on minor subjects are curtailed or made triennial or even quinquennial, his writing work should be much reduced. In some of our less developed districts he is certainly not overworked the year round, though, as in almost every walk of life, there are times of pressure.

22. For several years, the public have criticised our boy Deputy Commissioners, and it was certainly necessary to put in young officers in charge of districts who were quite inexperienced. This was due to insufficient recruiting at one period in the history of the province, and to an unusually heavy list of casualties. But the whole aspect has now changed, and something of a block is being felt among the junior ranks. Officiating Deputy Commissioners will no longer be mere boys. It is sometimes suggested that the appointment of a permanent Deputy Commissioner should be regulated by strict selection and not by seniority. All District Officers cannot be expected to be of equal efficiency, zeal and judgment, and there are a few rare cases of retarded development in which officers, even if painstaking, seem to lack certain qualities of managing men which experience does not bring them. Some of these men are qualified for judicial work, where the executive talent is not an essence of success. Any that fail to qualify for either branch of the service must remain in a subordinate position, or be encouraged to retire on a reduced pension. The cases will be few.

23. On the whole then I consider that the improvement of the administration of these Provinces, so far as its own officers and departments are concerned, is more a question of detail than of principle. The general principle of decentralization has been recognized, from the top to the bottom, as a desirable aim, though in particular matters it has not gone far enough in detail; it requires to be kept steadily in view, and its application to details periodically examined. It is always advisable that when some new branch of administration is undertaken it should for a time be kept centralized, until the points of principle that arise in all such matters have come up for decision and been decided, after which powers can be freely delegated, and are delegated. A good instance of this is afforded by the recent development of mineral enterprise. If local officers, or even the Administration, had been left to work out their own system, all sorts of undesirable conditions might have been imposed, or unsuitable concessions given. Now that officers have become familiar with principles, some of these powers are being delegated, and more delegation will follow.

24. The third and last branch of the subject, which is also in many respects the most difficult, relates to the share to be given to the people in the management of their own local affairs.

There will probably be three distinct schools of thought put before the Commission. The first,

beginning at the top, will advocate an Advisory, or ever Legislative Council for the Administration; the second would provide the District Officer with an Advisory Council; while the third would go down to the origin of things and revive the village community and the village panchayat. Each system will find its advocates, and some persons will desire a combination of all three.

25. In considering all these and kindred questions connected with the Indian peoples, honest and enthusiastic men, such as the correspondents of Radical newspapers who pay a fleeting visit to the country, are quite fascinated by the eloquence and talents of some of the most highly educated of Indians. They consider that a country which can produce men like this must be fit to govern itself. What they entirely overlook is that the culture and trained faculties which attract them are not the product of an indigenous evolution by which these men have entirely emerged out of a vast company of their own race, all occupying various gradations in a similar process of evolution. They are the result of an exotic application of Western cultivation and knowledge to a few select individuals. The position which they occupy in respect of the great masses of their countrymen is just the position which highly educated and talented Englishman well versed in the history of olden times would occupy among the people around him, if he could be put back into the time of the Plantagenets. If the present House of Commons were bodily put back into the middle ages their knowledge and experience would not imply that the people generally were ready for representative institutions. The masses in each case, the real and imaginary, would alike be unpermeated by the leaven which had produced the exceptional individuals

26. Under the British Government steady endeavour has been made to stir up the mass by means of direct primary education generally, more advanced instruction in towns and by the general educational effects of an enlightened policy, but as yet the response is very small. The sanitary panchayats in the larger villages, the small municipalities and the Local Boards and District Councils have not really caught on. The problem before us is the reason for that small response. Is it that we have expected too much from them, or that we have given them too little to do? or is it that the whole spirit of local self-government and corporate action is foreign to their inclinations and sympathies, and that the whole fabric of local self-government as designed and framed by our lawgivers was and is doomed to failure? There are those who contend that the fault lies with the people, and not with the system, and there are others who say it is the system, and not the people. The adherents of the former belief bid us to wait patiently and success will come, and the latter class would have us root out the artificial system, and begin again with the village as the unit. There are again others who assert that the experiment has been a success, and that all that is wanted is to give the people enlarged powers and they will quickly rise to their responsibilities.

27. There are many persons ready to draw up a paper constitution for village panchayats, boards and advisory councils; but as usual they do not stop to think who are the persons who will occupy seats on those committees and assemblies and whether the class of man who takes no interest in existing bodies will take an interest in the new ones. I am one of those who believe that progress in everything in India must proceed at a very slow rate, that interest in affairs which do not directly or obviously affect a man's honour, his religion, his pocket, his family or his caste, is a matter of very slow growth, but I am also prepared to find, in the fact that here and there interest has been taken, that here and there good men have arisen, that here and there some sense of corporate interest has been developed, an augury of hope for the future. Twenty-five years is a very short period for developing new institutions dependent on a change in the ideas and temperament of a conservative people, and to throw away all that has been done may be to uproot the crop just as it is about to put forth ears. I would therefore hold fast to our present institutions for local self-government, and devote attention towards their weak points and towards measures tending to infuse interest in their work, not only among the persons who are members, but on those who elect these persons. As Mr. Walker, Commissioner of Nagpur, has insisted, the creation of an intelligent and interested electorate is a condition precedent to the success of the elected body.

28. The electorate at present take no interest in the election of a Local Board member, because, firstly they are not very interested in sanitation, or schools or roads; secondly, because, if they are interested in these things in their own village, they are not interested in them in other and perhaps distant villages; and, thirdly, because, if these things come about, they do not feel that their coming about has been the result of the action of the member, but because the mysterious power that they call the "Sirkar" took it into its head to do the thing. While, therefore, it would be in my opinion a serious error to do away with such institutions as we have already created, artificial though they may be now, yet we should shape our action in any direction which may promise to infuse life into what is lifeless, and encourage and stimulate such effort as may be shown. The family, the caste, the village, the town, have hitherto formed the largest centre round which interest can be aroused. With an aggregation of entities the interest does not exist. The Local Board area, the *taluk*, the *tahsil*, or the district inspires no local patriotism, or at the best a very faint one, and that only among a few advanced individuals; to the masses it does not appeal. Next, the objects for which common advice is sought must appeal to the interest of the community concerned; and that interest must be a very vivid and present one. The people all combine to save a bursting tank which is about to inundate their fields; it is with much more difficulty that they will co-operate in the construction of a new irrigation tank. They will combine and co-operate to resist unpopular plague measures, but they will not combine to enforce sanitation. They will at times combine to make a well, but it will not occur to them to combine to improve a steep *nala* crossing at which carts have for years experienced great difficulty and trouble. They will combine to resist a tax, but they will not combine to see that the common money is not wasted. They will combine readily to raise a charity, but very imperfectly to administer one. The objects to be aimed at are thus to reduce the local area which is to be the unit of local administration, and to educate the people up to an appreciation of the things which are necessary to their welfare, but which as yet they do not appreciate.

29. In a province in which the land tenures are proprietary, it is extremely difficult to obtain any sort of village panchayat in the purely agricultural villages. In the majority of them it will be the landlord first, and the tenants dominated by him; or, if the relations are bad and the tenants have quarrelled with the landlord, the two cannot work harmoniously. One might of course appoint and recognise village panches, but they could not be independent administrative units, since the funds that could be given to each village would either have to be assigned in annual driblets too small for any useful purpose, or if larger sums were given, at such long intervals of time that the panches would very rarely exercise any functions. While therefore we might recognize village panches in villages as a body to assist the village headman (*mukaddam* or *patel*) in some of his duties to the public, and in large villages have, as at present, a village sanitation committee, for the administration of rural works we require to find the smallest unit round which a local and parochial patriotism might centre, but which would yet be large enough to have assigned to it sufficient funds and sufficient work to arouse interest in its proceedings.

30. The exact method of grouping to be followed is a matter which requires most careful local enquiry and consideration, and I am certainly not

prepared with any precise definition of the rural circle or village union. Probably the market town and the villages which resort to it most would make a convenient unit, and to the village panchayats found in the larger villages of this circle might be entrusted the duty of electing the Local Board members for that circle. If the panchayats themselves were elected by the householders of the villages there would be a sort of electoral framework introduced. But there would have also to be some nominated members of Local Boards in order to secure representation for important interests. Above the Local Boards would be the District Councils, the Boards returning their own representatives with the addition of nominated members. The small towns not yet suited to municipal Government would be administered by a Local Committee under the Local Boards ; but it is on the whole better that small municipalities should be independent. There would then be the following steps in the ladder of local administration of extra municipal areas :—

(1) The village panchayat.
(2) The village union, being (*a*) representative panches for the circle returning one Local Board member, and (*b*) the Local Committee of the minor non-municipal towns.
(3) Local Board.
(4) District Council.

31. The above is merely a sketch of one possible method of hanging together a system of representation of the people in the matters of their local affairs. It is a measure which it would be foolish to introduce simultaneously and universally over a whole province. This, or any similar system, should be tried first of all experimentally in a few advanced localities, the ideal aimed at being the wedding of the ancient system of village elders on to a modern one of Boards and Councils. In order to give the village panchayats interests to bind them together it would be necessary to give them some authority, such as the decision of petty disputes, and the punishment of offenders in petty cases. Panchayats would have to be selected for this. They could not all be given powers, or be trusted to use them, but the fact that selected panchayats were given such powers would be an incentive to others.

32. The second important essential to any successful scheme of local self-government is the interest of the electorate in the public weal. For this we have to create wants and provide the means for satisfying them. Progress in these matters is indeed very slow ; but there has undoubtedly been progress. The people have begun to grumble ; they have begun to complain about bad smells, bad roads, or absence of drains. They have shown themselves ready to pay money for education ; here and there they have begun to be keen about dispensaries. The complaints are at present confined almost entirely to the towns and to a limited number of persons in the towns, but the tendency is for them to increase. The creation of the wants to which the complaints are due has been brought about partly by extension of education, partly by the growth of material wealth, but principally by experience, the fruit of more teaching, and the appreciation of benefits of which the advantage has been perceived. Thus one may find an actual prejudice against a water-supply scheme and the distribution by means of water-standards. It quickly disappears before experience. In the beginning of things the Government had to supply advantages, *e.g.*, roads, which the people did not know they wanted, or even thought that they did not want. When they had experience of them, they gradually began to appreciate them, and later on to feel the absence of them in other places. It has been so with schools, it has begun to be so with roads, and in towns the demand for sanitary improvements is just beginning to make itself felt.

33. It is on these lines that development must be looked for, but the different parts of the country have as yet reached very different stages of progress. There are many rural villages in which the people do not wish for a school, and there are many considerable villages and minor towns in which the people prefer to be insanitary to the payment of a tax for cleansing and conservancy ; while there are others in which a substantial number of the inhabitants voluntarily ask for municipal Government, even though it be accompanied, as they know it will be, by local taxation.

In my opinion the progress made has been not unsatisfactory, and during the last few years has become more rapid ; it is sufficiently marked to justify us in increasing the powers and resources of these local bodies, wherever they show signs of fitness ; and the Administration has taken measures to that end and will continue to do so. But it would be a gross error to confuse the improvement among the people generally with the views of the small section of highly advanced people educated in the Presidency towns, and developed artificially from outside in the manner which I have described in an earlier part of this Note. Among this class the great majority are those trained in the law. Some few of them may have connection and touch with rural India, but the great majority know much less about village economic conditions than our own British Revenue Officers, and their statements about the rural classes are generally pitched in terms of the widest generalizations based not upon any critical analysis of concrete facts, but upon general assumptions that every ryot is starving, and that all sums paid for imports whether of men rendering service to the country, or of goods consumed in the country, are a dead loss, and might just as well have been thrown into the sea. Below this class comes a lower one, of men whose education is a veneer, who have imbibed a few catch-phrases of western thought, but not a particle of its spirit, and whose real motives and conduct are a living denial of the principles they profess. Among these even there may be honest self-deceivers, but a great number are mere agitators and self-seekers, and it is not from them that the Government can find advice or support, or the masses any elevation.

Apart from these two classes (the only one which as yet takes any active interest in politics) is the commercial class. They are the backbone of India's trade, as the ryots are of India's agriculture. They do not make many speeches, but they do a great deal of silent work, and no system of local self-government or advisory councils could be framed in which they were not given a place. The commercial class covers a great number of sections, from the great merchants, bankers, and mill-owners, through the large grain-dealers, money-lenders and shop-keepers, down to the petty contractors, village *banias*, and superior artizans, but as a class they are less dependent upon the frowns or smiles of the executive than any other. They come most in contact with the Government in respect of income-tax assessments and municipal regulations. Lastly is the great agricultural class, with its three sections, the land-owner, the raiyat, and the labourer. The highest section contains a very mixed body of men, from large and enlightened proprietors (of whom in these provinces there are but few, but their number is increasing) down to persons of ryot status. At the bottom come the smaller village artizans, the labourers, and, on the outskirts of all, the lowest menial castes in the towns and villages and the wilder tribes of the forest.

34. During the last twenty-five years there has been going on a process of fusion of sharp divisions, and an interchange of pursuits and occupations, the effect of the enormous increase in communications and the levelling tendencies of British administration. The trained lawyer is taking up agriculture, commerce or industry, the commercial classes are beginning to be attracted by English education, and the land-owners are taking to trade and politics. The despised menial castes are rising by means of petty contracts into the commercial section. The labourer has begun to rise in prosperity and intelligence. Even the ryot and village artizan, though the last to move, are not quite unstirred by the processes going on around them.

Such being the mixed composition of the Indian populations, the task of evolving from them a system of praticipation in the affairs of the Government is not a simple one.

From the first class we may look for our best co-adjutors in Government service to be trained in

administration, and to do the legal and scientific work of the country, but they are not, and will not for a long time become, in any sense the representatives of the people below them.

For the second class we have in their present shape no use whatsoever. The majority of them will sober down and take their places in the various humbler walks of public or private service; and some few may eventually find better occupation in commercial pursuits. The residue who remain unchanged will serve neither Government nor their own countrymen, requiring repression whenever they show signs of mischief. They are the tares which have sprung up among the educational seed which we have sown.

35. It is on the gradual elevation of the third and fourth classes that our efforts must be concentrated with the help of those among their numbers who have raised themselves. We have to teach them first the principles and practice of local self-government before they can effectively assist us in the conduct and control of provincial and imperial administration. It is no doubt from the District Councils that formal Advisory Councils for the District Officer, for the Commissioner and for the provincial Administration, may be gradually built up. The Government of India's reference on this subject has yet to be answered, and I do not feel prepared to state definitely whether the time is ripe or not for the trial of such an experiment. While, however, the constitution of such Councils on a formal basis is a question of great difficulty, I entertain no doubt whatever of the benefits to be gained by constant and informal consultation with intelligent representatives of the various classes. Our officers are trained to do this. Every measure of any importance that is adopted is discussed beforehand, whether it be by summoning a few representative men, or by conversation with individuals, or at informal gatherings of the people in rural areas; and this practice must continue to increase if we are to keep pace with the times. I cannot say what prevails elsewhere in India, but in this province a very general confidence is reposed by the people in their District Officer once they have learned to know him. Men are not all alike; and no possible system can ever eradicate entirely faults of tact or temper but as a body our officers are not at all deficient in sympathy or unwilling to take the people into their confidence. It is our endeavour to reduce transfers of officers as far as it is possible, but requirements of leave and breakdowns of health often upset our best laid schemes.

36. There is one last matter to which I must refer in conclusion, namely, the satisfaction of the aspirations of the educated classes. Although, as I have contended, the presence of some highly educated men, and of a good many fairly educated men, does not connote any corresponding fitness among the remaining 95 per cent. of the population, yet the small sprinkling of men improved by higher education is yearly growing larger; and periodical advance in the higher avenues of employment open to them must be made. Strict selection is, of course, essential, for there are many Indians who, though they work devotedly and excellently under higher supervision, seem to fall away when they approach the top. Either they shrink from responsibility, or, having reached the summit of their ambition, lose the inspiring motive of further prospects of promotion. This future is not confined to Indians, but is more pronounced among them. At the same time the exceptions are sufficiently numerous to warrant further advance in the kind of work open to them. On the judicial side there is no rigid limit to their chances of winning the prizes; and though I am far from believing that a similar advance is desirable on the Executive side, I still think that further steps must be taken. Circumstances will soon make it necessary to propose some changes in the constitution of the Central Provinces and Berar Commissions and to amalgamate them into one, and it is then my intention to make some further recommendations for the enlargement of appointments open to the Provincial Services. We can in these matters never go as far as the advanced classes would have us go, for there is no limit at which they would cry "enough"; but we can always make some steps forward and remove what is most urgent and real in their complaints. We must always remember that intellect tends to develop in advance of moral stamina and force of character, and that if we make too liberal and rapid a concession to intellect only, we may lower the standard of impartiality and strict probity in our Administration to an extent which will endanger the government of the masses by justice, equity, and good conscience.

R. H. CRADDOCK,
Chief Commissioner,
Central Provinces.

The 8th January, 1908.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN THE

UNITED PROVINCES.

VOLUME VII.

Presented to both Houses of Parliament by Command of His Majesty.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

FORTY-THIRD DAY.

BENARES, *Monday, February 10th*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. H. V. LOVETT, I.C.S., was called and examined.

Mr. H. V. Lovett.

10 *Feb.*, 1908.

27852. (*Chairman.*) You are the Commissioner of Benares?—Yes, for nearly a year. Before that I was Collector here.

The Benares division, which is my charge, consists of five districts :—

District.	Population.
Benares	882,084
Jaunpur	1,202,920
Mirzapur	1,082,430
Ghazipur	913,818
Ballia	987,768
Total	5,069,020

I send every fortnight a confidential demi-official report to the Chief Secretary to Government, in which I give my general impressions regarding the state of affairs in each district, dwelling on any specially noteworthy points. I also report to Government at once any specially important incident. To enable me to make my own reports, I receive fortnightly letters from the Collectors, who also at once report to me any special occurrence.

I supervise the revenue, police, general administration in the above districts, by sitting as an Appellate Court; by reviews and correspondence; by touring throughout my division and visiting particular places and headquarters stations; and by personal intercourse with my Collectors.

During the last three revenue years the Commissioner of Benares has annually decided an average of 1,260 appeals :—690 under the Tenancy Act; 603 under the Revenue Act; 42 under the Income Tax Act; 12 prepared by police officers from punishment orders; 101 miscellaneous cases, and 112 applications for revision by the Board of Revenue of orders not legally appealable passed under the Tenancy and Revenue Acts.

I review the annual reports of the District Boards and of each of the five municipalities in the division. Most questions referred to me under rules go on to Government. Further, I pass municipal budgets, sending copies of my orders to Government. I review and criticise District Board budgets. I review the annual Revenue Administration Reports of the various districts and report to the Board of Revenue thereon. I report to them on all Deputy Collectors and Joint-Magistrates and on each Collector of the division.

I record my marginal comments on the annual Police Administration Report of each district, and forward the reports of the districts of my division, together with my review of the divisional police administration, to the Inspector-General of Police. No order of dismissal of a sub-inspector of civil police with the concurrence of the District Magistrate can take effect before it has been confirmed by me. Special crime reports are sent to me for my information. I supervise the Court of Wards administration. I pass smaller budgets and forward others to the Board of Revenue with my criticisms and comments. I review the annual report on each estate and report to the Board thereon. I deal with all Court of Wards matters that crop up and require reference to higher authority, sending on to the Board of Revenue with expressed opinions those of which I am unable to dispose myself. I am asked to administratively sanction petty works to be carried out by the Public Works Department, and can do so up to a cost limit of Rs. 500 in the case of certain provincial works, Rs. 10,000 in the case of certain local works, Rs. 2,000 in the case of municipal contribution works and famine relief works. I also criticise draft projects connected with public buildings, and can finally sanction estimates for various minor works. I am entitled to the advice of the Divisional Engineer on any municipal matter, and can give directions to Public Works Officers of my division in the Buildings and Roads Branch. Funds are placed at my disposal for allotment among the districts of my division for the following purposes :—land improvement loans; plague charges: petty projects; temporary and emergent establishment in district offices; and contingent grant for my own office expenses. I tour through as much of my division as I can find time for in the cold-weather months. I also visit headquarters stations in the hot weather and rains and inspect the Collectorate offices. I endeavour to make myself personally acquainted with my subordinate officials and with as many leading non-officials as possible of each district of the division.

Collectors and Deputy Commissioners have sufficient powers in matters relating to revenue which concern only the Commissioner or, through him, the Board. In matters however, which concern the Commissioner of Excise and the Director of Land Records they might be allowed more discretion in minor matters than they have at present.

Commissioners, Collectors, and Sub-Divisional Officers have sufficient powers in matters of general administration. Of course in every case much depends on the personality of the officer under whom one is

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Mr. H. V. Lovett.

10 *Feb.*, 1908.

working and his methods of administration. Commissioners have sufficient powers under a Lieutenant-Governor who knows how to trust his subordinates to carry out his policy. Collectors have similarly no reason to complain of lack of power if they are treated with reasonable confidence by their Commissioners, and the same principle obtains between subordinate Magistrates and their Collectors.

In minor matters, such as the sanction of the transfer of funds from one head to another, Commissioners and Collectors might be given more power than they have. But in all essentials and important matters Commissioners and Collectors have quite as much power as they require. It is right that Court of Wards budgets should be passed and annual reports finally reviewed by the Board of Revenue, which consists of experts who can co-ordinate the principles and teaching to be gathered from all the Court of Wards affairs in the province. The present regulations, if worked with discernment, allow enough power to all concerned in essentials, although some of them are unnecessarily exacting in details.

In regard to transfers of funds from one head to another more power might be allowed to Commissioners. Their divisional allotments, too, for extra and temporary establishments might with advantage be split up into district allotments which Collectors might spend as they think best. Collectors might have more voice in expenditure on buildings and roads in their charges, and Commissioners on this kind of expenditure within their divisions. A divisional Public Works Budget framed on budgets received from Collectors would be useful. At present one's connection with the officers of the Public Works Department is of an indefinite and formless description. I do not think that anything beyond the above suggestion would be appreciated by Commissioners and Collectors.

I am not inclined to curtail the right of appeal to the Local Government now granted in respect of administrative action or to lay down that the authority passing the order should be asked to give any certificate of the admissibility of an appeal. The present system in regard to appeals to Government works well.

The influence of the provincial Government entirely depends on the character and ideas of the Lieutenant-Governor, affected, as it may be to a greater or less extent, by the policy of the Government of India. If the Lieutenant-Governor believes in a concentration of all power at headquarters, it is probable that in some respects his Government will be excessively rigid. Otherwise it will not be; and the influence of provincial Governments has *not* been, within my experience, in the direction of excessive rigidity and uniformity. The tendency has been for the United Provinces Secretariat to regard matters less from a departmental standpoint than they used to, and within recent years this Government has been far from impersonal or dominated by considerations of revenue.

The influence of the Commissioner is sufficiently strong, and adequate weight is given to his views.

The average Executive Officer is often oppressed by cases and desk work. It is for this reason that he does not come so often into personal contact with the people as it is desirable that he should. It is in no way because he does not desire to know them, nor is it because of a lack of interest in them.

The Executive Officers of these provinces have sufficient knowledge of the vernacular for the discharge of their duties, but with the dialects of the district in which he is serving an officer has often small acquaintance, the reason being that his stay in such a district is often short and that his leisure for ordinary conversation is small.

Too frequent transfers cannot be too strongly deprecated in the interest of the acquisition by Executive Officers of a thorough acquaintance with vernaculars. An officer whose sojourn in a district is short cannot possibly make friends with the people or learn their dialect thoroughly. The ideal District Officer should have time to see people not only in his house, but in the bazaars, in camp, at their meetings and some of their social functions. No institution, no public meeting, no non-political movement of importance should be beyond the pale of his interest or sympathies. In political matters, too, he should be prepared to exercise influence. In fact, nothing of importance should take place without the Collector's having publicly or privately a say in it.

I would not reduce the area of district or other charges in these provinces in any but a very few instances. But the staff of Deputy Collectors might well be increased in such a manner as to adequately cope with the heavy roll of cases and to allow the Joint Magistrate to be the Collector's right-hand man in executive matters.

Municipalities and District Boards have now, on the whole, as much power as they require and are fit to exercise. The Government of the United Provinces has lately done its best to increase the powers of District Boards and to prevent their energies being deadened and cramped by departmental control. The District Officer as their Chairman has been brought far more into touch with elementary education than he used to be. In Jaunpur and Benares the very large increase in attendance at primary schools is undoubtedly attributable to this alone.

I am certainly not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. They would do no good whatever and only be an embarassment to the officers concerned. District Officers are amply provided with Councils already in the shape of District or Municipal Boards, which with the sub-committees of the Municipal Boards take up a greater deal of time and supply as many consultative bodies as are needed. Both Commissioners and Collectors receive visitors and can always consult by letter or verbally any non-official who is likely to be able to throw light on a particular subject.

It would not be expedient to invest District Boards with powers of supervision and control over small municipalities within their respective districts. District Boards in their corporate capacity know nothing about, and care little for, municipal work. Smaller municipalities are best controlled and superintended by the District Magistrate as they are at present.

It is not possible or advisable to delegate to the village communities of these provinces powers in the disposal of local affairs relating to revenue, police, sanitary, educational, or other matters. These communities are composed of very ignorant, credulous persons who as a rule have the vaguest ideas on most things. Their members are divided into castes and classes which have small regard for each other, and even those who belong to the same caste are often at feud, while the present tendency seems to be for corporate village property to become individual. A whole community is sometimes over-ridden and terrorized by its worst and most mischievous members. That, however, village communities do now largely manage their own affairs is proved by the returns of police stations, but I cannot think of any particular power with which it would be advisable to formally invest them.

It is certainly desirable that the senior Joint-Magistrate of a district should be able to relieve the Collector of a material portion of administrative, and in some districts appellate, work. A larger subordinate staff, too, would render fewer transfers possible.

At present Government allots grants (normal and special) to provincial Heads of Departments for the construction and maintenance of all buildings and roads which are not under the District Boards The Commissioner is the Head of Department so far as this arrangement is concerned in regard to the following provincial works:—Certain civil buildings (churches, lock-ups, additions and alterations to existing treasuries, museums, provincial charitable institutions); ferries and dak bungalows, camping grounds; improvements in towns; wells, &c.; and sewerage, drainage, and protective works. In framing budgets and representing the requirements of all works and roads controlled by other departments a Commissioner has no *ex officio* voice. Nor has a Collector. Thus the connection of both with Public Works Officers and their works is of a very limited character, being practically confined to allotting to them funds for the carrying out of District Board projects entrusted to the Public Works Department for execution. Yet local officers must necessarily be more in touch with local needs and circumstances of every kind than distant Heads of Departments, and the defects of the present system are illustrated by two concrete examples given me by the Collector of Benares, who writes:—

"About two years ago the Director of Public Instruction decided to build in Benares a Normal School for, I believe, teachers of Secondary Schools.

I was consulted unofficially in connection with the acquisition of a site. It was bought in a hurry as the money had to be spent at once, and there my connection with the matter ceased. Large quantities of materials were then collected also hurriedly, and there the matter has rested for the last year or more. Neither the District nor the Superintending Engineer, of whom I made casual enquiries, knows what is to happen. They have done what they were told to do, the rest is no concern of theirs.

"Again, some time ago the High Court decided to build a new Civil Court. Again I was consulted unofficially with regard to a site. A piece of Government land near my Courts was chosen and my connection with the project ended. Materials, I see, are being collected here also."

Divisional provincial Public Works budgets prepared in consultation with Heads of Departments should be substituted for the present departmental budgets. What is wanted is a local authority which can co-ordinate the projects and needs of the various departments, watch the various works carried out, and control the expenditure. At present the Heads of the Departments are in such matters too often shut off from each other in water-tight compartments. So far as *normal* grants for Public Works and buildings unconnected with District Boards are concerned, the Commissioner should prepare the budgets for their divisions in consultation with Collectors and Heads of Departments in much the same manner as the District Boards prepare their budgets for "local works." The initiation of projects would thus lie with the Commissioner and the Head of the Department concerned in consultation, and the execution of each work would be generally supervised by the Commissioner and his subordinate, the Collector. The Commissioner would be the colleague of the Departmental Heads in matters pertaining to his division. At the same time the ultimate financial control and the allotment of special grants would still rest with Government.

27853. You have five districts under your charge?—Yes.

27854. The population of two of them is over a million; are they more difficult to administer than the other three?—No; Mirzapur has peculiar difficulties of its own because of the nature of the country; it is an enormous area; it is the biggest in area in these provinces, and a great deal of the district consists of wild hill country, over which communications are very difficult—strips of valley divided from each other by ranges of hills. Jaunpur is an easy district to administer.

27855. Have you any particular rules about touring for Divisional Officers?—I have no rules; I am supposed generally to be on tour myself in the cold weather, and Collectors are supposed to be on tour for three months. There are no hard and fast rules laid down.

27856. How long are you generally out on tour?—This year is my first cold weather tour as a Commissioner; I was detained at headquarters till the 14th November; I went out immediately after, and I have been on tour ever since with intervals of three or four days in a month.

27857. Did that time enable you to go thoroughly round your division?—No; I am going out again immediately.

27858. Will the touring that you are able to do in the course of the year make you fully acquainted with all your districts?—Yes, because I not only go on tour in the cold weather, but in the hot weather I make expeditions to headquarters and see my Collectors and go to different places.

27859. During your annual touring you have the opportunity to make yourself acquainted with the *personnel* of the establishment under you, and also with the principal people, in the districts?—Yes, whenever I go to a district headquarters the principal people come and see me, and they come and see me here too.

27860. You have no difficulty in coming across them?—None whatever.

27861. You mention a great number of appeals that come up to you; how many of these have been appealed against?—I could not tell you; the proportion is very small.

27862. You review the annual reports of the District Boards, and you circulate a copy of your review; do you send those District Board reports on, or do they stop in your office?—I think they go on, to Government; I am not sure. District Board reports are *not* now forwarded to Government. All the municipal reports go on.

27863. Is that necessary?—Yes, I think so; certainly the municipal reports of big cities; it is not necessary in the case of the smaller towns.

27864. You get an annual Revenue Administration Report from your Collectors, and besides that you get a report from them on forests and police?—I do not get a report from them about forests, because I have no forests in my division, but I get police reports from them, written by the District Superintendent of Police and reviewed by the District Magistrate. They go through me to the Inspector-General of Police, and I write a divisional review of them; I comment marginally on special points; there is a special margin reserved for my comments.

27865. Is the only report which the Collector sends to you a report on revenue?—He sends me an original report on revenue, and then he writes the District Board Report and the Municipal Reports. He also sends to me reports on the working of the Arms Act and the Explosives Act, income-tax, and minor departments.

27866. Could all those things be included in one general report on the state of his district?—They could be, of course. I do not see how you could do it very well.

27867. Has such a thing ever occurred to you?—No, I do not think it has; the reports go in at different times.

27868. Is that an insuperable difficulty?—The revenue reports must go in at the end of the revenue year; then the income-tax reports go in at the end of the financial year, and all the Municipal and District Board reports go in at the end of the financial year; the subjects are so different.

27869. You have an annual report on each estate, and you report to the Board of Revenue?—Yes, that is in Court of Wards' estates; I review the report in the case of each estate, and I send the Board a copy of my review.

27870. Is that necessary?—I think so; it does not take long.

27871. Could you not merely review either the larger estates, or else the ultimate result in each separate estate?—I think it enables more supervision of the management if one reviews each estate by itself; there are not many as a rule. I have got seventeen altogether, large and small, and reviewing the smaller estates takes very little time.

27872. With regard to Public Works, you say you have the advice of the Executive Engineer in municipal matters and can give directions to Public Works Officers. Have you got sufficient and satisfactory relations with the Superintending Engineer?—I really see very little of him.

27873. You want the Superintending Engineer to consult with you upon all Public Works matters?—If some such plan were followed as I have sketched out it would be a good thing; when I said I could give directions to Public Works Officers in my division in the Buildings and Roads Branch, I really meant that I could ask them to prepare fair projects of certain works, that is, detailed projects of works required. That is the only matter in which I can give them directions.

27874. Do you have conferences of your District Officers?—No, but I see them constantly. When the Lieutenant-Governor came here the other day we had a Famine Conference, but I personally do not hold conferences.

27875. Would it be a good thing to do?—I do not see much object in it, because I see all my District Officers constantly; I do not think there would be any object in calling them away from their districts to sit together.

27876. Might it not have a good effect upon them with regard to their work?—In the District Boards review they all see what I say about the work of each of them; it would not really make any difference:

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besides, I keep them in touch with each other in various ways. For instance, Jaunpur and Benares have been very much in touch in regard to their educational policy lately.

27877. Suppose you had conferences of this sort, might not that enable you to do away with a certain amount of writing reports?—I do not see very well how it could.

27878. Do you have the posting or transferring of officers in your division?—Only of minor officers—naib-tahsildars and minor officials. I can transfer tahsildars within my division.

27879. Do you think you might have the transferring of Assistant Commissioners within your division?—I can always propose it to Government. When I propose anything of the kind they have invariably accepted what I proposed.

27880. Might it not therefore be done by the Commissioner directly within the division?—I think it might.

27881. Do you appoint any of the subordinate staff? Yes, I have a certain power of appointment.

27882. Has that to go to Government for sanction?—Not necessarily.

27883. Do you see the budgets of the municipalities?—Yes, I pass them.

27884. Do you examine them in great detail?—I go through them carefully. I have just been going through the Benares budget, but I simply passed it straight away; I entirely agree with everything that is in it. Sometimes the budgets do require criticism. For instance, I may think they have not given enough for education or for lighting, or that their closing balance is too large.

27885. Would you be satisfied with criticism of the major heads while allowing the minor heads to go uncriticised?—That is what I do; I do not touch the minor things at all.

27886. You scrutinise the major heads, and leave the minor heads alone?—That is practically what I do; I look through the whole; I do not say anything more than I feel obliged to say.

27887. Is the Collector the Chairman of the District Board?—Yes.

27888. Does that work well here?—Yes, very well.

27889. Would it be possible, from the point of view of efficiency, to have a non-official Chairman?—No.

27890. (*Sir Frederic Lely.*) Are not the principles on which the Court of Wards affairs are managed, fairly simple, such as would be within the grasp of any District Officer?—Yes, quite.

27891. Has the Collector any power to initiate in any estate under his charge?—He practically does initiate, unless it is something that obviously requires sanction; he starts improvements and all kinds of things.

27892. Has he any power to re-appropriate from one head to another?—No, he has no power of re-appropriation.

27893. Has he any power to sanction expenditure?—He can only sanction under the budget heads.

27894. That is to say, matters which have already been disposed of?—Yes.

27895. Then I do not quite see how his power of initiative comes in?—He has the power to start improvements; he thinks out improvements and he starts them.

27896. He has to get sanction beforehand for everything?—He is supposed to, that is to say, for everything outside the budget; he can initiate nothing within the budget.

27897. He can initiate nothing of his own motion apart from the budget?—No.

27898. Does not the successful management of an estate depend very greatly upon the personal interest taken in the details?—Very much so.

27899. Would it not be well to give the Collector more personal power in the management of estates, so that he might have, so to speak, more at stake in the success of his management?—He might be allowed to re appropriate more than he is; he is not really allowed to re-appropriate at all.

27900. You would not go further than that?—I do not think so. As a matter of fact Collectors, if they have got time for it, do take a great interest in Court of Wards work, and any Collector who is keen on it and wishes to initiate anything can always get sanction.

27901. It involves correspondence?—Very little. Very likely he only talks to the Commissioner about it; he simply says, "Do you think it would be a good thing if I did so and so?"

27902. Would it not be an advantage to make the Collector practically the Court of Wards, and to leave it to the Commissioner to go round and correct any vagaries by his inspection, and also by the annual report?—I do not see that any particular alteration is required in the Court of Wards system. A Collector who really takes a great interest in his Court of Wards work is not hindered really at all by the present system; he might re-appropriate more, that is all.

27903. Would you see any particular danger in the suggestion I have made?—No, I do not see any particular danger.

27904. Do you suggest that the divisional Public Works budget should contain all the Public Works in a division belonging to all the departments?—I think so, belonging to all the departments except those under the District Board, which are on a different footing.

27905. As a matter of fact, are the special Heads of Departments as a rule younger, or are they about of the same standing as the Commissioner?—They are on about the same standing.

27906. Are they graded as Commissioners—I mean the Excise Commissioner and the Inspector-General of Police?—No; the Excise Commissioner is junior; the Inspector-General of Police is about the same standing as the Commissioner.

27907. Is the Settlement Commissioner graded as a Commissioner?—There is no regular Settlement Commissioner; a Settlement Commissioner is appointed now and then as a special measure, not otherwise.

27908. Is there any other Head of Department?—The Director of Agriculture is rather junior to the Commissioner; the Director of Education is about the standing of the Commissioner; then the High Court is represented by the Registrar.

27909. A witness says that in towns like Cawnpore, Agra, Allahabad and Lucknow there are non-official gentlemen of education and position who could preside over any Municipal Boards with credit to themselves and usefulness to the Government: would you agree with that?—No, not as far as I have seen; from my personal acquaintance I should say not.

27910. Including Benares and Allahabad?—Yes.

27911. You have no acquaintance with Cawnpore, Agra, and Lucknow?—No.

27912. On the whole, you think there is no material change to be advised in the present system of Government?—No.

27913. Does it give to private persons a field for assisting Government and for making themselves of importance in the administration of their own *taluk* or district?—I think it does, if they really wish to. For instance, take Allahabad or Benares. Suppose there is a citizen of Allahabad or Benares who is well educated and thoroughly loyal who wishes to do his best for Government, he has got ample opportunity; he can be a most useful member of the District Board; he can be Vice-Chairman: he can relieve the Chairman of a very great deal of the work. At Meerut the actual routine work of the Municipal Board was done by a non-official, a Muhammadan gentleman, who relieved me of a great deal of the ordinary routine of municipal work and gave me his views and advice on all important matters. He was of enormous use to me, and of great importance in the place.

27914. He was not made Chairman?—No.

27915. Why was a man like that not made Chairman?—I do not think he would want to be Chairman himself; he used to come to me over difficult points, and he seemed much more anxious to rely on my judgment with regard to these.

27916. Was it ever offered to him?—I am not aware that it was.

27917. (*Mr. Dutt.*) Under the law of this province, is it possible to appoint a non-official Chairman of a

municipality?—Yes, except in certain selected big cities like Allahabad, Benares, Cawnpore, and, I think, Agra.

27918. As a matter of practice there is no non-official Chairman? Except in Fyzabad. There has been a non-official Chairman there for years.

27919. Has he given satisfaction by his work?—I really cannot say.

27920. Your districts are not of a very large size in this province?—Not as a rule.

27921. Are the sub-divisions also of moderate size?—Yes, each is divided into four or five sub-divisions.

27922. Is the Sub-Divisional Officer generally a Deputy Collector?—Yes. Sometimes he is a Joint-Magistrate, and sometimes he is a Deputy Collector; most of the Sub-Divisional Officers are Deputy Collectors.

27923. Are the Sub-Divisional Officers, generally speaking, well qualified men who give satisfaction by their work?—Yes.

27924. And they are generally improving with the advance of education?—They are, decidedly; they have improved a very great deal within my experience.

27925. They form the Provincial Service?—Yes.

27926. Their transfer now rests with Government?—Yes, Commissioners can recommend, but the actual orders are passed by Government.

27927. Do you desire the Commissioner to have the power of transferring them within his division?—No. I do not think it is necessary? I have no objection to having the power; the Government would always accept a suggestion of mine in this connection.

27928. Each sub-division is divided into *tahsils*?—Yes.

27929. How many *tahsils* are there generally in a sub-division?—A Sub-Divisional Officer's charge consists of either one or two *tahsils*, generally two. Each *tahsil* has a tahsildar.

27930. What is the class of officers you have for tahsildars?—They are very often men who subsequently become Deputy Collectors; they are a stamp of officer which has improved a great deal within my experience.

27931. Do you generally require good educational qualifications in these men whom you appoint tahsildars?—Yes.

27932. Would they be graduates?—If we can get them.

27933. Are those who have been recently appointed generally graduates?—I cannot say that they are generally graduates; we get graduates if we can.

27934. A meritorious tahsildar can be promoted to the office of Deputy Collector?—Yes, and they are very soon so appointed. Only last year a fourth-grade tahsildar was appointed Deputy Collector straight away without going through the above three grades at all. The Government asked me to nominate a man; and I nominated this man; he is a man of high educational qualifications, I knew him personally, and they appointed him at once.

27935. I suppose Government sometimes appoints Deputy Collectors direct. In what proportion would you say?—I really could not tell you.

27936. What is the pay of the tahsildars?—They get from Rs. 150 up to Rs. 250.

27937. You are not inclined to curtail the right of appeal to the Local Government?—No. I do not see the necessity of it. If I curtailed any appeals at all it would be the appeals in the Criminal Courts, not the executive appeals.

27938. You tell us that "the Government of the United Provinces has lately done its best to increase the powers of District Boards and to prevent their energies being deadened and cramped by departmental control." Are the primary schools generally under the administration of these District Boards?—Primary and secondary education are under the District Boards.

27939. Who inspects the primary schools?—The deputy inspector of schools.

27940. He is a Government servant?—Yes.

27941. Is he a member of the District Board?—No.

27942. When he sends some remarks to the effect that a school is mismanaged, are orders passed by the District Board?—Yes.

27943. Not by the deputy inspector as such?—No.

27944. If the District Board wishes to abolish a school, has it power to do so without reference to a higher educational authority?—Yes, they can do it straightaway.

27945. In the same way the District Board has the power of creating new primary schools?—Yes.

27946. Has the District Board any educational officers of its own, such as sub-inspectors of schools?—They have the deputy inspector and he is assisted by sub, and assistant, deputy inspectors, all of the Educational Department.

27947. None directly under the District Board?—They are supposed to be under the District Board; the deputy inspector is an officer of the District Board.

27948. Is he paid by Government?—He is paid by the District Board.

27949. Are the sub, and assistant, deputy inspectors also officers of the District Board?—Yes: they are borne on the educational list too, but they are under the orders of the District Board: they get their pay from the District Board.

27950. So far as education is concerned, have the District Boards a fairly free hand in the management?—Yes, they have a very free hand.

27951. Who is the officer who constructs District Board roads and bridges?—The District Boards can carry out petty works, that is, works costing below Rs. 1,000, themselves, by their own sub-overseers, but they have to ask the assistance of the District Engineer if there is a question of making culverts or bridges or anything of that kind; for works costing over Rs. 1,000 they have to go to the District Engineer.

27952. Is the District Engineer an officer paid by the Government?—Yes.

27953. Would you approve of the idea of the District Board having a District Engineer of its own, so that it might construct most of its works without reference to Government Engineer?—I have always thought that the present system of limiting a District Board to a sub-overseer is not a very good one: the sub-overseer is a man with poor qualifications, he is on about Rs. 50 or Rs. 60 a month, and even for petty works it seems to me unsatisfactory that they should be in charge of a man of that kind.

27954. You would approve of the appointment of a well qualified Engineer under the District Board, so that most of the works might be done by the District Board itself?—I would.

27955. There was a proposal in another province that, as the District Boards could not probably pay for a very highly qualified Engineer, there might be one man appointed by all the districts of a division, each contributing towards his pay. Would you approve of such a plan?—I think it would be too much for him; I do not think he could do it all.

27956. You prefer the idea of each district having its own Engineer?—Yes, having a better class of officer than a sub-overseer, with power to carry out more expensive works than can now be done by that official.

27957. (*Mr. Hichens.*) Would the District Board be able to afford to pay for a highly qualified man?—Of course they could not pay for a man of high qualifications, but they could pay for much better men than the sub-overseers.

27958. Would his work be mainly connected with culverts and roads and small bridges?—This work would be largely connected with these, but he would have building of schools and other matters to attend to.

27959. Speaking generally, are the District Boards in a position financially to carry out those works which are necessary?—No, they are not as a rule: there are generally more works required than can be carried out.

27960. Should you say that they were inadequately endowed?—I should say on the whole they were.

27961. Would you suggest that they should have further powers of taxation?—No, I do not see how they could have very well.

27962. If a scheme could be devised for giving them wider powers of taxation, would it be desirable from

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the point of view of bringing home to them the meaning of financial responsibility?—I do not think so.

27963. You do not think there is much in that?—No.

27964. Would it be desirable to give the District Board a say in the distribution of excise licences?—No, I do not see what good would result from that at all.

27965. Is it not of importance that local opinion should be consulted in a matter of that sort?—Yes. Excise Officer does consult local opinion; he makes tours of his own, and it is his duty to place himself in touch with local opinions; whenever there is any question of opening a shop he goes there and sees all the people.

27966. Would not the Local Board give sufficient expression to the views of the public in a matter of that sort?—No, not as a rule.

27967. Does your division coincide in area with that of the Superintending Engineer?—No.

27968. Your proposal for divisional Public Works budgets would involve an alteration of either his area or yours?—I do not see why it should. If you examine my proposals, what I have said is that the Commissioner should prepare a Public Works budget for his division in consultation with the various Heads of Departments; then, suppose such a budget were prepared and sanctioned and orders were given to carry out the works, it would not make any difference to the Commissioner, provided he was in touch with the Superintending Engineer about it, whether the Superintending Engineer had other districts too under him or not. Provided my works are all right and the Superintending Engineer is looking after them, and the junior officers in the Public Works Department are looking after them, it is all right, I do not mind whether the Superintending Engineer's circle coincides with mine or not.

27969. Except that the Superintending Engineer would be, so to speak, under two masters?—It is for him to say how far that would be troublesome to him.

27970. That would not be a difficulty?—I do not see why it should be.

27971. Are conferences of Commissioners held?—No, except now or then for famine or something of that kind.

27972. It has been cited as a grave drawback that Magistrates, and even Commissioners, are frequently in the dark about the intentions or the plans of the Government?—That has been so in the past.

27973. Would not conferences of Commissioners be a very effective way of remedying that?—Conferences of Commissioners would be a good thing, decidedly.

27974. Possibly, if you wanted to hand information down a little further, a conference of Collectors would be a good means of doing that, too?—I do not see the need for regular conferences of Collectors, though they would be pleasant.

27975. You would favour, say, an annual conference for the purpose of discussing general matters of policy?—Yes, it would do no harm.

27976. (*Mr. Meyer.*) It has been suggested to us elsewhere that the provincial Public Works budget should be largely broken up, and that the Commissioner should have a lump sum for each division, in regard to which he should be the sanctioning authority, that he should select the works to be carried out and give authority for their being carried out. Does your proposal go as far as that?—Yes, I think it does, except that I leave the actual sanctioning to Government under my proposal.

27977. Suppose you have 5 lakhs to spend in your division upon Public Works, is it necessary that Government should sanction?—It is not necessary but is desirable.

27978. Are all the roads in the province under the District Board?—No, there are some provincial roads—some are local roads and some are provincial roads.

27979. Speaking generally, do the Government keep up many roads?—Yes, a fair number. Some are provincial, not very many.

27980. You used to have Sub-Divisional Boards here; they were abolished?—Yes.

27981. Was that a good thing?—Yes, because they were not of any use; the members would never meet; they used to be absolute shadows.

27982. Had they any powers?—They had some small powers—minor powers as far as I remember, connected with schools—very petty powers.

27983. Had they anything to do with roads?—They were supposed to look after roads and repairs and to make recommendations to the District Boards.

27984. They had no financial resources of their own?—They had no financial resources at all.

27985. Is it not possible that the want of interest arose from the fact that they were called upon to do nothing which was worth doing?—That may have been the case.

27986. Suppose you gave them some real powers, might you not get real local interest?—In regard to District Board work my experience has always been that District Board work is not as a rule work that interests non-officials; municipal work does interest them very much: they live in the place and they see the whole thing before them every day when they go out and come in, but in the case of District Boards the non-official members are gentlemen who either live at headquarters and have property out in the districts or they are people who live in some particular part of a *tahsil* and they do not take an interest in the *tahsil* generally, perhaps they are only interested in a particular road that goes past their houses. The general experience in regard to these small Boards was that the members very seldom came together; it was very difficult to secure their attendance.

27987. You have a sort of embryo municipality called a "notified area"?—Yes, very few.

27988. Are there committees for those?—Yes.

27989. Are they satisfactory?—Yes, they work very well, as far as I understand.

27990. Might it not be possible to extend that system, or to have some grouping of villages under which local committees might deal with roads and other things which did interest them?—It might be tried—I should like to think the matter over before answering that question. It might possibly be tried as an experiment.

27991. Is your whole district divided into sub-divisions, or is there any sub-division in direct charge of the Collector?—The whole district is divided into sub-divisions. The Collector is in charge of the whole; he has no direct sub-divisional charge.

27992. Your Sub-Divisional Officers all live at headquarters?—Yes.

27993. They tour during the cold weather?—Yes.

27994. They do the case work in their sub-divisions?—Yes. When on tour.

27995. Do they hear appeals from subordinate Magistrates?—No. Those all go to the District Magistrate.

27996. Might not the Sub-Divisional Magistrate take appeals?—Yes, he might.

27997. As regards revenue work, do they do the revenue work within their areas?—They have nothing to do with the collection of revenue; they try revenue cases within the powers of an Assistant Collector of the first class, and they try rent cases, and they look after patwaris: they look after the land record staff; but they have nothing to do with the collection o revenue.

27998. Do they look after income-tax?—Yes.

27999. Do they assess?—Up to a certain amount—I think it is Rs. 2,000.

28000. Have they anything to say to excise?—Yes. They look after the shops and the liquor traffic generally, and send information to the Excise Officer.

28001. Do they sell the shops?—No. The shops are auctioned at headquarters.

28002. The Collector has nothing to say to that?—Yes, if he likes he can hold the sale himself; it depends on the Collector, and how much he trusts his Excise Officer to do it efficiently.

28003. Might it not be advantageous to sell the liquor shops locally and let the Sub-Divisional Officer

do it?—It could be done, but I think it is better that there should be one excise authority at headquarters, co-ordinating all the excise systems in the district. A good many of the shops are taken by the people living at headquarters; I do not think the people would like it auctioning at tahsils.

28004. Would you be in favour of letting Sub-Divisional Officers live out in their sub-divisions?—I do not see the object of it where the districts are fairly small, as they are here; they would dislike it very much themselves.

28005. The people would rather like it?—I do not see why they should.

28006. They would not have to travel so far to see their *hakim*?—They have not far to travel; it does not take up much of their time; I do not think it would make any difference to the people.

28007. When there is an appeal in a revenue matter from a Sub-Divisional Officer, to whom does it go?—From a Sub-Divisional Officer it goes to the Commissioner.

28008. Not to the Collector at all?—There are only certain kinds of appeals which go to the Collector, such as a case of mutation of names.

28009. Speaking generally in the case of an ordinary revenue decision of the Sub-Divisional Officer, the appeal skips the Collector and goes to the Commissioner?—Yes.

28010. Is that a right system?—I think on the whole it is. A great many of these revenue cases that they try require a good deal of rent and revenue experience in an Appellate Court, and the Commissioner has more time for this kind of work than the Collector has as well as more experience; a Collector's hands are very full otherwise.

28011. The result is that a second appeal goes on to the Board of Revenue?—In a good many cases. A second appeal very often does not lie; whatever second appeals there are go on to the Board of Revenue.

28012. Would it not be a good measure of decentralization to put the thing lower down, to let the Collector take the first appeal and let the second appeal go to the Commissioner?—That might be done. Some of the Collectors of course are comparatively junior officers.

28013. Is not the complaint now the other way round?—It is becoming so.

28014. Do you appoint naib-tahsildars?—No, I do not appoint them; the Board of Revenue appoints them. And also tahsildars.

28015. Might Commissioners appoint their own tahsildars and naib-tahsildars?—It is better perhaps that there should be a provincial list; you get a better pick. In some divisions you get a very poor pick; in some you get a very good pick.

28016. Does it not lead to transfers?—Yes.

28017. (*Sir Steyning Edgerley.*) With regard to the question of the distribution of power amongst grades of officers; do you agree with the view that you should place power as low down as possible consistently with safety?—It depends on the power; do you mean executive or judicial power?

28018. Executive power, revenue power, administrative power?—Yes, as a general principle I should agree with that.

28019. You have a great many appeals under the Tenancy and Revenue Acts? Is that new work since the introduction of those Acts?—No.

28020. Suppose the idea to be carried out, that the Collector should take certain appeals; have you any sort of estimate of the relief that that would be to the Commissioner?—It would be a very considerable relief; on the other hand it would be a very heavy extra burden to the Collector.

28021. You have a different procedure as to the treatment of annual reports of municipalities and those of District Boards; you dispose of the municipal reports yourself, but as to the District Board reports you address the Government?—No; I review both; I do the same with regard to both.

28022. You say the alteration in the privilege leave rules has made diminution of transfers possible; would you be prepared to go further than a three months' accumulation of privilege leave?—I do not see why we should not.

28023. You would let an officer accumulate up to five or six months?—Yes, it might be done.

28024. It has been suggested that we should even go so far as that each officer should have an open ledger account with the Government and be allowed to take any leave which he has earned and which the Government are prepared to give him at a particular time; that would reduce all restrictions simply to the one that you should not have more than a certain percentage of officers absent; could you safely go so far as that?—The general principle should be that a man should always be allowed to go on leave whenever he wants to go, provided that the needs of Government and the necessities of his district or charge allow of it, and provided that he is entitled to it.

28025. That is practically the same thing?—Yes, you might accept that as the principle.

28026. You speak of the heavy roll of cases which requires an increase in the staff of Deputy Collectors: to what cases do you refer?—Revenue cases and rent cases and criminal cases.

28027. Do your tahsildars try any magisterial cases at all?—Very petty ones, within the powers of Third Class Magistrates; they do very little criminal work.

28028. You have no tahsildars with second class criminal powers?—We have some.

28029. Have you any first class tahsildars?—We have no tahsildars with first class criminal powers.

28030. You think that the Civilian staff in the province is too low?—I simply gave you the result of my own experience in my written evidence on this point; of course there is always this difficulty in regard to the staff that, although one always wants a great number of Joint-Magistrates, the number of districts is limited and the number of judgeships is limited, and they cannot very well be increased; so that if you liberally increase your staff of assistants, you are liable to get a fearful block in promotion, and that is not good for the Service.

28031. How would it be to have three or four or a calculated number of supernumerary Deputy Commissionerships, to prevent the transfers of Joint-Magistrates?—That would be a good measure if it could be carried out.

28032. It would be a little expensive perhaps, but would it have the effect?—It would have a good effect no doubt in that way.

28033. You seem to lay stress on the great development in primary education in Jaunpur and Benares; do you attribute that to the considerable amount of authority given to the Local Boards?—Yes; as a matter of fact, it is the Chairman in both instances who is responsible for that.

28034. The transfer of control has had the result of a great increase in primary education?—Yes.

28035. Do you not think that to grant greater powers in other spheres might have the same result of a development of interest in the work?—As a matter of fact the development of education in each of those cases is due to the Chairman himself.

28036. Do the other members take no interest in it?—They do, but they do not take the interest that the Chairman does, and their interest is largely due to the interest he takes in it.

28037. The grant of these extra powers immediately led to a growth of interest?—There were no particular extra powers given in regard to education; the Boards were told that they must take more interest in education, and we were brought more into touch with the Education Department.

28038. Were they not given power to appoint their own educational establishment?—The deputy inspectors were under the Board before.

28039. The result has been a considerable expansion of primary education?—In those two districts certainly.

28040. You think it is not *propter hoc* but *post hoc*?—I would not say that.

28041. About the village committees; you say in one place that they are composed of very ignorant,

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credulous persons who as a rule have only vague ideas about most things; then you go on to say that they do largely manage their own affairs; perhaps you would explain that?—Reports of many crimes never go beyond the village; we do not get information of anything like all the crimes that are committed; the inference is that they are disposed of by the people themselves.

28042. When you speak of the management of their own affairs what you mean is practically the settlement of criminal offences?—To a certain extent.

28043. Other affairs you do not think they manage?—I do not see what you could depute or delegate to them; that is the point. Of course they settle a great many of their private affairs in various ways.

28044. You do not think you could arouse their interest by giving them certain powers?—What could you give them?

28045. Certain things have been suggested to us elsewhere; the idea that was put before us in another province was that the first step in local self-government is to interest the people and create an interested electorate, to get people to take an interest in their own affairs, and that unless you give them something to do, it is not possible to create that interest?—I do not see what you can give them.

28046. (*Chairman.*) Is the jurisdiction of Sub-Divisional Officers territorial or by subjects?—It generally is territorial; that is, a Sub-Divisional Officer has as a rule certain thanas (police circles) made over to him; he tries all important criminal cases that come up from these thanas, and he sends other cases sometimes to the tahsildar or to some Assistant Magistrate for disposal. Then as regards rent and revenue, he has what we call a *tahsil* under his charge; that is, he tries rent and revenue cases within the powers of a First Class Assistant Collector. Then in the cold weather he tours in his thana circles and in his *tahsils*, which are as far as possible co-terminous, and sees to things generally, and he reports on matters in which he has not powers.

28047. Practically it is territorial jurisdiction?—Yes.

28048. It has been suggested to us that the municipality might have the power of alienation or transference of land within a given area: would you agree with that proposal or not?—I do not see why they should not have that.

28049. The suggestion was that they should have power, either as a reward or recognition of the public service or munificence of a particular individual, to alienate a certain portion of their property within certain limits?—Municipalities own very little land; here the land is largely Government land, of which they are allowed the usufruct.

28050. So far as the land is municipal land, you would have no objection to that alienation, but as to Government land you would object?—Yes; the municipalities only have the usufruct of it.

28051. As Commissioner have you a discretionary grant?—To a certain extent—in certain matters.

28052. Is it for Public Works purposes?—Land improvement loans, plague charges, petty Public Works projects, and so forth.

28053. What is the sum assigned by you for those purposes?—Very petty indeed. I get a sum assigned to me at the beginning of every year.

28054. The same sum every year?—Not necessarily.

28055. With regard to agricultural loans have you all the powers that you need?—Yes; I get special allotments made to me by Government. I get an ordinary regular allotment; then in a time of famine I get special allotments; lately I have had very large allotments.

(*The witness withdrew.*)

PANDIT RAMA SHANKAR MISRA, S.C.S., was called and examined.

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28056. (*Chairman.*) You are Magistrate of Ghazipur?—Yes, I have been three years at Ghazipur. I have been Magistrate of a district for twelve years.

As Chairman of the municipality and District Board I have had to regulate and control the finances thereof, and to supervise the Public Works and sanitation also. I supervise primary and secondary education, look after the sanitation of villages as well as after the Public Works and public health and other departments under the District Board. As District Magistrate, besides hearing appeals from Second and Third Class Magistrates, I see to the peace of the district and to the proper working of the police and of the rules connected with emigration and sanitation and other minor departments. As Collector I realize the land revenue demand and cesses. I control excise matters and assess alluvial *mahals* to land revenue according to the rules. I hear appeals and supervise the treasury and the Stamp Department as well as the Land Record Department. I see to the income-tax and to the general administration of my district.

I would not propose any extended powers to the Board of Revenue. If the powers of Commissioners were extended and a separate Commissioner of Court of Wards appointed, it will be possible for Government, with one or two extra Secretaries, to do all the work which is now done by the Board of Revenue. The Commissioners should vertually be Lieutenant-Governors on a small scale in their divisions. They should have all the powers of the Board of Revenue in Court matters. In general administration Commissioners should have all the powers of the Board of Revenue. Similarly Collectors should have more extended powers in matters relating to revenue. In brief, all revenue work beginning with the tahsildar should end with the Commissioner.

The Court of Wards should be a separate department under a Commissioner of Court of Wards. He should deal directly with the Collectors. Commissioners of divisions should only have power of general supervision when on tour. All references should be made to the Court of Wards Commissioner by Collectors.

Collectors should control, to a greater extent than at present, expenditure in their districts. Sums for the contract grant, for the *takavi*, for temporary establishment should be allotted to Collectors directly by Government. They should have power to re-appropriate amounts in the contract grant from one head to another and simply report their action to the Accountant General.

I am against making a general Act empowering provincial Governments to delegate their powers. In special cases such delegations will be generally beneficial and conducive to quicker despatch of work.

I would not curtail the right of appeal to the Local Government, now granted in respect of administrative action, but I would add a provision that such appeals must be presented either personally or by a duly authorized agent. By this the practice of sending of useless appeals by post would be stopped. I would also fix a limitation of two months for such appeals. Similarly I would not curtail the right of appeal to Local Government by its officers against orders affecting them personally, but they should also be subject to the same conditions.

The tendency of provincial Governments is in the direction of excessive rigidity and uniformity. In some cases it can be relaxed if rules and orders were passed, not for the provinces as a whole, but for Commissioners' divisions according to local conditions and requirements. Provincial Governments are a bit impersonal owing to the fact that the Secretariat is not in personal contact with people, but they are not dominated greatly by considerations of revenue. In my official experience of over thirty years I have never found the Government sacrifice the good and welfare of people to monetary considerations. The influence of Commissioners in matters appertaining to departments other than the Land Revenue Department is not sufficiently strong. They should be almost all-powerful in their divisions. They should be the final authority, and as a rule their proposals and views should be accepted.

Executive Officers have sufficient opportunities for personal contact with people if they will take advantage of them. Some very heavily worked officers find both time and opportunity to mix freely with people. The cold weather tour, if it be extended to five months,

can give officers both time and opportunity to come in personal contact with the people. If Sub-Divisional Officers have their headquarters in their own subdivisions, this will give them still greater opportunities. I do not believe in the inability of officers to mix with people among whom they work simply on account of overwork. It is not the want of knowledge of vernaculars which keeps back officers from this personal contact. As a rule they know sufficient of the vernaculars to exchange thoughts.

A general increase in the administrative staff is necessary both in the higher and in the lower ranks. Work has increased largely and now a revision is necessary. In fact in some districts superior officers have been allotted in excess of the sanctioned scale. The ministerial staff also has to some extent been increased, but it still has to work from morning till evening. Some districts, like Allahabad, Agra, Gorakhpur, Basti, and Banda, will do much better by curtailment in area.

Officers are too frequently transferred at times. The only way by which this can be avoided is for the Government to pass an order that no transfers without good cause should take place before five years.

Larger powers should not be given to municipalities, to District Boards, or to any Local Boards, except in the matter of the budget. Taking it for granted that the District Magistrate will, as hitherto, be the Chairman in future also, the budgets might be left to be sanctioned by the Boards without reference to higher authorities. In case of any differences between the Chairman and the Board the Commissioner should be the final deciding authority. I do not think the municipalities should have powers to fix rates of octroi. If the members of local bodies are left to themselves, without guidance from the District Magistrate, on account of different castes, creeds, sects, and divergent interests, they will have not much chance of getting through the work or improving the condition of their charge.

I am not in favour of the creation of Advisory or of Administrative Councils to assist Divisional or District Officers. These officers cannot get any assistance from these Councils in their Court work, which has reference to law, rules, regulations, and circulars. They already get assistance in matters connected with municipal and District Boards from members of these Boards. In political matters or other executive matters requiring assistance, such as the friction between Hindus and Muhammadans, I have always found particular individuals more useful than a body of them. There is in almost every district a bench of Honorary Magistrates, and it can be made use of when necessary. India is a country where people have always looked to personal government. If such Councils are formed, there will always be difference of opinion amongst the members themselves, and the District or Divisional Officer at times will find that his valuable time has been sacrificed and he has been unable to get the expected assistance.

It would not be expedient to invest District Boards with power of supervision and control over smaller municipalities within their respective districts. Members, as a rule, do not take interest to such an extent in local affairs as would justify my advocating larger spheres of action for them.

It is not desirable or possible to give the village communities greater power in the disposal of local affairs relating to revenue, police, sanitary, educational, and other matters such as the disposal of petty criminal and civil cases. My experience as a native of this country, as well as that gained in my official life, leads me to the conclusion that the present village community is no community at all in the strict sense of the word. There is no sameness of purpose or homogeneity of thought or identity of action and interest, and as a consequence there is no union. In some villages even house is divided against house, and even in the most peaceful ones there is no public opinion and hence no desire for joint action. In the olden days, when there was a real village community, consisting of the joint members of the owners of the village and their dependants, the village was a unit of administration. Now, as there are so many heterogeneous factors in a village, it is impossible to secure fairness and justice if a village becomes the unit of administration. In fact, the village people have not, besides disunion, sufficient training to enable them to dispose of local affairs. They as a rule want some one else to steer them. The present panchayats decide mainly questions of sectarian religion, ethics, and moral conduct, and they are fairly successful because of unity of thought in these matters. Even such panchayats are losing their hold and people concerned have recourse to Courts of Justice. I raise my warning voice, humble though it be, against the spirit in which these proposals have been engendered. The Government must realize that they are making history far too quickly.

28057. Are you Chairman of the municipality of Ghazipur?—I am.

28058. You tell us that you regulate and control its finances; have you got perfect freedom in that matter?—Almost perfect freedom, because the proposals I send up are always sanctioned by the Commissioner.

28059. Is the budget prepared by yourself or by the Vice-Chairman?—Practically by the Chairman; then it is presented to the Board, and when they have passed it it goes to the Commissioner.

28060. Is the Vice-Chairman an official?—Yes.

28061. Have you any power to delegate powers to him?—When the Chairman is out of the station, the Vice-Chairman does the work; otherwise the Chairman does his own work.

28062. What is the size of Ghazipur?—It is a fairly large district; it is about 1,400 square miles.

28063. How large is the municipality?—It is a small municipality, with about 40,000 inhabitants.

28064. Are you Chairman of the District Board too?—Yes.

28065. Do you prepare the budget of the District Board?—Yes.

28066. Do you do that yourself?—Yes.

28067. Is your Vice-Chairman an official or a non-official?—He is an official, one of the Deputy Magistrates.

28068. Do you send up the budget both of the municipality and of the District Board to the Commissioner?—Yes, separately.

28069. Does he make many alterations in them?—No, practically none.

28070. In the District Board you have vernacular secondary education under your control. Do you find that works well?—To a more or less extent it does; I never found any difficulty in seeing that all the needs of education up to that standard were not neglected.

28071. Do you manage the English secondary school?—The Education Department manages it, and we finance it.

28072. Does that work well?—No; Government ought to finance as well as control it.

28073. Would that be preferable to the District Board financing and controlling it?—Yes.

28074. What have you to say with regard to primary education?—The District Boards have to do with primary education altogether.

28075. And that works well?—Exactly.

28076. As Collector you realize the revenue and land cess?—Yes.

28077. Does the District Board collect its own cess?—No. So much is given every month from the treasury to the personal ledger of the District Board from what has been collected by the Collector.

28078. Do you collect the cess at the same time as you collect the land revenue?—Yes; the cesses being the first charge, they are collected first, and then the land revenue.

28079. You think you ought to have the power to make all appointments in your district?—Yes.

28080. Including tahsildars, naib-tahsildars, and excise inspectors?—Yes.

28081. Is excise under a special Commissioner?—Yes.

28082. Does he work the department through you?—Yes, through the Collector.

28083. While you would not curtail the right of appeal you think that appeals ought not to be sent through the post, and that they ought to be sent at

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all events within two months?—Yes, in everything there is a limitation, and I do not see why there should be no limitation in these appeals.

28084. Do many of them go up?—Almost everybody goes up to Government on appeal.

28085. Ought either the municipalities or the District Boards to have much larger powers than they have? —I have proposed that so far as the budget is concerned they should have more power; I see no reason for the budget going to any higher department; otherwise things might remain *in statu quo*.

28086. It has been suggested to us that both municipal bodies and District Boards should have the right to elect their own Chairmen instead of taking official Chairmen?—That would not work. There would always be disagreement.

28087. There would be two parties each trying to get its own nominee as Chairman?—Yes; the official Chairman holds the balance fairly between the two parties.

28088. Would it be possible in a district like Ghazipur to find a gentleman who would have sufficient leisure and knowledge to take the place of Chairman of the District Board?—He may have sufficient leisure and knowledge to take it up, but he would not have sufficient authority to control; that is the difficulty.

28089. He would be regarded by the other party as prejudiced?—Yes.

28090. How many sub-divisions are there in your district?—Four.

28091. (*Sir Steyning Edgerley.*) How many *tahsils*? —Four.

28092. Your system of administration would be to have a Sub-Divisional Officer and the Collector and the Commissioner and the tahsildar all in regular gradation, and the Commissioner final?—Yes; the tahsildar's appeals go to the Sub-Divisional Officer, and the Sub-Divisional Officer's appeals go to the Collector; all appeals end there, only revisional being given to the Commissioner from Collectors.

28093. You are a little inclined to doubt whether any work would be left for the Board of Revenue?—There would be none.

28094. We have been told that in other provinces, Bengal for instance, where they have a Board and Commissioners, they are trying now a system of making it a sort of consultative body for the Lieutenant-Governor; would they be useful in that sphere?—That is my opinion.

28095. Would a Board of that sort give a greater continuity of policy than you have at present?—Yes.

28096. Would that be a useful change?—Yes; most of the Board's time is taken up with second appeals and Courts of Wards work.

28097. You think that Collectors should have an allotment for expenditure in their district, one head being for contract contingencies; you have different kinds of contingencies?—Yes.

28098. Do you see any reason why the whole of the contingencies should not be lumped under one contract?—That would be very good indeed. It would simplify work a good deal.

28099. You express an opinion against a general Act of Delegation; what do you understand by a general Act of Delegation?—Passing an Act under which certain powers which are wielded may at times, if necessary, be made over by Government.

28100. By what procedure?—Simply by the procedure of alienating the right vested now in certain officers of Government.

28101. How?—By writing.

28102. Simply a written order?—That is all; just saying "under section so and so the Government of the United Provinces delegate its powers to so and so."

28103. It has been suggested that the Government should notify in the Gazette that they proposed to make such and such delegation, that in future the Commissioner should dispose of this and that work, and invite objections to be considered within a month or two, and then act on the result of that consideration; do you see any objection to that?—I do not.

28104. That is more the form that a general Act of delegation would be likely to take?—It would be all right.

28105. You say that the masses of the people—by which you mean, I suppose, the cultivators and the people who live in the villages—do not really wish for an extension of local self-government?—None whatsoever.

28106. They prefer a personal government?—As they always have done for the last three thousand years.

28107. And you say that it is rather foolish to speak of them as a "nation"?—Yes.

28108. Is this change, of giving the whole matter of primary education to Local Boards absolutely, a recent one?—Yes.

28109. How has it worked in your district?—Very well.

28110. Does that quite bear out your idea that any extension of local self-government is not desirable?—My idea of local self-government is this; the things we do now are done by the Chairman of the District Board; it is not the people who initiate or do any improvements.

28111. Can that last? If you gradually extend your primary education and then your secondary education, must you not be prepared for a somewhat different system?—They are not prepared yet; probably in fifty or a hundred years the time may come when they can do the thing that you are proposing now.

28112. You think it would take as long as that in the United Provinces?—That is my opinion.

28113. You say it would be impossible to give village communities greater power in the disposal of local affairs; would you say the same if, instead of one village, the unit were a small circle of four or five villages?—The differences would be still further increased; they would be enhanced rather than diminished. With one village there would be only a limited number of men to disagree; with a greater circle there would be a greater degree of disagreement.

28114. And so on until, if you get up to the district you have a very large area of fighting?—Yes; if you leave it to the people, it will be.

28115. Would they not gradually get a sufficient body of men who have enough common sense to get on? —It is not only common sense in administration; I think there is needed a little vested authority. India is India. I, as an old man, cannot forget my traditions.

28116. (*Mr. Meyer.*) Have you a special officer in charge of the treasury?—Yes. There is a Deputy Collector in charge of the treasury.

28117. Have you any other officer besides that?—We have at the present time a special partition officer.

28118. But ordinarily, when the districts are in a normal state?—No.

28119. When there is a Joint-Magistrate, where does he live?—At headquarters.

28120. He is in charge of the headquarters sub-division?—Yes, and of excise.

28121. Is there not to be an excise superintendent hereafter?—No, an excise officer.

28122. Would you be in favour of making the Sub-Divisional Officers live in their own sub-divisions?—Yes.

28123. Are those sub-divisions settled by Government, or can they be changed at the discretion of the Collector?—They cannot be changed at the discretion of the Collector; they are territorial units.

28124. You would allow Collectors to appoint tahsildars finally. I suppose subject to certain qualifications of fitness laid down by the Government?—Yes.

28125. Would you be in favour of the Commissioner posting Deputy Collectors and Sub-Divisional Officers within his division?—Certainly, within his division.

28126. Is it laid down by law that in the case of some of the larger municipalities the Chairmanship must be held by the Collector?—I think the Chairman has to be elected, and it is Government which can veto the election.

28127. Take the municipality of Ghazipur ; were you elected Chairman or were you appointed by Government?—I was elected.

28128. Generally, your Collectors are Chairmen of municipalities, if they are Chairmen, because they are elected by the municipality ?—Yes.

28129. Is that also the case in regard to the District Boards?—Yes. I am an elected Chairman.

28130. Then there is a Vice-Chairman?—Yes. He is a Deputy Collector.

28131. Is there also a Secretary?—Yes. One of the Deputy Collectors.

28132. What are the functions of the Secretary and the Vice-Chairman ? The Secretary has to deal with all papers that come to the Board, to pass orders, and if necessary to put them before the Chairman, and finally to put them before the meeting of the District Board.

28133. What does the Vice-Chairman do?—He simply does the work of the Chairman when the Chairman goes out of the district or is out on tour.

28134. The real executive work is done by the Secretary and the Chairman?—Yes.

28135. Is that the case in regard to municipal bodies also?—In the bigger municipalities we have a paid Secretary appointed by the municipality.

28136. What pay does he get as a rule?—We pay our Secretary Rs. 100 ; as a rule in the bigger municipalities it goes up to Rs. 400.

28137. Is he a man of the tahsildar class?—Yes.

28138. It has been suggested by one witness that the Secretary to the District Board might be paid, if there is to be a proper development of education ; does that commend itself to you?—Yes, and if he is a man of the Public Works Department, he can look after the Public Works too ; you might combine both the qualifications in the case of a well-paid Secretary.

28139. Such a man would not as a rule be competent to look after schools?—District Board education does not require much looking after ; and all the roads he has to look after are the unmetalled roads and culverts ; the metalled roads are all under the Provincial Service people.

28140. Would you be in favour of the District Board having its own engineer who might look after the roads that are now looked after by the Executive Engineer, the Executive Engineer dealing only with important main roads?—I think the present system works very well ; all our roads are in very good condition.

28141. Do you pay any contribution towards the salary of the District Engineer?—I think not ; he is a provincial man.

28142. You have no authority over him?—I have authority to criticise his work ; I have to give him completion certificates for the works he does.

28143. If you think he has done a road badly, what happens?—I can report and hand him up. I cannot punish him in any way.

28144. You said that the secondary schools were paid for by the Board, but were run by the Government Education Department?—Yes, there are two classes of secondary schools ; one is the vernacular secondary school, and the other is the English secondary school ; I do not there refer to the secondary vernacular schools—they are paid for by the District Board.

28145. But does the District Board not have anything to say about their management?—Yes, they have everything to say ; what I was speaking of here has the secondary vernacular school.

28146. It is only the English secondary schools that are managed by the Education Department?—Yes.

28147. And in that the District Boards have very little to say?—Yes, but they have to pay the cost of maintenance.

28148. You say that Collectors should have power to postpone revenue collections for periods extending at least to one year, and that they should have power of suspension as well. Are not the two things the same?—No. Under the present rules, without reference I can postpone revenue for six months ; if I want to postpone for a further time I have to write to the Commissioner, and he has power to give authority for 18 months. Suspensions have to be taken up to the Board of Revenue. Between the two there is really not much difference.

28149. If you postpone a revenue collection it is suspended?—It is, but there is a little difference ; suspensions have to go to the Board of Revenue ; postponements up to six months can be done by the Collector, and if the Collector wants it for a longer period he has to go up to the Commissioner, who has power to do it to the extent of 18 months.

28150. Is that under what is known as the Calamity Rules promulgated by the Government of India some three years ago?—Yes. In the Board's circulars there is that order.

28151. That is for general calamity such as parts of the province are suffering from now?—Yes.

28152. In the case you can suspend (or postpone if you like the word better) up to six months, but in the case of individual loss you cannot do anything?—Nothing.

28153. Nobody has any power of remission except the Local Government itself. Is that right?—I think every case should go to the Commissioner ; he should have the ultimate authority in the division for remission.

28154. Would you give the Collector any powers of remission?—No, I think he should go up.

28155. Under these Calamity Rules, revenue which has been suspended for a certain period, and has not been realised, is automatically remitted?—It is.

28156. Might not the Collector deal with that, or should he report it?—I think he should still report it.

28157. You said that members of the Board of Revenue might be retained, but that they should become rather colleagues of the Lieutenant-Governor. Should they deal with all matters, and not merely revenue matters?—Generally ; a consultative body not sitting as the High Court in revenue cases or as the Head of the Court of Wards Department.

28158. But disposing of matters for the Lieutenant-Governor—matters of minor importance?—No, they would be disposing of matters of much higher importance than case work.

28159. At present all matters that go up to Government have to be disposed of by the Lieutenant-Governor unless some Secretary takes the responsibility of doing it in his name?—They go through the Board of Revenue.

28160. Would you have the Board of Revenue dealing with all matters, education, and so on?—No, only revenue matters.

28161. Might they not do the Court of Wards work also?—No, that is a special thing ; if necessity arises, you have a Famine Commissioner and Settlement Commissioner, and I do not see why there should not be a Commissioner of the Court of Wards, because that work is always going on.

28162. Then it comes to this that you propose an extra official?—No ; one of the members of the Board of Revenue separated off from the main body would do.

28163. (*Mr. Hichens.*) If the Lieutenant-Governor wants a consultative body of this sort at all, does he not probably want it in regard to education and other matters just as much as in regard to revenue matters? But there is the Director of Public Instruction—that is his own department ; he is a specialist there.

28164. Then would you put the members of the Board of Revenue in the same category as the Director of Public Instruction?—As Secretary I should.

28165. That is what you want them to become?—Yes.

28166. There is to-day no Board below the District Board?—No, under the District Board there are local committees for the *tahsils*, committees which take the place of the Local Boards. The Local Boards have died.

28167. May we say unwept and unlamented?—Unwept, unlamented, and unhonoured too. They did no work.

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28168. Do you agree with the last witness that the reason partly was because they had very little power?—Yes, and very little inclination; you may take the two things combined.

28169. If they had had more powers might they have had more inclination?—I do not think so.

28170. How do you account for their taking so little interest in the work?—Because it would have involved time and trouble; they would have had to leave their own work to do this public work.

28171. Do they not give time and trouble on the District Boards?—No, they do not give trouble; they say "Yes," that is all.

28172. You have local committees; are the members also members of the District Boards?—Yes. The members of the District Boards for their own *tahsils* constitute the committees.

28173. Do they do useful work?—They do not always. At times they do; if a road is being repaired close to a house they live in, they would in the evenings just walk out and see things; or, if a school is close by, a member will inspect it and put down notes.

28174. Do you ever give money to villages for the upkeep of their roads?—No, not for village roads; we do give grants for sanitary purposes.

28175. You give grants to the village?—Yes.

28176. Who disposes of that money?—The tahsildar. If there is a man who would look after it we do not hesitate to trust him with the money, but if there is no one then the money is entrusted to the tahsildar.

28177. You are not in favour of village councils?—No.

28178. Do you think that they would do nothing, or that they would quarrel?—They would do worse than nothing; they would quarrel.

28179. (*Mr. Dutt.*) The difference of opinion between them is so great that they could not be trusted to take joint action in regard to a road?—No; one would want it by the side of his house, another would want it by the side of his; they would never agree.

28180. How many members of the Board of Revenue have you in this province now?—Two.

28181. Your proposal is to have these two members as advisers on revenue matters only?—Yes.

28182. That they should occupy something like the position of Secretaries?—Yes.

28183. What is the pay of the members of the Board?—They get Rs. 3,500.

28184. Is it worth while keeping two men on at that rate of pay simply for the Lieutenant-Governor to consult them occasionally in revenue matters?—I do not say so; the question of pay rests with the Government. I would do away with them altogether.

28185. Do you think that tahsildars, appointed by the Collector and liable to dismissal by him, would carry the same prestige in the eyes of the people as they do now?—I think so.

28186. How many municipalities have you in your district?—Only one, Ghazipur.

28187. How many committees are there on the municipality?—Three, Sanitation, Public Works, and Finance and Octroi.

28188. Are the whole proceeds of the local cess made over to the District Board?—We have got two cesses; one goes entirely to the District Board and of the other a portion goes to Government.

28189. What are the two cesses?—One is the Acreage Cess; the other is the road and *Jagir* Cess; of the latter we get the full amount; of the Acreage Cess we get a part and the Government gets a part.

28190. What is the total amount of the Road and *Jagir* Cess?—Between Rs. 20,000 and Rs. 60,000.

28191. With regard to roads constructed for the District Board by the District Engineer, are you sure if any percentage is deducted by Government for his services?—I cannot tell you.

28192. You said in answer to Sir Steyning Edgerley that the people are accustomed only to personal rule within the last three thousand years; you also say that in the olden days there were real village committees; will you reconcile those two statements?—In the olden days there was not a Government of one British India; there were small States all round.

28193. I am speaking of village matters?—There was a *talukdar* or *chakladar*; he and his people formed a village committee; there are two or three instances of that within villages in Ghazipur.

28194. By real village committees do you mean that there was some sort of administration of village affairs by the village communities themselves?—Yes.

28195. So that what you say about absolute personal rule would be hardly consistent with that?—But there, too, in the village community it was the chief man, the *pradhan*, who was the final disposing authority.

28196. By "a real committee" do you mean the rule of one man or collective rule?—Collective rule under the headman.

28197. Is it impossible to revive that now?—That is my opinion.

28198. You said you would not entrust any kind of duties to the villagers because they have not got sufficient training to enable them to dispose of local affairs. Do you think you could give them sufficient training by keeping them apart from all work and all responsibility?—First of all, they must have a little of those qualities which would entitle them to receive that training; they will be entitled to that training when they get a little more educated. Our percentage of education in these provinces is four or something like that.

28199. Do you think that the facilities for education in the olden days were greater than they are now?—I do not know. I have read of women talking in Sanskrit in the old days.

28200. (*Sir Frederic Lely.*) Is Ghazipur a medium size town?—Yes, with about 40,000 souls in it.

28201. Do the affairs of the municipality take up a great deal of your time?—They do not.

28202. That is because everything is fairly peaceful now?—Yes.

28203. If there was any subject of keen discussion it would make a large demand on you?—Yes.

28204. Would it be great relief if you could get rid of it?—That would be so, but that would be compensated by having to make up their disagreements.

28205. Does the Sub-Divisional Officer take any part in the management of estates under the Court of Wards?—None.

28206. Would it be a good thing to interest him in the management?—I do not think it would end in any good to make the Sub-Divisional Officer take an interest in the management; there is always a special manager for the Court of Wards estates, and he is in close touch with the Collector. The duty of the Sub-Divisional Officer is only to go and check things when he is out on tour, to see receipts and ask the tenants if they have paid.

28207. In a matter so intimately connected with the welfare of the people, ought not the Sub-Divisional Officer to have something to do with it?—I do not think so.

28208. You would see a Commissioner of the Court of Wards appointed? Would it not be better, instead of appointing a special Commissioner to dispose of all references, to dispense with most of those references altogether and leave the management of the estate to the Collector?—At times things do happen when the Collector has to come up for advice.

28209. But does ordinary management of the estate present great difficulty?—It does not.

28210. The private estate of an owner is run during the owner's lifetime by the owner himself?—Yes.

28211. Is there any special reason why, when he dies or becomes incapable, the work should require no less than three great authorities to deal with them?—You are right there; it could be done by the Collector.

28212. Would there be advantages in entrusting the Collector practically with the whole management subject only to inspection by the Commissioner and perusal of the annual report?—I think that would do.

22813. It would re-act favourably upon the estates by stimulating the Collector's personal interest in them?—Yes, that is quite true; he would have to take much more interest when he knows that he is the man in whom everything centres.

28214. It would also be an advantage by associating him more closely with the welfare of the landed classes in his district?—Yes.

28215. Why do you say that all remissions should go to the Commissioner?—I think they should go up to some higher authority; with regard to suspensions it does not matter so much, because the amounts are collected sooner or later; but remissions should always go to a high authority.

28216 Suppose the Collector hears that some great calamity has befallen a village, not of any large area, but a very acute calamity, such as fire or hail or flood; would it be a good thing to enable the Collector to go to that village, look round and see the damage, and then say straight off, "I remit your revenue for the year"?—It would be very good, but it comes to the same thing; he sends up his proposal to the Commissioner for sanction.

28217. You do not think that it appeals more to the imagination of the Oriental to have the *hakim* come round and say, "I am very sorry for you, and I show my sorrow for you by remitting straightaway"?—Yes; I cannot say no to this question; it does appeal more to the imagination.

28218. But you still think it is not necessary to give him powers to remit more than Rs. 10?—I think it would be wise all round to consult higher authorities.

28219. You still would fetter the hands of the Collector?—At times you have to put in Collectors of say three or four years' experience; suppose a calamity happened just at that time, and your young Collector made a mistake.

28220. But you base your rule on the average man; the average Collector is a man of more than three or four years' service?—No doubt. *Pandit Rama Shankar Misra.* 10 *Feb.*, 1908.

28221. Is he not usually a man to be trusted with the disposal of Rs. 100?—Yes.

28222. If an Advisory Council was established, and if members were called upon to give their opinion, would the Collector in such a case get the real opinion of all the members?—No.

28223. Do you think that the average citizen has the political courage in these days as yet, to give an opinion which would be unpopular?—Most of the people would be afraid to give an opinion which would be unpopular.

28224. That would have a direct bearing if such questions as income-tax or remissions came up?—Yes.

28225. (*Chairman.*) On what principle is the Government contribution to a District Board based?—In permanently settled districts there is one rule, and in temporarily settled districts there is another rule.

28226. What is the rule in the permanently settled districts?—In Ghazipur, for instance, the Road and *Jagir* Cess goes altogether to the District Board, but of the Acreage Cess Government takes something.

28227. You do not know what?—No, I cannot tell you.

28228. Who carries out the works of the District Board, the repairs of roads, &c.?—The contractors under the orders of the District Board.

28229. Up to what limit?—Any limit.

28230. And for new works?—New works over Rs. 1,000 go to the District Engineer; under Rs. 1,000 they remain with the District Board.

(*The witness withdrew.*)

Adjourned.

FORTY-FOURTH DAY.

LUCKNOW, *Tuesday*, *February* 11*th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon'ble Mr. J. M. HOLMS, C.S.I., was called and examined.

28231. (*Chairman.*) You are Chief Secretary to the Government of the United Provinces?—Yes. *The Hon. Mr. J. M. Holms.* 11 *Feb.*, 1908.

The matter of providing some reserve in the budget is of importance in a country like India, which is subject to sudden calamities and where it is impossible to earmark beforehand every project for which funds will have to be found. For instance, owing to a rise in prices, the budget provision for the feeding of prisoners may prove insufficient, and now that the Government of India secures closer budgeting by paring down most of the margin under savings of establishment charges, much difficulty is experienced in providing for the extra charge by transfer from other heads.

Connected with the delegation of larger financial powers to the Local Government is the question of the position of the Accountant General. He is the guardian of the financial interests of the Government of India, and audits and checks on behalf of that Government the financial dealings of the Local Government and the officers subordinate to it. In future he might usefully fulfil two functions. He should continue to watch over the interests of the Government of India, though his duties in this respect should be curtailed in accordance with the larger responsibilities delegated to the Local Government, while he should also watch over the financial interests of the Local Government and check the financial proceedings of the officers subordinate to it. In the latter capacity he would be under the control of the Local Government, which would be in a position to see that the checks applied were only such as were really required and to reduce and simplify the audit procedure, which is now in some respects unnecessarily detailed and complicated.

So long as the duties of Directors and Inspectors General under the Government of India are confined to giving to Local Governments the benefit of their wider experience gained by a knowledge of what has been done in other provinces, they serve a most useful purpose; but any orders passed on proposals made by them should, as at present, be issued by the Local Government or by the Government of India after consulting the Local Government.

It is difficult to apportion the initiative in administrative reforms, but I am decidedly of opinion that the central control of the Government of India is advantageous, provided that it is not unnecessarily detailed.

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Correspondence with the Government of India has not appreciably increased in the last fifteen years. The requirements of the Secretary of State for information mainly to answer questions asked in Parliament do not appear to have been more numerous of late years. The correspondence with the Statistical Department of the Government of India, however, shows a tendency to increase, and the information called for by it from the Director of Land Records and Agriculture appears in some cases, especially in the matter of crop returns, to be unnecessarily detailed.

The tendency in the Secretariat of this province is to scrutinize proposals made by the Departmental Heads from the point of view of general administration rather than from a departmental standpoint. The Heads of Departments, indeed, have at times urged the view that, in consequence, the point of view of the department has not always received sufficient consideration. The matter of education may be instanced.

Whatever may have been the case in the days of close financial bondage to the Government of India, the United Provinces Government is not now open to the imputation that it is too much dominated by considerations of revenue. The very liberal suspensions and remissions of land revenue which have been allowed in consequence of the failure of the last autumn crop may be quoted as an instance.

Executive Officers have in this province sufficient opportunities for personal contact with the people, but not sufficient leisure properly to avail themselves of these opportunities. They are on tour most of the cold weather and are, as a rule, freely accessible to those who wish to visit them.

Under the present system too much of the time of a Joint Magistrate is taken up with case work. After he has five years' service he should be given less original case work and be entrusted with more executive and administrative work—in fact, he should begin his more specialised training for the duties of Collector which the Government of India contemplate that ordinarily he should enter on after eight years' service. He should be a Joint Magistrate in reality as well as in name, and be used to relieve the Magistrate and Collector of part of his work, both appellate and administrative. I have been much impressed with the need of a larger staff of Deputy Collectors. With the present staff in the heaviest districts at all events good work is apt to be sacrificed to speed. The following statement compares the average areas and populations of districts in different provinces :—

	Total number of districts.	Total area in square miles.	Total population.	Average area.	Average population.	Remarks.
Madras (excluding the agencies of Godavari, Gangam, and Vizagapatam).	*22	122,460	36,867,218	5,566	1,675,783	*Taken from Civil Lists.
Bombay	25	†122,984	†18,515,587	4,919	740,623	†This includes the area and population of Bombay city.
Bengal	33	114,107	50,064,977	3,458	1,517,120	
Eastern Bengal and Assam (excluding the States of Hill Tippera and Mainpuri).	27	97,863	30,503,669	3,625	1,129,765	
Punjab	29	97,209	20,330,339	3,352	701,046	
Central Provinces	22	100,478	11,956,481	4,567	543,476	
United Provinces	48	107,164	47,691,782	2,232	993,579	

In this province Municipal Boards exercise very considerable powers, and I see no direction in which they can be usefully extended. When the recent decision of the Government of India to allow District Board funds to be treated as Excluded Local Funds takes effect, the great obstacle to the development of these bodies will be removed and they will enjoy a considerable measure of financial independence. The present functions of the Boards cover a wide range of activity and, generally speaking, their powers seem sufficient.

I am not in favour of Administrative Councils to assist either Commissioners or Collectors. Advisory Councils would weaken the administration and would not be popular among the bulk of the inhabitants of a district. For instance, I doubt if in a matter such as inoculation against plague the hands of a District Officer would be strengthened by the existence of an Advisory Council. The sense of collective responsibility among such bodies is not strong in India, and a District Officer in this province is already in touch with the men of influence in his district. Indeed, he has at present Advisory Councils to hand in the shape of Municipal Boards for matters concerning towns ; and of District Boards for matters concerning the agricultural population.

In this province village communities are not organized bodies. The panchayats are caste panchayats only. Village communities exercise no recognized powers at all. Local self-government in the United Provinces has not yet reached a stage at which it would be advisable to make a new departure in the direction of conferring powers on village communities represented by *panches*.

The work in the Civil Secretariat of the United Provinces is undoubtedly very heavy, but the main reason for the pressure of work is not centralization carried to an undue extent, but the fact that the number of districts, the units of administration, is so large. There are forty-eight districts in the United Provinces, while Bengal, the province with the next largest number, has only thirty-three or a little over two-thirds of that number. The most hopeful suggestion that has been made to lessen the pressure of work at headquarters is the extension of the system of unofficial reference, which will be practicable at any rate for the part of the year in which the Board of Revenue and Heads of Departments are with the Government. During the time that the members of the Board and these officers are on tour there are greater difficulties in adopting this method of working.

28232. Is there any rule with regard to the length of employment in the Secretariat ?—There is no rule in regard to the length of time, except the rule that Under-Secretaries do not stay more than two years ; we try to pass as many men through the Secretariat as possible.

28233. Could a man, after being Under-Secretary in one department for two years, be appointed to another department ?—Yes, but he would not be an Under-Secretary for more than two years ; an exception might be made for a few months, but a man does not remain in the Secretariat as Under-Secretary in any department for more than two years.

28234. You were appointed Chief Secretary immediately after being Financial Secretary ; is there no rule about that ?—No.

28235. How long is it since you have been employed either as a Collector or a Commissioner ?—Between four or five years.

28236. Is it common to transfer a man except in the case of Under-Secretaries from one Secretariat post to another ?—It occasionally happens ; it is not common.

28237. In its memorandum to the Commission it is stated that the Local Government would be glad if District Boards were given power to levy a railway cess ; for what purpose ?—To encourage the construction of light railways

28238. To pay for the capital and sinking fund ?—To pay for the interest until such time as interest is earned.

28239. It is also said that certain orders have been issued by the Government of India regarding agricultural advances ; what are the orders referred to ? Are they hard and fast rules applicable to all provinces ? —Yes, there was a Government of India's resolution of the 30th November 1905, and a circular letter of the 14th May 1907. They did more than lay down the principles, they went into considerable detail.

As regards suspensions the Government of India's letter of the 25th March 1905 seems to be open to somewhat the same objection.

28240. What was the letter, and how were you bound hard and fast by rules which were inapplicable to this province?—The letter asked for a submission of rules drafted by the Local Government for the approval of the Government of India, although the Local Government had power to make its own rules, and subsequent correspondence was directed to criticism of these rules as much in matters of detail as in principle.

28241. Did the Government of India supersede by detailed instructions power which they had nominally delegated to the Local Government?—The tendency was in that direction. It did not absolutely do so. It recommended a standard form of rules for adoption.

28242. Could all reports by the Collector to the Commissioner and apparently by the Commissioner to the Government, some of which are now separate reports to the different Heads of Departments, be conveniently combined into one General Administration Report for the district or division?—I do not think they could. To begin with, time probably would be a difficulty. A General Administration Report would not be submitted until the latest information was received, and on certain matters it might be desirable to get earlier information.

28243. Are there now several overlapping periods?—Yes.

28244. Could they not be made synchronous?—There are difficulties in the way, because of the character of the climate; the harvest is the most important thing in this province, and it would be difficult to make the whole revenue up to a particular time for the financial year.

28245. Are not your *kists* arranged according to the financial year?—No, they are arranged according to the crops on the ground.

28246. Do they change from year to year?—No, but the dates are fixed according to the ripening of the crops.

28247. Are they not fixed with reference to the financial year?—None of them are.

28248. We were told that in other provinces the *kists* were fixed, and sometimes inconveniently fixed, on account of the exigencies of the financial year?—In this province I am not aware of that. The different *kists* vary from district to district; it depends on when the crops ripen. In the eastern and western districts the conditions are different, and they have to be carefully adjusted according to the different crops.

28249. Is there any necessity for a different police year and a different excise year?—The excise year is now the financial year with us; the police year is the calendar year.

28250. Is there any real necessity, except for the revenue year, for these different years overlapping each other?—It is somewhat difficult to say without very careful examination in each case, but in some cases they might be made to coincide with the financial year.

28251. Supposing they were made to do so, would it, on the whole, be simpler to combine all the reports, say, into two, a Revenue Report and a General Administration Report?—There are so many different authorities; the Police Report does not come through the Board of Revenue at all, but is submitted direct to Government, and so with the Jail Report and the report of the Inspector General of Civil Hospitals.

28252. Are they not all reports from the Collector?—But the Collector submits them to the different authorities; he does not submit them direct to Government.

28253. Is there any insuperable objection to combining all the reports into one or two reports?—Yes, certainly.

28254. It is said that the Lieutenant-Governor considers that District Officers and Commissioners should have a small allotment assigned to them, but cannot he do that himself?—Yes.

28255. Therefore this proposal could be perfectly well undertaken by the Local Government now?—Yes, except that the proposal goes a little further perhaps; "general purposes" mean purposes which are a little outside the Accounts Department. Other provinces have made proposals that this should be for purposes not altogether recognized by the Accounts Code, and therefore it would give a little more liberty than that code allows, and a reference to the Government of India might probably be necessary before it could be done.

28256. It is proposed to relieve the District Officers in the cases of Allahabad and Cawnpore by their removal from the Chairmanship of the municipality; is that not dependent on the initiative of the provincial Government?—Yes, with the sanction of the Government of India.

28257. Is the sanction of the Government of India necessary?—The sanction of the Government of India is necessary for the creation of a separate permanent post of Chairman of these municipalities.

28258. You do not mean the election of a non-official to the post of Chairman?—No; I mean in the case of a new paid post. I am not quite clear whether they are to be paid by the Government or not, but in either case the sanction of the Government of India would be required.

28259. Is it necessary to have a paid Chairman?—In Allahabad and Cawnpore the work is so extremely heavy, especially in Cawnpore with the large military interests there, that a paid Chairman is certainly necessary.

28260. Has any attempt been made to see whether a member of the present Board would be prepared to take the post of Chairman?—No attempt has been made, because it would not be a satisfactory arrangement.

28261. As regards municipalities and District Boards, it is said that the Commissioner is the real directing authority; who is the Chairman of the District Board?—The Collector of the district.

28262. Has the Collector, though he is nominally Chairman, practically no executive power over the District Board or the municipality?—As Chairman he has considerable power.

28263. But it is said that the real directing officer is the Commissioner; is it a good arrangement to put the Collector in as Chairman, and then leave the real direction to the Commissioner?—The phrase is perhaps misleading; "directing officer" means "controlling officer" more than "directing"; if "directing" is taken in the sense of administration, the "directing officer" is the Collector.

28264. Are you responsible, generally speaking, for the Secretariat?—Generally speaking, I am, with the exception that the Secretariat has been split into three parts, and each Secretary makes certain appointments of the clerks under him.

28265. Is the Chief Secretary responsible for the conduct of the business inside the office?—I am practically responsible.

28266. It is said that there is a tendency to treat each office as isolated from the rest, but surely that is a matter with which the Local Government can deal?—That is certainly a matter with which the Local Government can deal.

28267. It is not a question of decentralization at all but of interior economy and control by the Local Government, and if a remedy is needed, the remedy is in the hands of the Local Government?—Yes.

28268. Has any attempt been made to get rid of this difficulty of which you complain?—Of late some steps have been taken in that direction. The matter has not been taken up seriously yet, but it will be now.

28269. But if this is a real cause of complication and delay, is it not worth while doing it at once?—There are certain difficulties in the way which will require consideration in working it out with regard to extending unofficial references. One difficulty is that in the cold weather, when all the Heads of Departments are touring about the provinces, there is a danger of the loss of papers, and so on, but when all the officers are in one place it could be extended very usefully, and the Lieutenant-Governor will now take the matter up.

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28270. It seems to be your view that the Government should only obtain information by means of reference, but is it impossible to hold conferences of Commissioners?—Not at all.

28271. Is that done in this province?—No, we have no conferences of Commissioners.

28272. Do the Commissioners ever have conferences with the Collectors?—Undoubtedly, but there are no formal conferences.

28273. Has the holding of formal conferences ever been suggested to this Government?—It is not a question which has come up.

28274. Would they be useful?—I should prefer informal conferences. Formal conferences might be useful in the case of Commissioners, but a formal conference in the case of Collectors is not needed.

28275. Have you heard whether the system has been tried in other provinces?—Yes.

28276. With success?—I understand so.

28277. It is suggested that there might be local inspection—by whom should those local inspections be held?—The suggestion refers to Commissioners and Heads of Departments generally—in fact, all the authorities who receive reports.

28278. What are the rules with regard to touring for Commissioners?—There are definite rules laid down as to their inspecting district offices and treasuries, but there is no rule laid down as to the amount of time they are to be on tour.

28279. Is any such rule laid down for Heads of Departments?—No, it has not been found necessary; most Heads of Departments tour during the cold weather and for part of the rainy season.

28280. If the Lieutenant-Governor attaches great weight to local inspections one would have thought there would have been a rule which would have regulated inspections by the people who would conduct them?—It has not been necessary to make any rule; local inspection is thoroughly carried out.

28281. Why do you consider that the success of any scheme of decentralization is contingent on a large increase of staffs?—For the reason that the District Officers and their present subordinate staff are overworked.

28282. Would not decentralization relieve them?—It would diminish the work no doubt, but you must have time to make local inspections, and you must give the officers to whom duties are delegated time to carry them out. The Deputy Collector in this province with the present staff has very little time to do anything except case work; he is tied down to his desk.

28283. Although decentralization means decrease of work, you think a decrease of work must be accompanied by a large increase of staff?—That does not follow. Under the special conditions at present existing in this province the staff is so overworked that they have not much time to do anything except case work, and it would be very difficult to delegate additional duties to them.

28284. Are you responsible for transfers and promotions?—I am responsible for making proposals regarding transfers and promotions.

28285. Have transfers increased or decreased of late years?—Of late years they have decreased, and an endeavour has been made to limit them as far as possible.

28286. How long ought an officer to be retained in his division or district?—As regards a district, five or six years would be about the limit of usefulness for the reason that men take different directions; one officer in one direction will do good work, but there are other matters in which he takes less interest which ought to receive the same amount of attention, and if another man comes he will probably take up those other matters.

28287. What would be the minimum time a man should remain?—A man certainly ought to be left in a district three years, if possible.

28288. Would you give an officer who goes on leave, a sort of lien on his district?—Not necessarily.

28289. Would it be desirable to do so?—Not in all cases; it depends on the length of leave and other circumstances; you must take each case on its merits.

28290. Do promotions, at present, go as a matter of course, except in the case of Commissioners?—Yes, with exceptions in very exceptional cases; a man may ordinarily reckon on getting his district or judgeship.

28291. Is there any selection in the case of Commissioners?—Yes.

28292. Ought there to be selection in the case of Collectors or Deputy Commissioners?—If it was coupled with certain conditions, such as the granting of special pensions under different conditions to those now existing.

28293. Without mentioning names, are there a certain proportion of officers in this province who could usefully be retired on pensions?—There are a few, no doubt, but I would not put them on pension if they had been already appointed to the post of Collector.

28294. What would you do with an officer who had been passed over for the appointment of Collector?—It is very difficult to know what to do with an officer of that kind; I think it would be better to retire him altogether on pension.

28295. Are the tahsildars on a provincial or divisional list?—They are practically on a provincial list under the Board of Revenue.

28296. Is that preferable to having them on a divisional list?—I think so.

28297. Who transfers a tahsildar at the present moment?—That is done by the Board of Revenue in the case of transfer from one division to another. A Collector may transfer a tahsildar in his district and a Commissioner in his division.

28298. You have a considerable amount of papers going through you to the Lieutenant-Governor; what amount of work do you dispose of yourself?—That is rather a difficult question to answer; one can do it according to the number of papers, of course, but some of the papers deal with matters of a petty nature which do not count—I should say one-third of the number of papers goes on to the Lieutenant-Governor.

28299. Does that represent also a third of the time occupied by yourself?—No, on the whole, I think it represents more than a third, but it varies so much.

28300. Would most of that corrrespondence be properly dealt with by officers subordinate to yourself?—Not most of it. A certain proportion, no doubt, could, and the proposals of the Local Government are designed to stop a great deal of the work that goes up to the Lieutenant-Governor.

28301. Therefore, in that particular, decentralization will not necessitate an increase of staff?—Certainly not. The real difficulty in this province is because we have such a large number of districts; there are forty-eight here, and the work depends very largely on the unit of administration.

28302. How many Commissioners have you?—Nine, and the units of administration being so large, the work is very heavy, not because of excessive centralization, but on account of the large number of references which come up.

28303. Do you deal with famine?—Yes: a Famine Commissioner has been appointed to supervise the operations which are now in progress.

28304. Is he one of the ordinary Commissioners taken away from his work to deal with famine work?—Yes.

28305. On the whole, are the rules of the Government of India, in relation to famine, too rigid?—In some respects the Famine Code has had to be revised. In this province at present there is great demand for labour and an able-bodied man, speaking generally, can find employment, so we have had in some districts to give gratuitous relief to those who are unable to work without opening test works, which is a thing which the Famine Code does not contemplate. Another small matter, which came up the other day, was the scale of diet which had to be revised.

28306. Is the scale of diet the same throughout all India, or are you free to fix your own scale?—We are free to fix our own scale.

28307. Speaking generally, are you satisfied that under the Famine Code the provincial Government has full liberty?—I think so.

28308. (*Sir Frederic Lely.*) One reason for having tahsildars on divisional lists does not exist in your province, namely, the difference of languages?—No, there is practically only one language in this province.

28309. So that having a provincial list, there is no danger of sending a tahsildar to an area where he does not know the language?—The only case is as to the Hill tracts, and that is guarded against.

28310. Does not the province of Oudh differ in many respects from Agra?—It differs in its laws, especially as to land, and as regards land tenures, and to a certain extent in its customs.

28311. When any general matter is under consideration, is there any provision in the Secretariat for an officer, as Secretary, to represent any peculiarities which may exist in Oudh so as to prevent them from being overlooked?—There is nothing formally laid down, but it is a matter which is not overlooked.

28312. In the Central Provinces they have, as Secretary, a man who has been trained in Berar, and any question likely to affect Berar is referred to him for his opinion?—Most of the men here have served both in Agra and Oudh and have a knowledge of both provinces.

28313. Is there any danger of the special circumstances of Oudh being overlooked?—I think not; Oudh officers would invariably be consulted in any matters of importance, and we always take care to select officers so that each part of the province may have its say, but there is nothing laid down formally.

28314. It has been stated by witnesses that such and such a policy depends entirely on the views held by the Lieutenant-Governor for the time being; is not a form of Government which lends itself to fluctuations somewhat defective?—It may be defective in that respect, but of course it is very difficult to say whether that defect is more than counterbalanced by the advantages of having a Lieutenant-Governor as an individual Government.

28315. Might it be an advantage to associate the Board of Revenue more closely with the Lieutenant-Governor, as conducing to stability and continuity?—It would be of advantage to associate the Board more closely in the direction which has been indicated in the proposals of the Local Government, that is to say, to extend the system of unofficial representation so that the Board of Revenue can be consulted less formally than at present on revenue matters.

28316. Would you approve of allowing the Board of Revenue to deal with all minor matters of general administration going up to Government, leaving major matters to be referred to the Lieutenant-Governor himself, but giving the Board a consultative voice?—I do not think the Board of Revenue have time to go outside their province of revenue.

28317. Apart from their duties as a Court of Appeal, what do they do?—Their duties as a Court of Appeal take up a large portion of their time.

28318. But not all their time?—A very large portion of it. The Court of Wards' work is very heavy in this province and is an important matter; there are about 180 Court of Wards' estates in this province with an income of over a crore of rupees.

28319. Might not that part of their work be probably done by the Commissioners?—Not the whole of it; a good deal has been done in the way of delegating power in Court of Wards' matters to Commissioners, but in this province—especially in Oudh—the encumbered estates are very large, and the work connected with them is very important in the way of financing and raising loans. In matters of that sort the Board are in a better position to obtain good terms than a Commissioner would be.

28320. What is there that a Commissioner cannot do that the Board of Revenue can do; a Commissioner is a man of great experience, he goes about a good deal and sees things for himself more than the Board of Revenue does, and he is a man of some considerable seniority with some 25 years' service?—Yes.

28321. Then what is the objection to allowing him full authority over the management of Court of Wards' estates?—In the matter of taking over heavily encumbered estates, it is desirable that there should be some sort of uniformity and Commissioners' ideas in that matter would probably vary considerably, so that it would cause considerable discontent to have an estate taken over by the Government under the Court of Wards in one division on certain conditions, and an estate in the neighbouring division with smaller debts which the Commissioner would not take over at all.

28322. Why should not the general management be handed over to the Commissioner?—It is largely in his hands at present.

28323. But supposing the Board of Revenue could be relieved of a good part of its present administrative duties, would you object to the suggestion of giving them a share in the work of the Local Government, to some extent as a Council, with power reserved to the Lieutenant-Governor to have his own way on major matters?—Then they would practically be a Council with appellate work thrown in. I see some objections to appellate work remaining in the hands of a Council. From time to time the members of the Board in this province have advised, their advice has been taken, and they have been used in connection with other subjects besides revenue. For instance, in the matter of education the members of the Board have from time to time been deputed to preside over committees and report on certain matters, and the Lieutenant-Governor frequently consults members of the Board on matters outside their own province as senior and experienced officers.

28324. With good effect?—I think so.

28325. Does the Board tour?—Yes.

28326. As a matter of fact, does not the Board of Revenue very much overlap the Commissioners?—It certainly does overlap, but there are difficulties again. The appellate work takes up a very large portion of the Board's time. In certain respects it does not overlap; for example, a Commissioner now has very little to do with excise work.

28327. I am only referring to the duties of a Commissioner; does not the Board of Revenue often overlap him in his duties?—It controls the Commissioner; it is another controlling authority between the Commissioner and Government—you might get rid of the controlling authority of course.

28328. But you have all the disadvantages of a fifth wheel?—Yes, but there are other advantages.

28329. Would it not be a good step to relieve the Collector if possible of the charge of municipalities, especially in large towns?—It would depend on the way in which it was done. It depends altogether upon what you substitute for him.

28330. But as far as the Collector goes, it would be a great relief to him?—It would undoubtedly relieve him of a large portion of his work.

28331. Why should not appeals from tahsildars go to Sub-Divisional Officers in revenue matters?—A Sub-Divisional Officer might not be qualified to deal with appeals, and I do not think it would be a good thing generally.

28332. Would he not be qualified if he is considered to be qualified for the charge of a sub-division?—But appellate work is another matter, and I am a little doubtful about it.

28333. It has been suggested that the Collector should be relieved of the task of counting the cash and stamps monthly; would you be in favour of making that change?—It would be a good thing to do if a satisfactory substitute could be found.

28334. Or if that were not possible, would you approve of a rule allowing the Collector to do it on his own days?—I think he might very well delegate the duty monthly to some one else and occasionally verify it himself.

28335. Do you keep any record of the knowledge of every officer with regard to language?—No, there are no separate records kept.

28336. Have you practically no means of telling whether a man has set himself to study the language or not?—Most of the men who give themselves to a study of the language go up for examination and rewards.

28337. Is it your experience that men who have a good knowledge of the language worry themselves about these merely literary examinations?—It is a matter of knowledge largely who the men are who know the language.

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28338. If a man does set himself to getting a thorough command of the language, is it any help to him in regard to promotion in any way in his career?—It would be weighed undoubtedly. In this province we have practically only one language.

28339. And most men speak it for practical purposes?—The language difficulty is not a great difficulty.

28340. (*Mr. Dutt.*) I did not quite catch your answer as to whether the members of the Board of Revenue might be made colleagues of the Lieutenant-Governor, retaining also in their hands the present revenue appellate work?—It is a large question to which I did not give a very definite answer.

28341. You say that the judicial work of the members of the Board of Revenue is divided according to specified areas—do you mean the appellate work?—I mean rent and revenue appellate cases.

28342. And the other work is divided by departments?—Usually by departments, occasionally by divisions. All the Bundelkhand work goes to one member.

28343. Does the land revenue work go to one member and the miscellaneous work go to another member?—Yes.

28344. You say in selecting candidates for Deputy Collectorships the members of the Board of Revenue usually sit in consultation. Is the Board of Revenue the authority to recommend men for appointment as Deputy Collectors?—Not invariably; direct appointments to probationary Deputy Collectorships are made on the nomination of the Board of Revenue and by Commissioners, and the Government decide which nominee is to be accepted. There are only a certain number in the year, and the decision rests with the Government; there is no recommendation by the Board in that case. They recommend for appointments by promotion.

28345. All first appointments are made by the Lieutenant-Governor on the nomination of the Commissioners?—And of the Board—that is the first appointment, in the case of direct appointment, which is rare; the ordinary course is that a man is promoted from tahsildar.

28346. Is it a good system to take men generally from the rank of tahsildar?—That is a matter which at present the Lieutenant-Governor has under his consideration—whether the system of direct nomination should not be extended.

28347. Has the Divisional Commissioner at present sufficient control over the Public Works in his division?—I think not.

28348. Would you like to give him larger powers of control over the Public Works Department so far as the works in his own division are concerned?—Yes.

28349. Has he sufficient control over the work of the Police Department within his own division?—I think so.

28350. You do not suggest any other powers in the way of hearing appeals in police matters?—I think not.

28351. We were told that Sub-Divisional officers in the Agra province generally live at the headquarters of the district; is it the same in Oudh?—Yes.

28352. Would they be a little more in touch with the people if they resided in their sub-divisions the greater part of the year?—They do reside in the sub-divisions during the time they are in camp, that is four or five months in the year, but the districts are not large in this province and the communications are good, so that in many cases they are more in touch with the people by living at headquarters than they would be by living out in the sub-divisions.

28353. Would it be more convenient if they lived within their sub-divisions?—In some cases it would, and in some not.

28354. Is there a general tendency to have more Sub-Divisional Officers living in their sub divisions than before?—I cannot say that there is a general tendency; there have been isolated cases lately. It is not a matter which comes up frequently.

28355. What is your opinion with regard to the Government of this province passing a general Act of delegation by which they would be empowered to transfer any of their statutory powers to any of their subordinates without amending Acts?—Probably an Act of that sort would have to contain certain reservations.

28356. Supposing some powers are vested in the Local Government, say, in the matter of taxation, which may be imposed only under the sanction of the Local Government according to existing Acts, and the Local Government desired to transfer those powers to the Commissioner and the District Collector, ought they to do it by bringing in an amending Act, or should they be empowered by a general Act of delegation to transfer those powers simply by a Gazette notification?—I am inclined to think that a general Act of delegation with reservations would probably be the simplest and best way of doing it, but it is largely a legal question and a number of Acts would have to be examined.

28357. Would you like to have a legal opinion before giving an answer?—I certainly should like to examine the matter very carefully before any action was taken.

28358. Supposing the Government took such power to transfer any of its legal powers to subordinates, do you think such an Act would be liked by the people generally?—I have some doubt whether it would be liked by the people generally.

28359. Is there any necessity to curtail the present rights of appeal to the Government of India?—I do not think so.

28360. As to appeals to the Local Government. You say that certain rules are under consideration as to allowing certain appeals? Beyond that do you propose to curtail the existing rights of appeal?—No, except by raising the limit from Rs. 30 to Rs. 50.

28361. You speak of the excessive rent and revenue case work which the Collectors have to do?—Not so much the Collector as the Deputy Collector and Joint-Magistrate.

28362. If these rent cases are cases between landlords and raiyats, might they not be transferred to the Civil Court, as they are in Bengal?—I think not.

28363. They ought to be kept in the hands of the revenue authorities?—Yes, very decidedly.

28364. Are any traces of the old village communities left which could be utilized at the present day?—I very much doubt it; it is possible in parts of the province, but the tendency is to break up the village community, or rather it breaks itself up.

28365. If there were parts of the province where it was possible to reconstruct them, is it desirable to do so and to give them some authority with regard to their own village concerns?—I doubt if much in that way could be done: it would depend altogether on the particular powers proposed to be given them.

28366. Have you village Munsiffs now?—To a certain extent only. They have been tried in certain selected tracts, but it is not so much a question of selected villages as a selected Munsiff, and where you get a suitable man it depends upon him, not on the village.

28367. Have you Honorary Magistrates?—Yes.

28368. Is it possible to invest the headman and probably two or three other leading villagers with small judicial powers to dispose of petty disputes in their own villages?—I doubt if that could be usefully done in the existing state of society.

28369. Supposing the District Board wanted to give a lump sum of money to a particular village for improving its supply of drinking water, or for drainage or some other purpose, could that money be made over to the leading men of the village to carry out their own work?—In certain villages it might; it is altogether a case to be considered on the merits; it would depend on the feeling of the village and whether they were at one.

28370. Generally speaking, do you see your way to delegating any of the humbler powers of administration to the people in villages or in groups of villages?—No, I do not think so.

28371. Do you see your way to investing the people with any kind of power to administer their own affairs?—No, I do not see my way to investing the village communities in this province with any power.

28372. Or to attempt to organise or re-organise them?—I think it would be an extremely difficult matter to re-organise them.

28373. Should an attempt be made to do so?—I do not think there is sufficient justification to make an attempt under the existing conditions.

28374. (*Mr. Hichens.*) The Lieutenant-Governor raises a certain amount of objection to the system of recruitment. The point of his criticism, as I understand it, is that the number of officers in the junior posts of the superior departments bears no particular relation to the number required, but only a relation to the number of senior posts which will be empty later on. Do you share the Lieutenant-Governor's objection to the present system of recruitment?—Yes. I consider that the Joint-Magistrates are insufficient in this province.

28375. Are you prepared to face the alternative of a block in promotion? — No; I think it might be remedied. If you create a larger number of posts at the bottom you might raise the pay, and my own idea is that the Joint-Magistrate might be made more of than he is at present, and might relieve the Collector of a good deal of his work. Joint-Magistrates used in that way might be given increased pay, which would remove the block.

28376. Do you mean that a Joint-Magistrateship should be considered as one of the higher posts?—Put in that way, yes—it is a technical matter.

28377. Broadly speaking, does it come to this, that if you increase the lower posts you must increase the upper ones, or if you increase the lower posts and not the upper ones there will be a block, and your remedy is that you would increase both?—Yes, except that the Joint-Magistrate, who would be a Joint-Magistrate in reality, would help the Collector, and he would also do some Joint-Magistrate's work which is at present done by the existing Joint-Magistrate, so that it would not be quite an increase of both.

28378. But you would somewhat lower the standard of the higher posts?—That is a possible suggestion.

28379. You would not be prepared to face the alternative of appointing a large number of men to lower posts, thus making a block?—No, I think not.

28380. The remedy then would be worse than the evil?—Yes.

28381. When Indian Civil Servants come out first are they sent to a district under the charge of a Collector?—Yes.

28382. Does he in practice look after them pretty carefully?—An endeavour has been made of late years to send them to a Collector who will look after them—we pick the Collectors as far as possible.

28383. Do they understand clearly that they have to do that?—Yes, I will not not say it is done in every case, but that is the line of policy.

28384. For the first year are Assistants allowed to spend most of their time learning the language?—In learning the language, the Codes, and the law.

28385. After that year what do they do?—They try petty criminal cases, very often within the year; it depends on how long a man takes to pass his examination. After about eighteen months or two years, as the case may be, he gets full power and becomes useful as a Sub-Divisional Officer. As such he does magisterial work and revenue work.

28386. Is not the revenue work largely under separate officers?—Not at all in this province; the Sub-Divisional Officer is the officer for magisterial work and revenue work and for the general administration of his sub-division.

28387. Is the excise collected at headquarters, or at the headquarters of the sub-division? — The actual collections are made both at headquarters and at the headquarters of the sub-divisions, *i.e.*, at the *tahsils*.

28388. Would a junior officer have a fairly wide experience?—Yes, he has full opportunity of learning almost every branch of his duties with the exception of the collection of the land revenue, and that is a matter which the present Lieutenant-Governor is considering as to whether he should not be given more power. The Collector keeps that entirely in his own hands, but the Lieutenant-Governor is inclined to think that it might be delegated to Joint-Magistrates at any rate within the sub-division, largely as a matter of training for future responsibility.

28389. It has been suggested that it is desirable if possible during the earlier years to transfer younger officers for a time to another province; is that feasible?—One difficulty of course is that in this province we want the men as soon as we have full power to use them, and we cannot spare them here.

28390. You agree, up to a certain point at any rate, that it is desirable to widen a man's experience, but the question in your opinion is whether the game is worth the candle?—It is worth consideration. I am not prepared offhand to give a very definite opinion.

28391. Would you say that the training of an officer is preliminary to his becoming a Collector?—I think so.

28392. That is what he has to work up to, and his training is such as to fit him for that post?—I think so, generally speaking.

28393. I suppose for that purpose he would want a fairly wide experience?—The wider the experience the better.

28394. You say that the Accountant-General in future might usefully fulfil two functions, one watching over the interests of the Government of India and the other watching over the financial interests of the Local Government; is the function a novel one and one that is not carried out to-day?—It is not altogether novel; in the latter capacity he would be under the control of the Local Government.

28395. Do you mean that to-day the Accountant-General does not watch over the financial interests of the Local Government?—My suggestion was more that, in future, as the financial interests of the Government of India are more defined, the Local Government would be able to direct the Accountant-General in his control of the officers under it.

28396. Do you mean that the Local Government should be empowered to make audit rules in regard to its own finances?—In regard to matters in which the Government of India would in future not take so much interest as they do at present. The suggestions in the Financial Department are that the Local Government, which now has a permanent arrangement as regards revenues, should have considerably more power in the future and that the control of the Government of India should only extend to certain matters. There would be then a wider field for the Accountant-General in future, and within that field I suggest the Local Government should have some power to prescribe the checks which he exercises, or rather to stop the Accountant-General exercising more detailed check than the Local Government considered necessary.

28397. Is it not important that the Accountant-General should be an independent financial critic?—Yes, as an auditor.

28398. And you would rather deprive him of that independence if you claimed the right to frame all the rules which governed his action?—But not as regards the audit of the Local Government's accounts—I meant as regards expenditure by officers subordinate to the Local Government. He would be an auditor as far as they were concerned.

28399. Do you mean the regulations governing the check which he considers necessary?—Regulations governing the check which is exercised over the financial proceedings of officers subordinate to the Local Government.

28400. For example, if the Accountant-General said he required a certain return in a certain form and that without it he could not possibly certify the accounts, should the Local Government have the power to refuse it?—If the Accountant-General put it as strongly as that the Local Government probably would not refuse to agree to it.

28401. Should the Local Government have that power?—In a case of that sort if the Accountant-General put it as strongly as that, there might be a reference to the Government of India.

28402. So that it would be only in matters where the Accountant-General and the Local Government agreed?—Or in which a difference of opinion was not very strongly marked.

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28403. With regard to financial decentralization, I gather from the Government minute that some stress is laid upon that and there are a large number of instances given, but with regard to some of the broader points, is your opinion that the Government of India should not concern itself with matters of detail?—Speaking widely, certainly.

28404. When one comes to matters such as travelling allowance, would it be enough if the Government of India laid down a broad principle and left it to the Local Government to carry it out?—No, travelling allowance is a matter on which there should be more or less detailed rules.

28405. On what ground?—There should be rules governing general principles; it is a matter affecting the officer personally, and perhaps there should be a general principle laid down, and a matter of that sort must to a certain extent deal with detail.

28406. Might the general principle be that travelling allowances are to cover travelling expenses?—Yes.

28407. Could not the Local Government deal with that?—Yes, I think so.

28408. They would have the ability to frame a set of rules which would achieve that result?—Yes.

28409. At any rate you see no objection to leaving them to decide a matter of that sort on the ground that the general principles could be laid down, and the Local Government should be trusted to carry out the rules and the spirit of them?—Yes.

28410. Is that a principle that would work, namely, that the Local Government should be trusted to carry out the spirit of the principle laid down?—I think so.

28411. Would you go as far as to say that the Accountant-General could report any exceptional cases to the Government of India?—Certainly.

28412. So that the Government of India could see the trend they were taking, and if necessary, exercise the power of control at a later date?—Certainly.

28413. That being done, would you get sufficient uniformity for all practical purposes in regard to these matters?—Then the question comes in of the principles laid down by the Government of India.

28414. I have given you the principle in that particular case?—I think it is worth trying at any rate.

28415. Are there not many other regulations which are laid down in great detail in the Civil Service Regulations or the Civil Account Code; would you be prepared to say generally that, where a general principle could be obtained, the Local Government might be trusted to frame regulations in the spirit of it?—I think it certainly could.

28416. At the present time is a certain amount of uniformity in regard to the salaries of certain classes of officers insisted on by the Government of India?—Take for instance the case of Civil Assistant Surgeons?—Yes.

28417. Is that uniformity desirable?—No, I do not think it is.

28418. (*Chairman.*) Do you mean that uniformity of payment with regard to that particular class is not desirable?—I meant, generally speaking, it is not altogether desirable because the circumstances of different provinces vary so largely.

28419. (*Mr. Hichens.*) Objection has been made that if in one province the salaries of a particular class were raised, the same class in another province would clamour to have their salaries raised, and that the clamour would be so great as to be insurmountable; do you agree with that?—There is a tendency in that direction certainly, but it is a tendency which can be resisted.

28420. Supposing that objection was made to you what would your course be; would you examine the circumstances of the particular case and ascertain whether the pay given was reasonable?—I think so, not altogether without reference to other provinces; one would consider the circumstances of other provinces, and cases of the sort have come up.

28421 The circumstances of other provinces might be a valuable guide?—They might, in fixing the scale in our own province.

28422. Your desire would be not to pay the least you could, but to pay a fair wage?—Yes, not an excessive wage; for example, a man living in Calcutta might demand a higher wage than a man living in Allahabad.

28423. So far from being a disadvantage it might be a positive advantage, because it would enable you to get comparative standards whereby to gauge the real truth?—Yes, if the pay was an index of the circumstances of the provinces.

28424. Is there any special necessity with regard to restriction on pensions?—No.

28425. Would you say that pensions, which are entirely borne by provincial funds, might be treated in the same way, namely, that each provincial Government might have its own rules and regulations?—I think so; they are charges of the Local Government.

28426. Are you in favour of a District Board levying a railway cess?—It is a matter on which I prefer not to give a personal opinion, as I have not considered it.

28427. (*Mr. Meyer.*) It has been suggested to us that the Local Government should be allowed to make loans for industrial and commercial objects; have you any idea what sort of objects are in view?—Great development of industry has taken place since I was Financial Secretary, but I should instance the lending of money to start a weaving school.

28428. Someone wants to start a match factory, for instance—is the Government to lend money to help them to do it?—It might be the case.

28429. Would you not get into rather deep water? If you started lending money to one man, might you not get half a dozen men coming and asking for loans?—Probably.

28430. Is that a practical policy?—I have not specially considered the case and have not formed any opinion which is worth giving.

28431. May I take it that you are not in favour of it?—I am not at all prepared to say that I am.

28432. You mention the desire to have an undisturbed allotment in each current year's provincial budget; was not the cutting down of your figures by the Government of India in the interests of accurate estimating?—Yes.

28433. Taking a series of years, was it not absolutely justified?—In the interests of accurate estimating it was justified.

28434. As a matter of fact, if you look simply at the interests of accurate estimating, might not the Government of India have been exposed to the reproach that they had not cut sufficiently?—I am not quite sure about that; the deductions were large, but they might have been justified taking a series of years.

28435. Can you not reappropriate from one head to another within your total provincial budget?—That is so.

28436. Do not the Government of India tell you that if you cannot do that, they are always willing to consider a further reappropriation from the balances; are not those the usual terms on which a budget is sent back to you if there have been considerable cuts made in your figures?—I do not remember any specific reference to balances in the letter at all in my time.

28437. Is your proposal simply to save the Local Government the trouble of going up to the Government of India with a reappropriation request?—No, it is not a matter of reappropriation entirely. In time of stress it is very difficult to find a head from which to reappropriate. You do not want a large reserve at all; it is very difficult to specify a head at certain periods of the year for reappropriation.

28438. Is it not quite against the budget principles which have been hitherto adopted; is not the whole expenditure classified under particular heads?—Yes, but the action of the Government of India in cutting the provision so fine under certain heads renders it so much more difficult to reappropriate than it ever was before, and the difficulty has been acute.

28439. How many cases of reappropriation did you have in the course of a year when you were Financial Secretary?—A very large number that one was able to meet.

28440. Do not the provincial balances exist to meet unforeseen charges?—The practice hitherto has not

been to address the Government of India asking that money may be spent out of the balances, except under somewhat exceptional circumstances.

28441. Is it not the fact that the provincial balances which, as you know, require to be kept up to a certain minimum standard, exist for the very purpose of enabling you to tide through some unforeseen calamity such as famine?—That is so.

28442. Therefore if that came upon you, you could at once go to the Government of India and ask permission to draw from your balance?—In the case of an unforeseen calamity, certainly.

28443. Was not the real trouble that the Government of India, necessarily, can only make a lump cut, say, of a couple of lakhs, under education, and that had to be split up by the local authorities under a number of sub-heads, and lately the Government of India, recognising that difficulty, said: "Your sub-head allotments may stand as they were, but we will make a cut of two lakhs which you will enter in your budget as probable savings, and there will be the Accountant General to look after the expenditure and advise you, so that you can keep within the reduced total or make a reappropriation"? The Financial Secretary in the Central Provinces told us that in his opinion that met all the difficulty—would that be your view?—I think it would go a long way to meeting the difficulty, certainly.

28444. You mention transfer to Foreign Service as one of the matters in which Local Government might have a freer hand?—Yes.

28445. Is not the object of the Foreign Service rules two-fold—to prevent men getting a British Pension after a very few years with the British Government, and to prevent Native States and other foreign employers from being fleeced and having in their ignorance to pay more than the market value for a man's services? Bearing those matters in mind, is it not desirable to retain restrictions, of some sort at any rate, upon transfers to Foreign Service?—The restriction should be maintained, but the application of the restriction might be handed over to the Local Government more largely than it is at present.

28446. Are not a good many of the men who go over to Foreign Service men of the Imperial Services who are ultimately retired to England?—Yes.

28447. If the Local Government is liberal in regard to their pensions and other matters, will not the bill fall on the Government of India?—In a case of that sort it is a different matter; I was not referring so much to men in Imperial Service as to the subordinates.

28448. Would you discriminate as between the Imperial and Provincial Subordinate Services in the sense of the personal status of the men?—Yes.

28449. With regard to an Imperial Service Officer, should the sanction of the Government of India be obtained unless you have power to transfer him under present rules?—Yes, I think so.

28450. With regard to your supply as to the Accountant General being under the Local Government, is your desire that the Local Government should be able to relax restrictions as against their subordinate officers?—Yes, in cases in which the Imperial Government will not directly interest themselves.

28451. Are not the Imperial Government interested as co-sharers in some important branches of revenue?—Undoubtedly.

28452. Would you apply it there?—It is not easy to draw a distinction between shared heads and other heads in a matter of that sort.

28453. Do you refer to such matters as dispensing with vouchers for expenditure?—No, there might be cases in which they could be dispensed with; under the Famine Code they are dispensed with in certain cases.

28454. Are you referring to counter-signature for travelling allowance and so on?—That is a small instance.

28455. Do the Government of India lay down any general rules about these matters; is it not very largely a matter of provincial arrangement?—The Accountant-General lays the rules down as to the certificates required.

28456. Is it for instance a matter in which the Government of India has laid down any rule that the Collector shall, or shall not, countersign the travelling allowance of the District Superintendent of Police?—That I cannot answer.

28457. Are not the restrictions which you have in mind matters which the provincial Government can deal with now, and if the provincial Government chose to relax these counter-signatures, they could, unless of course they reached a point at which the Accountant-General thought there was real danger, when he would ask for a reference to the Comptroller General?—They are outside the Code.

28458. Your rules are contained in local codes and manuals and not in the Civil Account Code?—My impression was that the matters referred to are not contained in the local manuals, but are in the rules issued by the Accountant-General under the authority of the Government of India.

28459. (*Chairman.*) When you say that they are not contained, do you mean they are not obligatory?—Yes.

28460. (*Mr. Meyer.*) Are you aware that the procedure differs in various provinces, and that in one province some of these restrictions have been done away with by the Local Government?—I have not elaborated my suggestion at all.

28461. Then, at the present stage, it is rather a crude suggestion?—Yes; I have not examined closely the precise matters in which this Government has taken objection to the control of the Accountant-General; it has only been stated generally, and it will be a matter to be worked out afterwards. I was not aware that the matters were within the control of the Local Government.

28462. When you take proposals for decentralization and delegation in hand, is it not very desirable to consider in the first place what obstacles there are in the way of doing what you want done—that is to say, to consider whether you can do it yourself or whether you are restrained by some order of a superior authority or not?—Certainly.

28463. With regard to the travelling allowance question, would your principle be that the only general rule on the subject ought to be that travelling allowance must cover actual travelling expenses?—I said that the Local Government could be trusted to carry out that principle if it was laid down.

28464. What are actual travelling expenses?—It is very hard to define them.

28465. One officer might consider that taking his wife with him was a legitimate expense?—I quite agree that it is extremely difficult to define what actual travelling expenses are. I understand the present rules laid down by the Government of India are framed on the understanding that an officer should not make a profit from them.

28466. Then another officer might consider that he was entitled to be reimbursed his eating and drinking expenses?—He might, but the Local Government could be trusted in that.

28467. Then another officer might think that he was entitled to travel with a piano and all sorts of other paraphernalia?—I doubt whether he would in this province.

28468. Must not this apparently simple rule that travelling allowance should cover actual expenses, and presumably not more than cover them, in actual practice involve a certain number of definitions as to what are legitimate expenses to be covered and what are not?—Yes, undoubtedly, and that is my point; it would require a good deal of detailed application.

28469. Who is to lay down the general definition—the Government of India or the provincial Government?—There again I am inclined to think it involves a certain amount of detail.

28470. Do you mean that the Government of India must lay down some such general principle as that a man's wife and children are not to be taken into account in his travelling, but if he prefers to take them, they are luxuries, so to speak?—I think the Local Government could be trusted as to that also.

28471. Do you regard that as a general principle, which the Government of India should say must be

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maintained, or one which Local Governments might vary or depart from at their pleasure?—In that particular it is a principle, I think, common to the whole of India.

28472. Is it a principle which the Government of India should lay down as one which the Local Governments must observe, or is it one which each Local Government might keep or break at its pleasure?—There should certainly be uniformity.

28473. In the same way, as regards an officer going into camp, would you say that he must only carry such paraphernalia as are necessary for the discharge of his duties and elementary comforts, and that that is a general principle which the Government of India has a right to lay down for India as a whole?—That again is a matter in which there is no reason why there should be any difference between individual provinces.

28474. Therefore there must be some general rules as to travelling allowance laid down by the Supreme Government?—That is practically what I intended to say before; the general principle would have to be enunciated, and there would have to be certain detailed interpretations of it.

28475. You would not of course go so far as to say that each officer who travelled might be trusted to send in his bill, and that no one should trouble further about it?—Certainly not.

28476. As regards greater latitude in the matter of pensions, have you studied the increase in the pension charges?—I am well aware that the charge increases year by year in the provincial lists.

28477. Is it not necessary to deal with the question of pensions rather stringently?—I quite agree it is.

28478. Is it not a matter in which, not merely the Government of India should control the Local Governments, but the Secretary of State should control the Government of India?—Yes.

28479. As regards local loans, does your Government desire to give Local Governments power to increase the currency of those loans beyond twenty years, and do you agree?—I am a little doubtful about the suggestion as an ex-Financial Secretary.

28480. Is not increase in local borrowing a great danger in Europe?—I understand so.

28481. And is it not desirable to prevent an accumulation of local borrowing in India as far as possible, thus counteracting the tendency to throw a burden on posterity?—Yes, I am doubtful about the suggestion.

28482. As regards loans to agriculturists, are you aware of the fact that an equated payment for wiping out a loan in thirty years is relatively less than one for twenty?—Yes.

28483. Therefore the burden on the agriculturist is not much greater, and the money comes back and is available for loans to other agriculturists?—Yes.

28484. You have had a great deal of experience in excise. You were Excise Commissioner in this province, and you were a member of the Excise Committee?—Yes.

28485. The Lieutenant-Governor appears to be rather against the recent appointment of an Inspector-General of Excise, while your Committee unanimously said that there would be considerable advantages in it?—Yes, there was a unanimous recommendation that there should be an Inspector-General of Excise. My own personal opinion, which I did not press, was that it might be tried as an experiment for a few years, without recommending that it should be a permanent post. I was not quite prepared to go as far as the other members. I should have preferred to try it as an experiment for a few years.

28486. The Committee at any rate found, and said so pretty strongly, that in each province the tendency was to get into a thoroughly provincial groove in the matter of excise?—Undoubtedly.

28487. And that it was most desirable that the methods should be kept in touch with each other?—Certainly.

28488. Have you any opinion with regard to Imperial Inspectors-General as apart from that of the Lieutenant-Governor? Generally speaking, do you think they are of use?—My opinion in that matter certainly coincides with that of the Lieutenant-Governor.

28489. Of course they are advisers of the Government of India, but are they used as advisers to the Local Government also?—Probably not so much as they might be.

28490. Do you think they might well be?—They might be made more use of in that way than they are at present.

28491. There is a recommendation made that the present rule which allows you, without reference to the Government of India, to appoint a provincial officer for temporary charge of a district which is ordinarily held by a Civilian should be extended from a period of six weeks to three months. You are aware, I think, that even in regard to the regular listed posts you are precluded at present from confirming an officer as a Collector or Judge, or something higher, without reference to the Government of India?—Yes.

28492. Is that necessary?—I see no reason offhand why the Local Government should not have the power.

28493. Are you of opinion that it is necessary to take the orders of the Government of India as to the appointment of a member of the Board of Revenue?—It might be desirable that the orders of the Government of India should be taken in a matter of that sort, at lease in the case of a province under a Lieutenant-Governor. I have not any very definite opinion.

28494. You mention some sections of the Municipal Act which require that the special sanction of the Government of India should be given to such matters as the disestablishment of a municipality and so forth, which you desire to see done away with; is there not a similar provision in the District Boards Act of 1906, which says that except in certain specified districts you cannot release an area from the operation of the Act without the sanction of the Governor General in Council? Assuming there to be such a section, do you think it at all necessary?—No, I do not see any reason for it.

28495. As regards the members of the Board of Revenue, have you cognisance of the system of unofficial noting in Bengal?—I do not know how far it takes place in Bengal.

28496. The essence of the system is, as far as the superior officers are concerned, that the Secretary to the Board notes first, then the Revenue Secretary, then the member of the Board, and the matter then goes up to the Lieutenant-Governor, the senior officer having the last say. Is it a system of that sort you have in mind, when you say you desire to bring the Board into closer connection with the Local Government?—I meant something of that sort.

28497. Would it not lead eventually to the abolition of the Board's office as a separate office; is there any use in having two preliminary notings?—Yes, it would lead to an increase in the Secretariat, and a diminution in the Board's office.

28498. Would you be in favour of that?—I am not prepared to say I am in favour of it, but that would be the result.

28499. Are there not a very large number of appeals to the Board of Revenue?—Yes.

28500. Are they largely second appeals?—Yes, largely.

28501. Do they arise very much from the fact that a first appeal from an order by a Sub-Divisional Officer in a rent case goes straight to the Commissioner, and therefore the second appeal goes to the Board of Revenue?—That is so.

28502. Might not the work of the Board and of the Commissioners be diminished largely by allowing Collectors to take these appeals?—That has been practically the case in certain districts where the Collectors have been delegated the powers of the Commissioner to hear appeals, and if Collectors had time to do it, it might be done more extensively.

28503. It is quite possible that it might put extra work on to the Collectors, but in the meantime it would relieve the Board of Revenue and Commissioners very materially?—It would certainly.

28504. Because the number of second appeals is not by any means so numerous as the number of first appeals ; but it would give more work to Collectors, and that is your objection to it ?—Yes.

28505. Not that the Collectors are unfit to do the work ?—No ; it is a question whether it should not be given to selected Collectors.

28506. If a man is not fit to hear an appeal from his subordinates on revenue matters, is he fit to be a Collector at all ?—I would not like to go as far as that ; that is putting it a little too extremely. I only say it is a question for consideration.

28507. *Primâ facie* you think it might be given to Collectors but for the time objection ?—That is the great objection, undoubtedly.

28508. Similarly there is a good deal of work which Collectors are doing which might be delegated in turn to Sub-Divisional Officers and tahsildars ?—Yes.

28509. Therefore the Collector, having got more work on one side, would be relieved on the other ?—Yes, then you get to the Sub-Divisional Officer.

28510. Has the District Magistrate to hear all the appeals in the district ?—Yes.

28511. Are you aware that the Sub-Divisional Magistrate in Madras and Bombay takes appeals from his subordinates ?—I see no reason why the Collector should not get rid of his power of hearing criminal appeals.

28512. And the Sub-Divisional Magistrate might do the work as a matter of course ?—Or a Joint-Magistrate.

28513. Might not any Sub-Divisional Magistrate take appeals in his own sub-division ?—That I feel a little more doubt about, but a certain number could.

28514. Are others not competent ?—I think the others might not be competent.

28515. Should a United Provinces officer be written down as a less competent person than the Madras or Bombay officer of similar standing ?—How the system works in Madras and Bombay I have no first hand knowledge ; in many cases I certainly think the power could be delegated.

28516. Has not the general tendency in this province been to centralize ?—It depends largely on who is the Head of the province, but it has been so in certain cases, no doubt.

28517. Even the Board of Revenue cannot remit land revenue now ?—No.

28518. The Head of the Government is required to make that remission ?—Yes, there is a legal difficulty in the way.

28519. Are there not many local Acts, and probably many orders of Government, which impose on a superior authority powers which might be delegated to an inferior authority ?—Undoubtedly there are both local and Imperial Acts.

28520 With regard to the Court of Wards, you say that Commissioners have already considerable powers in Court of Wards matters, but have they really very much power ? They can appoint a man up to Rs. 50, but not above Rs. 50 ?—Yes.

28521. They cannot deal with budgets except when the estate is over the value of Rs. 50,000 ?—They pass the budgets of estates under that amount.

28522. But if it is over Rs. 50,000 the Board has to do it ?—Yes.

28523. You spoke of some difficulties with regard to encumbered estates, but setting that aside and taking an ordinary estate, cannot the Commissioner and Collector do the whole thing between them without any reference to the Board at all, or should the Board say whether the estate is to be taken under management and in the case of a big estate reserve some little amount of control, but with regard to an ordinary estate give the Commissioner and Collector a free hand ?—As regards the management, I see no reason why they should not with regard to an ordinary estate, but the encumbered estates are very numerous and important in this province.

28524. It is necessary to have a member of the Board to deal with encumbered estates ?—Not as encumbered estates, but in the case of large loan transactions and raising money to pay off debts it is an important matter.

28525. Would you be in favour of the Commissioner having his own Public Works budget ?—I said I was in favour of a Commissioner having much more power over Public Works in his division than he has at present.

28526. It has been suggested that the provincial Public Works budget should be largely broken up (a certain amount of course must be kept at headquarters for emergencies and the largest works, but in other cases it might be split up into divisional grants) and each Commissioner would administer his own grant—have you anything to say against that ?—I think a system of that sort might work well.

28527. The grant which the Commissioner has at present is very small ?—Very small.

28528. Might the small grants he has now go down to the Collector ?—Yes, the Collector might have a small grant for certain matters.

28529. Has the Commissioner any power to sanction grants for temporary establishments ?—In certain cases, and it is proposed to increase that system largely.

28530. Might the Collector have that power ?—It would be more difficult to ascertain the amount to be given to the Collector, and it would be more economical perhaps to give it to the Commissioner.

28531. Could any power to make permanent appointments be delegated to Commissioners or the Board of Revenue ?—Yes, certainly ; but limits would have to be carefully defined.

28532. What would be your limit ?—Rupees 25, or something of that sort in the case of newly created posts.

28533. Would you relax the provision by which the Collector has to obtain the approval of the Commissioner for filling every appointment in his own office beyond Rs. 50 ?—I think a suggestion has been made in that matter.

28534. The Commissioner cannot even appoint a naib-tahsildar ?—No.

28535. What pay does a naib-tahsildar get ?—It is going to be raised ; it is now from Rs. 50 to Rs. 75.

28536. And you have a great many of those officers ?—A large number.

28537. Would it not be quite possible, if you had a divisional list, to secure a sufficient flow of promotion ?—Yes, I think it would.

28538. You stated that it did not so much matter whether a tahsildar was transferred from one division to another because the language was the same, but are there not other matters to be considered ; is not local knowledge an important matter for a tahsildar ?—Undoubtedly.

28539. Is not your land revenue system here in many districts splitting up into what is almost a *raiyatwari* system ?—In the eastern districts it tends that way, certainly.

28540. Which means a great increase in revenue work ?—Yes.

28541. Therefore the more experienced a tahsildar you have the better ?—Undoubtedly.

28542. And again your revenue systems vary in different parts of the province ?—Yes.

28543. Taking these things into consideration, is the transfer of a tahsildar from one division to another, save as a very exceptional matter, a thing to be regarded with equanimity ?—Certainly not, and I do not think they are very numerous.

28544. Then is there any reason why a Commissioner should not appoint his own tahsildars and naib-tahsildars, subject of course to any general rules as to fitness and educational qualifications laid down by the Government ?—The vacancies are not very numerous ; as regards naib-tahsildars the Commissioner might do it, but with regard to tahsildars I am more doubtful : the vacancies in a year would be very few, and I do not think very much would be gained by the Commissioner appointing them.

28545. You are aware that in Madras the Collector appoints them subject only to the veto of the Board if they think a man unsuitable ?—In Madras perhaps they do not recruit their Deputy Collectors so much from tahsildars as we do here.

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28546. Are you aware that Commissioners in Bombay appoint their tahsildars?—No.

28547. Are you in favour of allowing the Commissioner, subject to general conditions of fitness laid down by the Local Government, to confer magisterial powers on officers?—I see no reason why he should not, subject of course to the conditions laid down.

28548. And possibly subject to the concurrence of the District Judge?—Yes. In my department a similar suggestion has been made with reference to revenue and rent powers,—that the Commissioner should confer them subject to certain restrictions.

28549. Who confers these now—the Board or the Local Government?—The Local Government.

28550. And you think the Commissioner should do so?—Yes, I think so.

28551. Does that require an amendment of an Act?—Yes.

28552. It has been suggested that in all matters where outside control is necessary, except of course in such a fundamental matter as the abolition or creation of a municipality or other local body, the Commissioner should take the place of Government, except in regard to some of the bigger towns; do you see any objection to that?—As regards the making of contracts with District Boards, I do see an objection.

28553. I am speaking rather of such matters as the appointment of members, the sanction of taxes allowed by law in municipalities, and a variety of other things, —with regard to such detailed matters of control which are now exercised, assuming them to be necessary, might not the Commissioner take them over?—He might largely do so, apart, of course, from the big cities.

28554. As to the big cities, you have spoken of a Collector being overworked, and yet it is in the big cities that you make him Chairman; would it not be better to appoint someone else and pay him?—That is being considered, and will be done in Cawnpore and Allahabad.

28555. It has also been suggested that it would be advisable to have a paid Secretary for District Boards, especially now that they are more concerned with education than they used to be—does that meet with your concurrence?—There is a good deal to be said for it if you can get a suitable man, but I am not sure that he would have his time fully occupied; you would have to pay a suitable man highly, and I doubt whether he would be fully occupied.

28556. Taking the case of a heavy Board, would you be in favour of it?—I certainly think in the case of heavy Boards it is worth trying.

28557. Up to two or three years ago District Boards had no real independent financial existence at all?—No.

28558. There was a certain amount of Land Cess levied in each district; the Government took part of what was raised in one district, and gave it to another on a general system of pooling?—Yes.

28559. But that is done away with, and every District Board is assured now of the amount of local cesses raised in its own area?—Yes.

28560. Have you not done that largely by means of the special grant given by the Government of India in 1905?—Yes.

28561. That grant has been distributed, therefore, among the poorer Boards that were formerly helped by your dipping into the pockets of their richer brethren?—Yes.

28562. Apart from that special grant, do you do much for them in the way of education?—The present system is to make a contract with the Boards, and they have the power to use the money within their contract, roughly speaking, on different objects.

28563. The contract includes the amount that the Board can raise locally, plus a certain amount given by the Government?—Exactly.

28564. And calling X the amount the Government gives over and above the Board's resources, every five years you fix X for each Board?—Yes.

28565. And you and the District Board have a little friendly tussle about it?—Yes.

28566. Having fixed X, can the Board do what it likes with it?—That is stating it rather too widely; of course it is subject to control, but roughly speaking they can apportion money at their disposal as they please.

28567. Generally speaking, do these grants bear a large proportion to the independent revenues of the Board?—I have not been Financial Secretary for two years, and things have altered so much that I really cannot give you figures, but they bear a considerable proportion, undoubtedly.

28568. We have been told that the Board has to spend a certain percentage of its income on education —is that so?—I am not sure that a percentage is laid down.

28569. And at the same time those Boards have no power apparently of filling up their own posts?—The Board is restricted in its power of doing so by a section in the Act. There is a section in the Act bearing on the matter, the precise language of which I do not remember; things have altered so much during the last two years that I find it difficult to give you precise information offhand. The section I think says that, subject to the provisions of the Act, the Board may employ, in addition to its Secretary, such officers and servants as are necessary and give them such pay as they think proper.

28570. Under the rules, is the Commissioner's sanction practically required to everything?—I think so.

28571. Is that necessary? If the Board is going to be a living reality, ought it not to have more trust reposed in it in the matter of these appointments?—I think the restrictions might be relaxed to some extent, certainly.

28572. Would you go up to Rs. 50, say, and might the Board be trusted to deal with appointments up to that amount?—If the Board is having increased powers in other directions, it might be done, although in the past it has been found necessary to exercise a certain amount of control over these matters.

28573. Do the same restrictions apply to municipalities?—No.

28574. Have they a fairly free hand?—They have a much freer hand.

28575. As regards the budgets, is it necessary to exercise full control over the Board's reappropriations during the course of the year?—The Board might be trusted to reappropriate freely.

28576. Are the District Boards made responsible for veterinary work in this province?—Yes, undoubtedly.

28577. Do they pay for it?—Yes.

28578. Do they manage it?—The management is largely under the department.

28579. Would it be unfair to say that practically the department manages it for them and they have no voice in the matter?—I imagine that is very near the truth.

28580. That being so, would it not be better for the Government to take the task on its shoulders and regard it as a Provincial Service, relieving the Board of the cost of these things which they have no control over?—So long as the Collector was associated with the work, and the department did not work over his head, I see no objection.

28581. You had something to do with the abolition of Local Boards and Sub-Divisional Boards?—Yes, it was in the Bill that was prepared under my charge.

28582. Speaking as an individual, do you think that was a sound measure?—I think it was. We found that Local Boards did not serve any very useful purpose, and the districts are not large.

28583. Had they any power to speak of?—They had very little power, certainly.

28584. Human nature being what it is, is a man likely to take any particular interest in a thing in which he is a mere cipher?—No.

28585. Assuming that you gave District Boards larger powers, is it not a matter for consideration whether a smaller local area would not excite more local interest?—Yes, I am quite inclined to agree. It is a question for the future whether it might not be desirable to revive Local Boards; I see no reason why the question should not be reconsidered.

28586. You have said that you are in favour of making certain alterations as regards appeals. Would it not be a simpler plan to lay down, in the case of Government servants, that there should ordinarily be one appeal only, but a second appeal in the case of such a severe matter as dismissal?—It would be simpler.

28587. Do you see any objection to it?—In ordinary cases I do not see any objection.

28588. Who has the right, for instance, to dismiss or reduce a tahsildar?—The Board of Revenue, except that a permanent tahsildar can only be dismissed by order of Government.

28589. Would it be equitable all round that if he were reduced, there should be one appeal to the Local Government, and if he were dismissed there should be a second appeal to the Government of India and no further appeal to the Secretary of State?—I think so.

28590. What pay do your Joint-Magistrates get?—Rupees 700 to Rs. 1,000.

28591. With regard to the recruitment question, do you think that you could meet the difficulties under the recruitment scheme by appointing a few Joint-Magistrates, say at Rs. 1,100, and making them superior appointments?—It was not a definite proposal; it was a possible suggestion as one of the ways of meeting the difficulty that certain Joint-Magistrates at headquarters should relieve the Collector of part of his work for which he might get an increased allowance.

28592. But not so much as a Collector?—No.

28593. That would bring them under the present rules within the superior *cadre* and thus meet your difficulty?—Yes.

28594. (*Sir Steyning Edgerley.*) Would not the object you have in view be equally well met by having a certain number of supernumerary Deputy Commissioners?—That is expanding my suggestion slightly.

28595. There were some questions put to you with regard to the audit on behalf of the Local Government, but as a matter of fact does not the great trouble and nearly all the correspondence take place between the Accountant-General's office and subordinate officers?—Yes.

28596. And the Accountant-General's office has a sort of audit manual which has grown up, with which the Local Government has nothing whatever to do?—They have nothing to do with the rules issued by the Accountant-General.

28597. Or the regulations for audit in his own office?—No.

28598. Therefore unless the Local Government are specifically put in a position to control the Accountant-General as regards the provincial audit they could not alter these orders?—That was my suggestion.

28599. You must give power of control over the lower provincial audit before orders can be issued to the Accountant-General at all?—Yes; of course there is a distinction between the imperial audit and the local audit.

28600. Is there any very great difficulty? One is expenditure by a Commissioner and the other is expenditure by a Local Government?—The Local Government must expend through its officers, and there would be some difficulty in drawing a distinction.

28601. Would it be insuperable?—A distinction might be made, but I have not worked it out.

28602. When you lend an officer to Foreign Service, whether you lend an Imperial or Provincial Officer, is not full contribution for pension made?—Yes.

28603. So that, even if you lend an Imperial Officer, no charge as to subsequent pension falls on the Government of India; it has been all paid by the foreign employer?—I do not know how that would work out.

28604. That is the theory, at any rate, of the contribution?—Yes.

28605. As regards sending an officer to another province to see how the work is carried on there, might there not presumably be an arrangement made in the way of an exchange?—Yes, that might be done.

28606. And so you would not lose the services of an officer?—Yes, you would, because you would have an officer who was less useful for an efficient officer—you would lose part of the services of the officer.

28607. With regard to a general Act of delegation which I see the Lieutenant-Governor recommends, would not that be coupled with provisions requiring prior notification of intention and consideration of objections, and in such an Act would there be any cause for complaint by the public?—If in cases where the public was concerned notice was given, I do not see how they would have any reasonable cause for complaint.

28608. A notification under such an Act would draw the attention of the public to the specific point more completely than the ordinary Legislative Council procedure?—It would draw it quite as effectively.

28609. Are there any means by which at present Government can give loans at reasonable interest to Court of Wards estates?—No, except in exceptional cases.

28610. There has been a certain amount of evidence given pointing out that estates which Government thought it advisable to take under management have had to be relinquished because loans could not be negotiated on the market; would it be a good thing for the Government to help those estates?—In this province I do not know of any case of that sort; we have been able to finance our estates here largely by loans from other estates and also in the open market.

28611. Then there is an important principle stated that as we have these *quasi*-permanent settlements, the Local Government should have power to deal with all cases where their powers are not specifically restricted, and to delegate all its powers. Has not past theory been just the reverse, and are you in accord with that change of principle personally?—Generally speaking, I think so; it would require considerable working out to decide what power should be reserved.

28612. Are you in accord with the suggestion that a great many of the Acts which have been passed are unnecessarily stringent in requiring the sanction of the Government of India?—Yes.

28613. Have you had any difficulty in regard to the fees for Medical Officers attending on political personages?—Political personages in this province are very few, so that the question has hardly arisen; we have only two Native States.

28614. There is some complaint made as to the great growth of the returns as to crops and foreign trade and so on—do you endorse those complaints?—The complaints with regard to the crop returns are justified, and there were a number of unnecessary columns which the Government of India agree to dispense with on our representations.

28615. Have you any knowledge with regard to crop forecasts?—I have not much knowledge as to that. There was another question as to which information is required from the Director which came out more recently, as to the variations of the rate of wages in factories.

28616. Did not the Director of Agriculture send down asking you to consider a uniform scheme for agricultural establishments throughout the provinces?—Yes.

28617. And the Lieutenant-Governor considered the Local Government were capable of judging of their own needs and initiating the necessary measures?—Yes.

28618. Apart from such excursions outside their sphere, do you think these officers are useful?—I think so, generally speaking; there are only a few exceptions.

28619. At present have you to go to the Government of India with regard to your Superintending Engineers, your Conservators of Forests, and Inspectors General of Hospitals?—Yes.

28620. Do you think you could start a provincial *cadre* of Forest Officers, or Engineers?—I doubt it as regards Forest Officers, and as to Engineers that is a matter on which I could give no useful opinion.

28621. Does the Government of India system of reminders lead to much extra correspondence?—It leads to a certain amount of unnecessary correspondence.

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28622. Do they not require an answer within a few days as to what the position of a case is?—I think they require an answer as to when the answer will be sent in and as to the position of the case.

28623. Is that necessary?—There are cases in which they have been unnecessarily issued, certainly; I am not quite sure that a reminder in that form is altogether unnecessary.

28624.—As regards the Court of Wards, what necessity is there for a provincial report at all?—For the information of the Government of India and the Secretary of State, I imagine.

28625. Have they required it?—That I am not in a position to say.

28626. As long as your accounts are open to the inspection of the people concerned, what necessity is there for it at all?—There is a certain amount of information about the agricultural improvements carried out on the estates.

28627. Would it help matters in the way of preventing transfers, to allow officers to accumulate privilege leave for a longer period than three months?—It might have that effect and probably would have that effect, but I do not know that it would be very marked.

28628. Would you go so far as to allow an officer an open leave account with the Government and lay it down that leave should be granted whenever the Government thought they could spare the officer?—That is an idea worth considering, but offhand it is difficult to give an answer.

28629. You refer to the excessive length of revenue and case work which is apparently due to two Acts of 1901—the Tenancy Act and the Revenue Act; we were told that these two Acts had not led to a great increase of case work, but the Lieutenant-Governor here says that the former Act has led in one district to an increase of 40 per cent. in suits for arrears of rent, and that partition cases have gone up in number in the last five or six years from 2,364 to over 4,000?—I do not think that that is to be attributed to the Act; it is put as a statement of fact.

28630. Have there been changes in the Act which have brought about this result?—The Board of Revenue have been considering it ever since the Act started, and have not yet come to a definite opinion. I am inclined to think that there are other reasons also at work which have had some effect in that direction.

28631. Is that likely to be corrected if it is so?—It will be corrected if necessary, but it is an extremely complicated question.

28632. Are there too few Joint-Magistrates?—I think there are.

28633. Do you agree with the description of the reduction of numbers as a "dangerous mistake"?—No, I will not go so far as to say "dangerous mistake."

28634. Would you say that it is a *grave* mistake?—Perhaps that is a little stronger than I would care to put it.

28635. It has been stated that the correct principle on which to consider the relations of officers to each other is that all power should be placed as low down as is consistent with safety; that is to say, that you would leave nothing with the Commissioner that the Collector could safely dispose of, nothing with the Collector that the Sub-Divisional Officer could dispose of, and nothing with the Sub-Divisional Officer that the tahsildar could dispose of—would you say that would be a fair principle?—Generally speaking, I should think so.

28636. (*Chairman.*) Have you sent many officers to the Government of India of recent years?—A considerable number.

28637. Have they always gone straight from your Secretariat to the Government of India Secretariat?—No.

28638. Have they gone generally from the district or from the Secretariat?—Usually from the Secretariat, sometimes from the district.

28639. Can you tell me in what proportion they have gone?—I cannot without working out the figures.

28640. Generally speaking, have they gone from your Secretariat to the Government of India Secretariat?—More often than not.

28641. At the conclusion of their employment in this Secretariat as a rule?—Their work was concluded by their being sent to the Government of India; Under-Secretaries might be taken at any time during their term of two years.

(*The witness withdrew.*)

Adjourned.

FORTY-FIFTH DAY.

LUCKNOW, *Wednesday, February 12th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. A. B. SHAKESPEAR was called and examined.

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28642. (*Chairman.*) You are Secretary to the Upper India Chamber of Commerce?—Yes. My headquarters are at Cawnpore. I am a merchant; the Secretaryship is only a part of my work.

There is, my Committee consider, a fairly well defined opinion in unofficial circles that the system under which provincial Governments are provided with their finance withdraws from these provinces an excessive share of their surplus revenues; at the same time any scheme which would contemplate the division of India into a series of financial water-tight compartments, each unit leading an independent existence and ignoring the responsibilities attaching to the corporate life of the Empire, would contemplate an entire revision of the relations between the Government of India and the Secretary of State. If the present system of provincial contracts is to be retained intact, liberty to raise money by means of loans could not be extended to provincial Governments, without risking embarrassment to the Government of India in their financial operations. It would at the same time not be difficult to accumulate instances of undertakings in the nature of productive works, either in connection with the improvement of our large cities by means of trusts or otherwire, irrigation projects or the development of lines of communication, the accomplishment of which would not have to wait upon the provision of funds from the imperial exchequer, if provincial Governments

were invested with powers to pledge their revenues and allowed access to the money market for their requirements.

Speaking generally, my Committee consider good would come of securing to provincial Governments greater independence in administrative matters. The principle of localization has been accepted as being necessary in such important questions as land tenure and excise, and it seems that without unduly weakening the powers of the Supreme Government, legislation and administration in a variety of directions might be made to follow more closely the needs of particular provinces.

In the opinion of my Committee, the status of governing bodies of provinces is such as to render it safe to leave to them the final decision as to the most suitable treatment of provincial problems. There would thus be less justification for the charge of undue delay so often brought against Government. Moreover, the danger of hasty and ill-considered action has of late years been greatly minimised by the facilities Government officials now possess for consulting local opinion, and the greater willingness on the part of the officers of Government to avail themselves of such facilities. This tendency towards co-operation, on which my Committee place the highest value, must inevitably increase the work of all departments of Government, and it seems desirable to compensate for the increased correspondence between Government officers and the public by reducing the correspondence between the provincial and Imperial Governments, more especially as for this reason the necessity for control from above is not so great as it used to be.

My Committee strongly advocate the fullest possible use being made of local conferences for the discussion of administrative and industrial questions. Problems are frequently presented to Government where local interests are acutely involved, and in which local feeling would be more truly represented when heard on the spot, than by deputation sent to headquarters.

My Committee consider the strengthening of the Executive of the Civil Service is a matter demanding the earnest attention of Government, and especially in the direction of the appointment of more district officials.

My Committee hesitate to recommend the provision of greater independence in administrative matters unless introduced simultaneously with a strengthening in the executive staff; the multiplication of work which has followed upon the general development of the country has undoubtedly resulted in an increase in the duties devolving upon District and Sub-Divisional Officers.

The creation of independent appointments for the direction of the affairs of large cities is at present receiving the attention of the Government of these provinces, and the relief which this will afford to District Officers who are now discharging the duties of Chairmanships of Municipal Boards, should allow of their accepting greater responsibilities in their revenue and general administrative work.

In such Departments of Government as Education, Agriculture, Commerce and Industry, where the necessity exists of special study being given to the peculiar conditions existing in particular provinces, greater powers might with advantage be granted to provincial Governments, including the selection and appointment of experts. The Government of these provinces has lately constructed a scheme for industrial development and the promotion of technical education, and except in matters of supreme policy the Government of these provinces should be granted freedom to develop the work of these departments along the lines which may be considered best suited to their needs.

My Committee do not consider that the enlargement of the powers of Municipal and District Boards could be undertaken with safety until the status of the persons constituting these bodies has been improved, and they have come to realise in a truer sense the obligations of their office and their duties to the ratepayers. If a better class of persons could be attracted to Municipal and District Boards in these provinces, much might be done to improve these Councils, both as regards their constitution and utility. There are instances where District Boards have no funds at their disposal and are entirely dependent upon allotments from provincial revenues. If these Councils are to be made a really effective instrument in the administration of rural areas and are to be entrusted with such important functions as the maintenance of lines of communication, they should be allowed to raise money by means of cesses for the undertaking of works which may be considered necessary for the development of the areas under their control.

Much might be done in these provinces by the prosecution of an active policy of light railways and rural tramways, if District Boards had resources at their disposal which would enable them to provide effective guarantees in cases where private enterprise is ready to come forward for the construction and working of projects of this nature.

My Committee would welcome a partial return to methods of administration which may be open to the charge of being primitive according to Western ideas. They would like to see the District Officer more in personal touch with the native population, recognising that autocratic administration has the sanction of immemorial custom and is, they believe, best suited to the character and habits of the people of India. There has been in recent years a tendency to interpose the native subordinate officials between the District Officer and the people, and an inclination to avoid the personal settlement of disputes by the Collector himself. A return to such methods contemplates the sacrifice of time which is now devoted to duties of official routine, and would therefore render necessary a strengthening of the executive staff, but this should not be considered as a bar to reforms which would greatly popularise internal administration.

28643. You tell us that it might be possible to either improve cities or to provide irrigation projects if the Local Government were invested with power to pledge their revenue and were allowed access to the money market. Is there a local money market which the provincial Government could tap and which the Imperial Government does not now tap when it issues its rupee loans?—The Cawnpore municipality raised a large loan a few years ago from a European bank in India on favourable terms. I do not suppose the Local Government possesses facilities for raising money on more favourable terms than the Imperial Government, and if the Local Governments were to borrow on a large scale this might be embarrassing to the Government of India; I quite realise that. I do not know that there would be an independent market on a very large scale, but on a more restricted scale money could probably be raised for specific projects on advantageous terms.

28644. Money which would not be available to the Government of India for the use of their ordinary issues?—Quite so.

28645. Native capital would perhaps be forthcoming for some local irrigation work of which they might have personal experience, or from which they might obtain personal advantage?—Yes. I think this is quite likely.

28646. You say that that market would be a small market; what size loan would it accommodate?—It might be available up to ten lakhs. The loan I speak of was five lakhs, and it was raised at 4 per cent.

28647. When the Government of India issue a rupee loan, do the people in Cawnpore take any of it up?—I think not.

28648. Is not Cawnpore a very prosperous town?—As regards its municipality, not at present; but the general trade conditions are prosperous.

28649. Is a considerable proportion of the general trade in the hands of natives of this country?—Yes, and there is a considerable amount of native capital in our staple industries.

28650. Capital, so far as you know, is not being put out at interest to the Government of India: therefore any local loans within the limits which you have mentioned would not interfere with the loans which the Government of India from time to time issue?—I do not know that it would in any way.

28651. You say that the strengthening of the Executive of the Civil Service demands attention; what do you mean exactly by that?—I specially referred to District Officers and Commissioners; if they are to be called upon to take greater responsibilities and their work is to be increased, we think the numbers must be enlarged.

28652. In what grade?—In all grades, but especially Commissioners and District Officers.

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28653. And below them?—Yes, Deputy Collectors and Joint-Magistrates. We only see it from a certain point of view, but there is a strong feeling that too great demands are now made on District Officers, especially in cases where they are connected with the administration of large cities. We have under our particular notice the case of Cawnpore, where the Collector has one of the largest districts in the province and one of the most important cities to look after.

28654. Who is Chairman of the Cawnpore municipality?—The Collector.

28655. If the Collector were not *ex-officio* Chairman, would it be possible to get at a place like Cawnpore a non-official who would act as Chairman of the municipality?—Not a local man, but it would be possible to get a non-official Chairman if the municipality could afford to pay him.

28656. The duties would be so heavy that no unpaid Chairman could do the work?—No. In the case of Cawnpore we have a promise that an independent official Chairman will be appointed; that will relieve the Collector, and enable him to devote greater attention to the district.

28657. When you say "an independent official," do you mean a member of the Civil Service?—Yes, and the idea is to extend the principle to other large cities.

28658. Cawnpore have guaranteed the money?—It is to be provided out of the municipal revenues.

28659. Do you know practically anything about the *mufassal*?—I have been in India fifteen years; I know something about it. This particular point I know something of, because I was connected with a light railway project where a District Board were satisfied that the prospects of the project were financially sound and guaranteed the interest; the scheme was proceeded with to the extent of having almost secured the capital, when the promoters found that the District Board had no funds at their disposal, and that their guarantee was not worth anything at all; they would have had to call upon the provincial Government for funds. This is one of the cases we had in mind.

28660. If this scheme was, as you say, financially sound, is there any reason why the promoters who would otherwise have found the capital should not have gone on with it independently of the District Board?—It is a very difficult thing to raise money without a guarantee of this sort. It was the first scheme of the kind projected in this province.

28661. Capital here, at all events, was not to be tempted without a guarantee?—The proof of its success is that it has now been undertaken by a Railway Company and is to be constructed as a railway, whereas the scheme originally promulgated only contemplated a road tramway.

28662. (*Sir Frederic Lely.*) Was the loan of five lakhs, of which you spoke, on the security of the municipal revenues?—Yes.

28663. There would be a considerable difference between the security of municipal revenues and the security of provincial revenues?—Yes, undoubtedly.

28664. The provincial revenues are already hypothecated for Government of India loans; so that a loan on the security of provincial revenues would only be, as it were, a second mortgage?—That is so.

28665. What you say therefore refers especially to small local loans which will draw out local interest and local sympathy?—Yes, where the details of the scheme would be understood and appreciated by local capitalists.

28666. You speak of strongly advocating local conferences for the discussing of administrative and industrial questions. Of whom do you contemplate that these local conferences should consist?—I meant local rather in the sense of provincial; I do not think my Committee contemplated carrying the conferences down to the district; we referred rather to conferences with the Local Government. We had one in Naini Tal the other day.

28667. Who were called to that conference?—It was very representative; the Chamber of Commerce, various sections of the Indian public, and the landowning interest were invited. Various bodies were asked by the Local Government to send representatives.

28668. Then it was on official initiative and under official sanction?—Yes.

28669. Do you think that that had a good result?—Excellent; it was assembled for specific objects; to consider an industrial and technical education scheme for this province.

28670. It did good both in establishing cordial feelings, and also in practical result?—Yes, in both respects it was most excellent.

28671. Can you tell us in what way the want of executive staff has made itself felt?—Our opinion is that a District Officer at present has not sufficient time at his disposal to deal as directly with the people as he had, and we would like to see that remedied. There is a tendency now to interpose the subordinate between the Collector and the population. The people look to the Collector and would like to see him more in the district than it is possible for him to be, with the work that he has at his headquarters.

28672. What means has the Chamber of ascertaining the facts in the district?—We all have business relations with the district of one kind or another; the cotton industry is always operating in the district, the leather people have constant dealings with it, and we hear opinions.

28673. So that you have rather considerable means of ascertaining the views of the people?—I think on that point we have considerable information with advantage.

28674. You say that the appointment of a paid Chairman would do a great deal to relieve the Collectors of their excessive work. Have you any suggestion to make about the smaller municipalities?—Many of them might be abolished altogether.

28675. There would still remain a residuum which are a tax on the Collector?—Yes, a number of them. You must consider the class of man controlling the affairs of the smaller municipalities. If the Collector is not to be the administrative head, you rather sacrifice the value of his control if you introduce a subordinate; you cannot afford to pay a man of the standing of a Collector in the case of the minor municipalities.

28676. Have you never known, or heard, of a case of a municipality where there is a non-official man able to carry on affairs? In a small municipality the work would not be nearly so onerous as in a big one; is the absolute exclusion of non-officials from the Chairmanship justified?—It is the question of the capability to pay.

28677. I am not referring to a paid man, I am referring to an honorary man?—I do not know of a case in point. In some of the planting districts you might find a man with sufficient leisure to undertake such an appointment, but I do not think this would be so in the case of a business centre.

28678. Do Europeans take much interest in municipalities in the *mufassal*?—In the case of Cawnpore Europeans have on various occasions come forward and accepted seats on the Board and, I think, done good work, but they have always been outnumbered, of course, by the Indian vote, and there is a strong feeling that they should be more powerfully represented.

28679. So far as the European element does not take any interest in the municipality, it is explained by that reason?—Yes, I think so, principally in the case of Cawnpore; the Chamber has three representatives on that municipality now.

28680. It is not because the municipality has not sufficient power given to it?—No. I do not think that is the reason.

28681. You say "If a better class of persons could be attracted to the Boards, much might be done to improve them." Have you any suggestion to make as to how a better class of persons could be attracted?—Government should make more use of their powers of nomination, or, if these are not sufficiently large, I would like to see them increased in order that Government might select more widely. In many cases we have not got the right people on the Boards.

28682. There ought to be more nominated members?—I think so, until the electorate send up the right men; they are not sending up the right men now.

28683. (*Mr. Dutt.*) You ask for greater independence in administrative matters for the Local Government, and you say that the danger of hasty and ill-considered action has been minimised by the facilities which

Government officials now possess for consulting local opinion ; are the facilities greater to-day than they were ten or fifteen years ago ?—I think the feeling to consult is stronger ; there is a greater desire on the part of Government to consult.

28684. As a matter of fact, is local opinion more frequently consulted now than it was ten or fifteen years ago ?—I think so, certainly.

28685. Has there been much improvement in the means for probing local opinion ?—I do not exactly know the nature of the machinery which applies in this matter, but I believe that there is a greater desire to consult.

28686. If proper means could be provided for testing public opinion in different parts of the country, you would be in favour of such provision ?—We would certainly welcome it.

28687. All classes of the community, both European and Indian ?—Yes.

28688. Do you know if the law of this province empowers the Local Government to sanction guarantees for local undertakings being given by the District Board ?—I think the Local Government in such cases has to refer to the Government of India.

28689. Should the powers be delegated to the provincial Government ?—Yes, I think so, with regard to local schemes.

28690. Might not the District Boards in that case give guarantees to ventures which would not be remunerative in the long run ?—In this connection the opinion we express about the improvement of those bodies will have to be considered. We feel that the constitution of these bodies could be improved by nomination.

28691. You have cited an instance of one conference which had excellent results ; was that a conference of the whole province ?—Yes. Certain delegates from other provinces—experts—attended.

28692. In smaller matters, in districts, would similar conferences held by District Officers also be beneficial ?—Yes, I see no harm in extending the principle and carrying it lower. The Committee had in their minds the idea of provincial conferences to discuss matters of policy rather than matters of detail.

28693. But in smaller matters also when necessary that practice could be followed with advantage ?—Yes ; it might be left to Commissioners to consult public opinion when they thought it necessary.

28694. I suppose your knowledge is mainly confined to the District Board of Cawnpore ?—Yes, and the information that reaches us with regard to the province generally.

28695. You are not generally acquainted with the class of men who are returned to District Boards by the electors in other parts of the province ?—No, I have no personal knowledge.

28696. Therefore you have not sufficient knowledge as to the kind of work which is turned out by members of District Boards outside Cawnpore ?—No, but there may be some members of the Committee who have specific knowledge of it ; these are after all the Committee's views.

28697. Would it be a good idea, where there are good members of the Board, to let them take up the work of the Board under the general supervision of the Collector ?—Yes ; this course is followed in the case of most Municipal Councils ; a large share of the work is being undertaken by sub-committees. The same procedure might be followed with advantage in the case of District Boards.

28698. (*Mr. Hichens.*) What is the ordinary rate of interest charged for commercial loans with a first class security ?—I think capital would be attracted by 4½ per cent.

28699. You would get money at as low a rate as that ?—Yes, for long term loans.

28700. Therefore there would be a reasonable chance of money being forthcoming for municipal works and other projects ?—I think so.

28701. If the ordinary rate of interest were much higher there would be some difficulty about it ?—Yes, there would be difficulty.

28702. Do you, as a commercial man, attach considerable importance to uniformity in regard to Government regulations dealing with commerce throughout India, such as regulations for the storage of petroleum, and so forth ?—In the particular instance you mention uniformity is certainly desirable. There are many others. The question of legislation for electrical purposes has recently come under our notice and this we consider ought certainly to be imperialised and remain imperialised until Local Governments are better equipped to deal with that subject than they are at present. I have personal experience of the disadvantages of localisation.

28703. Broadly speaking, as far as the commercial classes go, is it desirable that matters affecting them should be considered from the point of view of India as a whole and settled by the Imperial Government, not by the Local Governments ?—Yes ; so far as matters of trade policy are concerned.

28704. (*Mr. Meyer.*) Have you any knowledge of excise matters ?—Yes, as a producer of alcohol.

28705. In that case would it be desirable to have some general uniformity ?—Yes, on broad principles excise legislation should be imperial. We have had a system of differential duties in the various provinces which is a disadvantage.

28706. You have got concerns such as the Rosa distillery that deal with several provinces ?—Yes, they are quite specially situated.

28707. As communication increases, and has inter-provincial trade increases, it will perhaps be necessary to bring excise regulations into greater uniformity than they are at present ?—Certainly as regards the exchange of supplies ; there is no wish to divide India up into compartments ; the flow of supplies ought to be quite free ; you may find at the same time certain conditions may arise which would apply to one province but not to another.

28708. Did you say that you thought these local loans which you suggest the Local Governments might raise would be raisable at 4 per cent. ?—No, I said 4½ per cent. ; I quoted one instance where a loan had been raised at 4 per cent.

28709. But when you say that a Local Government might perhaps be allowed to raise money, do you think they could raise it at 4 per cent. ?—I think so.

28710. Tapping a fresh market ?—Yes.

28711. When you speak of ten lakhs do you mean ten lakhs a year ?—No, I meant an individual loan of this amount.

28712. You do not mean that they should go to the money market at the rate of ten lakhs a year ?—No, it must be considered as money raised for a specific object.

28713. Would you require the sanction of the Government of India for such a loan ?—I do not think it would be necessary.

28714. In Bengal there is a system ; every year the Lieutenant-Governor meets all his Commissioners and Heads of Departments, and some non-officials also ; would you be in favour of that here ?—Yes, it would be an excellent thing.

28715. You are in favour of the District Boards levying a special cess for railway construction ; is it your idea that that should be a special reserve for guaranteeing the construction of light railways ?—Yes ; we attach great importance to the extension of light railways and feeder lines in this province ; we think that this is what the railway system particularly wants ; we are very well served as regards trunk lines.

28716. Is your idea that the District Board should have this power, but that it would not always be necessary for them to levy the additional cess ?—I do not think it would be necessary in the case of a prosperous scheme.

28717. It would be just a power of taxation in reserve ?—And it would undoubtedly assist the raising of money for such projects.

28718. It might be objected that you are taxing the landed interest for the benefit of the commercial community to some extent ?—Yes, that has been advanced against it.

28719. What do you say to that ?—No doubt it is a point against the scheme.

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28720. Is there any other way that you can think of, any taxation that would affect other people besides the landed interest?—No, I do not think any other interests would be adversely affected.

28721. Would you be in favour, for instance, of raising money by any addition to the income-tax—the sort of thing they call the *centime additionel* in France?—I think that any addition to the income-tax would be strongly opposed.

28722. Would you be in favour of a paid Secretary for the District Board?—Yes.

28723. The Chamber's idea seems to be that the Collector should as far as possible take everything himself. Is that really possible in these days and with districts which contain on the average about a million inhabitants?—We think he should have more time to investigate district problems himself.

28724. You say you do not want an Indian subordinate official between the District Officer and the people. Are you going to run the Indian element out of the administration altogether?—No, that is not intended, but the Collector should have time to supervise the work of his subordinates.

28725. Surely the ordinary non-commissioned officers, so to speak, of the civil administration must always be Indians?—We admit this, but it is a question whether the Collector is able to keep in sufficient touch with the population of his district.

28726. Suppose Sub-Divisional Officers lived in their sub-divisions instead of all being stationed at headquarters when they are not travelling, would not you get something in that direction?—Certainly; it would be a step in the right direction.

28727. Would you be in favour of that?—Yes.

28728. You say that decentralization is contingent on strengthening the staff; surely, if you enable a man to devolve work on inferiors you *prima facie* diminish the burden on his time?—If he has less references to make, yes; but he has to do more work.

28729. Is there more work? It takes less time and trouble to dispose of a matter off your own bat than to have to send an explanation to a superior authority?—I think that depends upon circumstances.

28730. So far as you diminish a man's work, you decrease the necessity for additional hands?—Yes, but you increase his responsibilities of course at the same time.

(*The witness withdrew.*)

The Hon. Mr. E. DuCane Smithe, M.I.C.E., was called and examined.

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28731. (*Chairman.*) You are the Chief Engineer and the Secretary to Government in the Public Works Department?—Yes. I am the Head of the Buildings and Roads Branch. The two branches are equally divided; they have no superiority of the one over the other. The organisation of the Irrigation Branch is absolutely separate.

The general organisation of the department is the same as that in other parts of India. Under the Chief Engineer are three Superintending Engineers, each of whom has a circle of superintendence, and in each circle there are Executive Engineers, and under them again Assistant Engineers. The charge unit is the district, and the Public Works in each district are under a District Engineer, who may be a Gazetted Officer or one of the Upper Subordinate class. The nature of the Public Works to be constructed or looked after in a district varies very much. A group of districts corresponding territorially with a Commissioner's division is put in charge of an Executive Engineer, who is generally spoken of as the Divisional Engineer. There are nine Commissionerships and a Divisional Engineer for each, and in one case—that of Allahabad—it has been found necessary to appoint a second Divisional Engineer, because the work was heavy. In addition to the ordinary circles of superintendence, there is a fourth circle in charge of the Sanitary Engineer to Government. It is his duty to advise on all projects of sanitation, and in many cases to actually prepare the projects. Government places his professional services at the disposal of municipalities for this purpose, free of charge, except for the actual expenses incurred on preliminary surveys and enquiries requisite for the preparation of plans. He may have one or more Assistants posted to his office to help him, but ordinarily he does not supervise the actual execution of works.

The total strength of the Buildings and Roads Branch of the Public Works Department in these provinces is 48, an addition of six having only just been sanctioned by the Government of India.

Public Works ordinarily fall under one of two categories, viz., imperial and provincial. The former include all works executed for the Imperial Government either under civil or military disbursing heads, and the latter include all works for which funds are drawn from provincial revenues. The agency of the Public Works Department is, however, often utilised for the construction of works for local bodies or even for private individuals. In these provinces all original works and repairs of District Boards which are estimated to cost Rs. 1,000 have been placed in the hands of the Public Works Department.

The most important duty of the Chief Engineer in his own branch is the control of all engineering operations in the province. He scrutinizes and sanctions all estimates over Rs. 500 (imperial funds) and over Rs. 2,500 (provincial funds) which relate to original works in contra-distinction to repairs, the two categories into which all work may be divided. In the case of works to be carried out for local bodies, the final sanction for everything up to Rs. 10,000 is given by the Commissioner, but the professional details are sometimes referred to the Chief Engineer for approval. All projects for local bodies over Rs. 10,000 come up for his professional approval and sanction. The next most important duty of the Chief Engineer is the preparation of a budget for the year to show how the grant fixed in the provincial contract for his civil works, plus extra grants for special and ordinary works given by the Local Government, is proposed to be spent.

The budget is prepared under three main heads, viz.—original works, repairs, and establishment; and when compiled by the Public Works Department, it is passed to the Financial Secretary for scrutiny and then for approval of the Lieutenant-Governor. Allotments for original works are then intimated to Heads of all Departments, and the preliminary detailed issue of the budget is sent to the Government of India for sanction.

Audit of expenditure by Executive Officers under every head is controlled by the Examiner of Public Works Accounts, who is the professional adviser of the Chief Engineer on all such matters. The system of check and control is laid down in the Public Works Code, and the Examiner follows this and brings to notice all cases of infringement of rules or irregularities in accounting.

The administration of the Public Works Department would be both simplified and improved were a greater measure of control vested in the Local Government. The Department was a very small one to start with, and its organisation was originally entirely military, so not unnaturally rules and orders to ensure its management on uniform lines were drawn up for guidance. These orders have been crystallised in the Public Works Code, and though a code is essential for the administrative control of a large spending department by the Supreme Government, the attempt to secure rigid uniformity of system in every province has resulted in a curtailment of freedom of action by all Local Governments which is bad economically and in other ways.

No difference is made in the system of procedure nor in the rules laid down for the construction of a work by the Public Works Department, whether that work be a railway affecting the general welfare of the country, as a whole, or a road which may only concern two or three districts in one province. For the former funds may be given from loans or from grants given by the Government of India, whilst for the latter the funds would be from provincial revenues. A code or system that does not take into account these differences, but provides for control of all expenditure on set lines, is bound to be non-elastic, and to cause a

stiffness of working which results in over-centralization and delays. I would like to see the Public Works Code rules reduced to the smallest number which would be compatible with all reasonable control of provincial Public Works expenditure by the Government of India. A too strict adherence to a code not only causes extra correspondence and delay, but it ties the hands of officers and tends to throttle initiative and to obliterate all sense of responsibility—two qualities which should be specially encouraged in an establishment of Engineers.

There is no part of the Public Works Code that could be modified with greater advantage than the chapters relating to accounts. The prescribed forms, though elaborate, perhaps, are not objectionable, and every one recognizes that initial accounts submitted to the Government of India must be prepared on uniform lines. The forms prescribed for disbursing officers must also be uniform, so that an officer has nothing new to learn wherever he may be serving. But it is in the matter of audit that the code accounts system is needlessly stringent, and no harm would result if the Examiner, deputed to each Local Government, were allowed a greater latitude in dealing with audit objections than any of them now conceive they are entitled to exercise. The time and labour now given to minute check and countercheck. accompanied by long statements setting forth major and minor irregularities and breaches of code rules, is not commensurate with the result obtained. The accounts of a disbursing officer are really simple and so is their check, but it is extraordinary how often the essential elements of both are lost in a mass of petty objections on details which the Audit Officer feels bound to bring to notice. This action is correct from the Examiner's point of view. He has to follow the Code, and often feels bound to press his views, and even appeal to the Government of India if the Local Government does not agree with him. But the system is wrong, for it creates friction and much correspondence on trivial matters connected not only with cash outlay and vouchers, but with establishment.

The appointment of Upper Subordinates and accountants should be left entirely to the Local Government, including in this the fixing of the *cadre* number, but not the scale of pay which would remain as now laid down in the Public Works Department Code. The appointment of temporary Engineers up to a limit of pay of Rs. 1,000 a month should rest absolutely with the Local Government. All such appointments being limited to a period of three years and being reported for the information of the Government of India.

The submission of the preliminary issue for provincial works in detail might be abolished. The expenditure is based on the provincial contract, and a brief statement showing the proposed outlay under the ordinary budget heads—original works, repairs, establishment, and tools and plant—should suffice. The same as regards the six months and revised estimates.

As regards the delegation of powers to Superintending Engineers, proposals have lately been circulated by the Government of India with the general tenor of which I agree, with the reservation that extended powers of sanction should be given gradually.

As regards the rents of official residences, there is no set of rules in the code that gives more trouble to work than these. The references are endless—some quite reasonable, some very much the reverse. The Local Goverment has little or no discretion in relaxing the rules, but it should have a larger measure of control when the funds affected are provincial, and the rents go into provincial revenues. It is desirable, and soon will be almost imperative, to house all officials in large stations in Government residences; and the present rules, being inflexible and rather unpopular, are stopping this.

Enlarged powers might be given to Local Governments under the head of purchase of European stores in India. The annual return of stores purchased locally might be prepared in less detail. That for 1906–7 in this province was bulky enough to fill 165 pages of print.

I would personally be glad to see a reversion to the old state of affairs, which made no difference *in pay* between the Engineer appointed from Roorkee (or other Indian College) and one appointed in England, provided that the standard of examination was the same in both cases. At present an Engineer from Roorkee does exactly the same work and has the same responsibilities as his *confrère* from England, yet he only draws two-thirds of the pay. Those not good enough to get a guaranteed appointment at an Indian College might be given diplomas and engaged as true Provincial Engineers—that is, as Engineers to District Boards, where the work is far simpler and where the responsibilities are less. A large number of Indian Engineers of this type are needed, and it would give an opening in life for engineering students who have a taste for that sort of work, but who are not quite the top of their class.

I am in favour of giving Local Governments borrowing powers within some total which might be fixed by the Government of India. The same end, however, could be gained were the Government of India to make special grants to a Local Government if at any time it could be shown that by unforeseen calamities the revenues had been seriously affected. Such a state of affairs arose recently in the Punjab, where earthquake, fires, and other disasters caused a quite abnormal expenditure, totally beyond the forecast on which the provincial settlement was based. I would also give more power to the Local Government in the matter of granting loans to local bodies. In the case of municipalities such loans are usually taken for sanitary works only. The orders are that important towns must raise their loans in the open market and it is difficult to get this order relaxed. The principle is sound enough for the Presidency towns where the system of taxation is based on a property valuation as in England; but up-country, where the municipal income is small and derived mainly from octroi, it is hard to drive the citizens to borrow from a bank at 5 per cent. or over when Government could lend at 3½.

The Government of India is dominated by considerations of revenue and does at times impose a burden on provincial finances that they might fairly bear themselves. For instance, it presses for a local improvement to be carried out, or for the opening out of a new road in the Hills towards the frontier to develop trade. Almost invariably the cost has to be defrayed from provincial revenues on the *plea* that the work falls within the terms of the provincial contract. Again, a Local Government is asked whether it would like a railway bridge to be made passable for cart traffic. If the reply is yes, then the Local Government has to pay a sum of from 2 to 5 lakhs. A recent reference was made to the Punjab Government about three new bridges on the North-Western Railway, and had the reply been that a cart track was needed, the cost would have been 14 lakhs.

I would not curtail the right of appeal now granted to officers of Government to the Government of India, nor that of all officers to a Local Government.

In the Public Works Department transfers of officers are not unnecessarily frequent, but the administrative staff is hardly adequate to cope with the work to be done. The areas of the charges held by both Superintending and Executive Engineers are on the whole excessive in this province, but the establishment has lately been increased and there is some hope of a redistribution which will make the charges more manageable.

28732. You are a member of the Sanitary Board?—Yes, but I have only just joined these provinces in November last, so I know nothing about the working of the Sanitary Board here. In the Punjab the same conditions hold; the Chief Engineer is a member of the Sanitary Board.

28733. Have you been round your charge yet?—To a small extent I have; of course I have not travelled everywhere yet, only to some of the most important centres. The Chief Engineer has really not much time to do much travelling; his office work is very heavy.

28734. Are you satisfied with the extent of the power which is in the hands of Superintending Engineers?—No.

28735. Have you yourself just ceased to be a Superintending Engineer?—Four years ago. The Superintending Engineers should certainly be given a great deal more powers. I think their powers have been curtailed, especially in these provinces. I notice a great difference between the United Provinces and the Punjab in that respect. The suggestion made by the Government of India for delegating powers to Superintending Engineers which have been accepted by this Local Government *in toto* are most desirable, and they

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might even possibly be extended in minor matters which the Government of India letter did not touch upon.

28736. You find the restrictions laid upon the Superintending Engineers were closer here than they were in the Punjab?—Yes, to a slight extent only, but there is a little more diffidence here amongst the Superintending Engineers in dealing with things.

28737. What is the delegation to the Superintending Engineer, so far as regards the approval of contracts and minor works, going to be extended to?—It has been suggested that they should have the same powers of accepting contracts in minor work, as they are given power of sanctioning estimates, that is to say up to a lakh. At present the Government of India permits certain selected Engineers to have powers up to Rs. 10,000. Even those powers have not yet been delegated to the Superintending Engineers in these provinces although they might have been.

28738. You think that Superintending Engineers are quite capable of taking that responsibility?—I should give the responsibility by degrees; on appointment I should certainly give them permissible powers up to Rs. 10,000, and then by degrees, as they are found to be capable, extend them up to the maximum limit.

28739. Would you act upon your own advice as to delegation to particular officers?—Yes.

28740. Would you ask for that power for yourself as Secretary to Government, or would you put it on the Lieutenant-Governor?—I should ask for it for myself as Head of the Department.

28741. Would you ask that you yourself should be able to delegate those powers without reference?—No, certainly not, because there are other things that come into a Superintending Engineer's work besides engineering. He must be a man of great tact in dealing with other departments; he must have great administrative capacity; it is not a matter of a design or a drawing; there are many men who are very good engineers indeed, but not very good administrative officers, and I do not think the Lieutenant-Governor would be prepared to give a free hand. I would not like to have the responsibility myself without reference to the Lieutenant-Governor.

28742. Is the Lieutenant-Governor brought into contact with the Superintending Engineers personally?—Yes, on his tours of inspection.

28743. That is where he would get the experience which would enable him to choose between officer and officer?—Yes; and he would also hear from Commissioners; when he goes round he would say "How are the Public Works doing here?" and the Commissioner would say "We have a very good Superintending Engineer here—he pulls very well," and he would thus be in a good position to judge of the administrative capacity of the different men.

28744. Do you have many transfers in the Public Works Department?—Not very many.

28745. How long would a Superintending Engineer stay in his charge?—He is very rarely moved; during my four years as Chief Engineer I can only recall one instance of what you might call a general change of Superintending Engineers.

28746. Would there be no inconvenience from the fact that one Superintending Engineer in a district who had had full power delegated to him went away and was succeeded by a man who had practically no powers delegated in matters of large contracts?—I do not think so; the work falling back on the Head of the Department would be exactly the same, provided there was not a new man brought in; I do not think there would be administrative inconvenience to the Commissioner.

28747. Is not selection observed in the promotion of Executive Engineers?—Yes, it is supposed to be; but it is not always possible to select with very great strictness.

28748. Where do you begin to select?—Only in promotion to the first grade of Executive Engineer.

28749. Are there not three grades of Executive Engineer?—Yes. In the second and third there is no particular selection; a bad officer is passed over, but the Public Works Code says that when you promote to the first grade Executive Engineer selection must come in.

28750. And as a matter of fact selection does not always come in?—The claims of seniority necessarily weigh.

28751. Is there stricter selection for promotion to Superintending Engineers?—There is fairly strict selection.

28752. Are the claims of seniority there allowed to be almost paramount?—No, they have not undue weight.

28753. Then from Superintending Engineers upwards?—To Chief Engineer the selection is very strict indeed.

28754. Up to then it has not always been selection; it is selection tempered by seniority?—Yes.

28755. A good deal tempered by seniority?—Not too much tempered.

28756. At what age does such a man generally become Superintending Engineer?—42 to 44; it varies very much on the different lists.

28757. Suppose a man of such age and experience was in private practice, would he have power to decide finally upon works which represented a capital value of £10,000 sterling?—I think so.

28758. Then why should he not have it when he is a public servant?—Except that the competition at home is very much keener than it is out here; men who would be asked to give a professional opinion on a big project at home would be men who had worked themselves up.

28759. As a matter of fact it is something under £7,000?—Yes, but the relative value of money represents a higher value than £7,000. You may compare a project costing one lakh of rupees in this country with a project costing at least £25,000 in England in relative importance.

28760. Would a man of 42 years of age acting as a Civil Engineer finally issue specifications and complete the contract?—The system in England is rather different from our system here; not having been in practice in England I do not think I can answer your question.

28761. Are what are called provisional sanctions necessary here to prevent the cessation or suspension of work towards the close of the financial year?—I do not think there is any provisional sanction.

28762. When you get close to the end of the financial year you have works which are not completed; are you quite certain whether you are going to get your money next year in order to complete your works?—Yes, because works in progress are the first charge on the budget for the next year.

28763. Is no delay caused by official sanction to the budget not having reached you?—If proper arrangements are made there should be no delay.

28764. What are the proper arrangements?—For instance the budget expenditure of next year in the month of February is now going out to the Superintending Engineers for their general information, so that they may see now what works have been provided in the next budget. It is not a final issue of the next budget, but it is so far final that 99 per cent. of it will probably stand; there should be no hesitation therefore on their part in letting works proceed in the ordinary way.

28765. You would not attach much importance to any suggestions that these sanctions lead to delay?—I have never had occasion to ask for provisional sanction of that kind.

28766. Do you find that your relations with Commissioners are good?—Exceedingly so.

28767. When a project is once put into a road scheme, who sanctions the selection of roads on that scheme?—There are two classes of roads; there are the provincial roads, which are trunk lines or important feeders; they are sent up to the Lieutenant-Governor and he approves of them; those are all roads constructed out of provincial revenue.

28768. Who determines on the priority of construction of these feeder roads?—Probably the Collector will suggest the road in the first instance; then the Superintendent Engineer consults with the Commissioner, and the estimates are made out.

28769. Suppose there are three roads on a road scheme, who has the final say as to which is the most important of these roads and which shall be the first to be begun?—Unfortunately in these provinces there is no list of urgency at all; in the Punjab we were accustomed to work with the order of urgency.

28770. Who arranged the order of urgency?—The Financial Commissioner and three Secretaries to Government arranged that (in the Punjab) after hearing the Commissioner's views; here, so far, I have not seen any case of that practice being adopted.

28771. What is the practice adopted?—In this province an estimate is simply dealt with on its own merits as it comes up.

28772. It is a sort of haphazard business?—I think the Lieutenant-Governor probably knows better than anybody else which road should be made first.

28773. Suppose there was a certain number of roads on your road scheme, could the Superintending Engineer select one of the roads and proceed to make it without the knowledge of the Commissioner?—It would be absolutely impossible.

28774. So that somewhere from the Commissioner comes an order to the Superintending Engineer to set to work on road A or B?—Yes; every road estimate passes through the hands of the Commissioner, whether it is to be done from local funds or provincial funds.

28775. Then the Commissioner at all events, in the matter of roads, has a complete control over the Public Works department?—In the recommendation of projects certainly.

28776. Not in the technical construction of the roads?—No.

28777. (*Sir Steyning Edgerley.*) Have you nothing to do with the *personnel* of the Irrigation Department?—No.

28778. Would you be ready to carry your idea of the measure of control vested in the Local Government so far as making the Engineering Department provincial?—It would be very desirable to have Provincial Engineers for District Board works under the Collectors and Commissioners.

28779. In Bombay and Madras the whole department is provincial right up to the Chief Engineer; in the Punjab and here it is split into two, and part of the appointments are with the Government of India. Would you care to follow the Bombay and Madras system, and have a provincial department?—I think not. It is very desirable that the control of promotion to Superintending and Chief Engineers should remain to a certain extent in the Government of India; there should be more interchangeability between provinces of men as they become senior.

28780. You do not find yourself in any great difficulties at the present time?—No. My only difficulty is that I do not know my staff, but that is a difficulty you get over in a very little time because you see so much of their work on paper.

28781. You think the Code is not very satisfactory?—It might be very much improved and simplified without removing the necessary control of the Government of India.

28782. To what extent is the control of the Government of India necessary as regards Public Works?—I think in higher appointments, matters of recruiting, it must certainly have the prior say, and in the rules laid down for audit and probably also for budgeting.

28783. But as regards the actual work of the year?—I would leave a great deal more to the Local Government.

28784. You mean within the limits of sanction?—Yes.

28785. Has the Public Works Audit Department ever been overhauled and examined?—There was a Government of India Committee sent about eighteen or twenty years ago to simplify forms, and a great deal of good was done by that. That was the last occasion to my knowledge.

28786. Ought that to be done periodically?—I think so, because experience in practical working brings many little matters to light.

28787. It was suggested to us by one witness in the Central Provinces that the distinction between imperial and provincial works was sufficiently guarded by the grants which the Government of India make for imperial works, and that the code distinction between imperial and provincial estimates was an unnecessary addition to that?—I have never found any difficulty or delay in dealing with works from that reason.

28788. Your powers as a Local Government as regards imperial works are very much smaller?—Yes.

28789. Is that right?—No; I would give increased power of sanction under imperial works, because it would save the Government of India a number of references on technical matter which the local officers could very well deal with; but not to the extent that the Local Government should not have control over its own expenditure.

28790. As regards powers to be given to the Superintending Engineer, your suggestion is Rs. 50,000?—Yes, a lakh of rupees for provincial works.

28791. Certain works have to go to the Government of India architect?—Yes, anything costing over Rs. 50,000.

28792. Is that limit high enough or low enough?—It is difficult to fix a limit in anything to do with the architect; you may have a work costing only Rs. 25,000 in which expert advice is most essential.

28793. Is it right that the consultation with the architect should be obligatory?—There should be a certain amount of discretion left to the Head of a Department in a province. For instance, here we are going to build a boarding-house or hostel for the Medical College which will cost 3½ lakhs; it is practically a barrack. Under the rules we have to send that up to the architect of the Government of India; that is unnecessary.

28794. I understand you do not want any hard and fast rule on that point?—No, there should be no limit; it should be simply left to the discretion of the Head of the Department to take the orders of the Lieutenant-Governor as to whether there should be a reference made to the Government of India architect or not.

28795. Occasionally it might be the case that the Superintending Engineer's work ought to go to him?—Yes, I think so.

28796. Suppose you gave a Superintending Engineer powers up to a lakh; he would have to discriminate as to whether he wanted the architect's views?—Yes, he would have discretion as to that.

28797. Since you have been at work out here have rates risen very much?—Very much indeed. Speaking of my old experience in the Punjab, I should say 33 per cent. at least as the rise in labour. I am told it is 25 per cent. in the United Provinces.

28798. The old limits of sanction and so forth, fixed thirty years ago, have therefore by this time rather reduced the power of all the officers concerned?—Yes.

28799. So that before you begin to consider whether they should have more powers that ought to be rectified first?—Yes.

28800. In the Central Provinces they put the rise in rates as high as 75 per cent. to 100 per cent.?—On the experience of the Punjab I could put it at 50 per cent., but it varies very much.

28801. Are you restricted at all in the power of appointing your Upper Subordinates?—The Government of India appoints the Upper Subordinates. So long as they are drawn from Engineering Colleges the Government of India must be allowed to have a look in, because it has to deal with men who are going all over India.

28802. Could that not be arranged between you and the Principals of the College?—Yes.

28803. You would send in your indent each year?—Yes, that would be a very good arrangement; each Chief Engineer of the province would indent on the Principal of the College; it would be recognised that he would have to take so many here.

28804. Would that save a great deal of work?—Yes, and under a system of that kind more appointments could be given to outsiders who had proved their worth; that would be an advantage.

28805. If that could be done, is there any other reason why the appointment of these Upper Subordinates should remain with the Government of India?—None whatever.

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28806. You say that you have this preliminary budget prepared in February, and you give all your Engineers notice of it?—As soon as it is passed by the Financial Secretary to the Local Government.

28807. If that is done, what is the harm of sending a copy of it to the Government of India?—At present we are obliged to do it.

28808. But you suggest that it should not be done?—Not in detail. One is rather apt to rush the detail in January and February; the details are called for by Superintending Engineers in September, and it is almost impossible to forecast detailed expenditure six months before the commencement of the financial year.

28809. Is the budget given in detail in February?—The Superintending Engineers begin to prepare their details in October, and they send them in at the end of December; those are dealt with in the preliminary issue of the budget in January, which is reported to India in lump sums by telegram and letter, and then the details go on the 15th of this month.

28810. You do not think they want that?—I do not think the Government of India need be worried with the details.

28811. If it went up in February it would give you a little more time to instruct your Engineers?—Yes.

28812. You say you send them a six-monthly budget in October?—The budget for the year; 15th February is the final issue.

28813. Your budget itself, you say, goes to about 450 pages?—Yes, that is unnecessary.

28814. But is that not entirely within your own discretion to reduce?—Yes, I think it is.

28815. Is this return of stores of which you speak, which you say runs to something like 165 pages of print, required by the Secretary of State?—Yes.

28816. Would you be in favour of a policy of encouraging local purchases as far as possible?—Up to a certain point only. The proper thing to do is to have a local depôt on a very large scale to be maintained in consultation with the Director of Stores in England so far as it is possible to foresee local requirements at a local depôt; then when you have an urgent call for something which is not in the depôt there should be power to purchase locally. There is a great advantage in getting things from home.

28817. Looking back on the last thirty years, is the country more ready to supply in the country almost all the stores which you could order?—Certainly; particularly in engineering. The engineering firms out here have better materials and better engineers to advise; they send out much better designs than they used to do twenty years ago; there has been an immense improvement in that respect.

28818. Do you think you could supply yourself entirely out here by orders placed locally?—Very nearly completely—of course at greater cost.

28819. The cost would gradually decrease I suppose as they got the trade?—Yes.

28820. (*Mr. Meyer.*) Do you regard the audit system in the Public Works Department as more stringent than in the Civil Department?—I have no real experience of audit in the Civil Department; I am not in a position to say.

28821. Speaking generally, what matters could be simplified?—Vouchers and the duplication of returns. A very large number of returns in the Public Works Department which the Code enjoins are rendered in unnecessary detail and in some cases almost in duplicate.

28822. You recognize that the Public Works Department is a department in which there is a considerable scope for fraud on the part of subordinates?—Yes, but the present system is so complicated that fraud is really likely to creep in. If you were to keep your initial accounts of measurements and cash books simply for the disbursing officer, you would get as far as you could in eliminating fraud; you cannot eliminate fraud higher up—forgeries and so forth.

28823. I do not say it is a good thing otherwise, but might not a multiplicity of accounts check fraud; a man might fudge five accounts and forget a sixth?—That is so, but speaking, as an Engineer, I should like to see the initial accounts of disbursing officers simplified, so as to give them more power to attend to outdoor work.

28824. You say "If the Local Government were given discretionary powers in dealing with the interpretation of an order"—what sort of powers do you propose to give to the Local Government?—Suppose some irregular expenditure is reported to the Local Government by the Examiner of Public Works Accounts, and the Chief Engineer differs from him and considers that the expenditure is reasonable; the Examiner falls back on the Code; he says "According to the Public Works Code I take this view of the reading of the rule" and he will very likely support that by another Resolution of the Government of India; if he chooses to say that he will not go back from his opinion, a reference to the Government of India in the Public Works Department becomes obligatory; the Lieutenant-Governor has no power to over-rule the local Examiner of Accounts.

28825. Are you referring to recurring or non-recurring expenditure?—Miscellaneous expenditure, generally non-recurring.

28826. Does not section 278 (A) of the Civil Account Code give the Local Government power?—I am afraid I do not know anything about the Civil Account Code; we never work to it.

28827. There is a section which allows the Local Government to go outside the rules so long as it is not infringing the principle of them up to Rs. 1,000; have you no such rule in the Public Works Code?—There may be such a rule.

28828. Is that the sort of thing you have in your mind?—Yes.

28829. Suppose there is a restriction laid down by the Government of India in regard to the sanction of work, you do not mean that the Local Government should be able to relax that?—No.

28830. You desire that the Government of India should be kinder to Local Governments in the matter of roads and railway bridges. You are aware that the amount that the Government of India can raise for railway construction is rather limited?—I thought they could raise almost any amount they liked.

28831. Have you never seen complaints of the commercial community and other people that the railway programme is strictly limited? The railway programme is carried out mainly from borrowed funds, and that depends on the state of the market; therefore, is there not justification for the Government of India confining their expenditure to what is really railway expenditure and not throwing in roads?—Local Governments are very often put into a very awkward position when they are asked whether they will have a road or a railway bridge.

28832. Again you say that the Government of India should help the Local Government whenever anything special happens; does it not do so in the case of famine or anything serious?—Yes, in the case of famine.

28833. The resources of the Government of India come in the long run from the taxation which it shares with the Local Government?—Yes.

28834. It it adopts a more liberal policy, such as you advocate, to the Punjab or any other province, it means in the long run that it will have to take away from some other province?—I cannot say I know enough about the matter to answer that.

28835. Similarly, as regards loans to local bodies, it is very nice for a municipality to borrow from the Government of India at 3½ per cent. instead of borrowing from a bank at 5 per cent. But are not the resources of the Government of India limited, or do you regard them as having a Fortunatus's purse?—The security is good, and the object for which the loan is wanted is admittedly a good one. I do not recommend loans being offered by the Government of India to a Corporation simply for any kind of public work; it should be limited to works of utility such as those I have mentioned.

28836. Do they not lend now from the local loans account?—They do, but not in the case of big municipalities.

28837. Would you be in favour of breaking up your provincial budget a bit and giving a certain amount divisionally for the Commissioner to sanction instead of the Government?—Every Commissioner should have an annual allotment for what are technically called minor works; that is to say, small works up to Rs. 2,500.

28838. What does your Public Works budget amount to here?—About 55 lakhs, but that is not on works only; establishment, repairs, tools and plant swallow up more than half.

28839. Of course you must keep a certain amount at headquarters for establishment and for emergencies, and so forth, but the suggestion is that the other matters the Commissioner might deal with: that instead of having a struggle between different Superintending Engineers which you and the Lieutenant-Governor decide at headquarters, you might make Commissioner the sanctioning authority; is there anything in that?—It never occurred to me to think about that for provincial expenditure, but for local expenditure by the District Board they might have a great deal more powers than they have.

28840. They can sanction up to Rs. 10,000?—Yes, but I would go far beyond that; I would give the Commissioner and the Superintending Engineer power to sanction anything up to a lakh of rupees.

28841. That is what you may call the professional and individual sanction, but in the District Boards Commissioners now sanction on the budget *en bloc*?—Yes.

28842. You would not have a similar budget sanction for provincial works?—There are nine Commissioners; if you gave each of them a lakh that would mean that nine lakhs out of the budget would go for provincial works. I do not think, with the present allotment, you should give them so much as that.

28843. Why should they not sanction original works too?—There would not be much left for the province as a whole.

28844. The province as a whole consists of divisions; the expenditure is now carried on in divisions; it is not all concentrated at Allahabad or Lucknow?—There is a great tendency now to concentrate in a few local centres; at the present moment, for instance, the chief expenditure here will be at Cawnpore. There is the Agricultural College and the Technical College, and there will be a great deal of expense there—more than at Lucknow.

28845. Might you not counteract that by guaranteeing each division a certain amount and keeping a pool?—Certainly, but the difficulty would be to fix the amount.

28846. In principle you are in favour of it?—Yes; I agree, undoubtedly.

28847. I suppose the Government of India must in any case have details of the imperial works that are proposed to be constructed?—Certainly.

28848. As regards the provincial work, do you simply propose to say, "We intend to spend so many lakhs in establishments, so many lakhs in buildings," and so on?—Yes, under each major head of the budget establishment, repairs to communications, original works communications, and so forth.

28849. You are aware that the Government of India have frequently had to cut the provincial works budget on the ground that the estimates would not be worked up to?—Yes, I have known instances of that.

28850. As a matter of fact, they have never been worked up to?—I have known instances where they have not been worked up to.

28851. In scrutinising the budget from the probabilities point of view, is it not rather important to know the amount which you are putting into new works?—I think not, not from the Government of India's point of view.

28852. A new work may be delayed. People are always sanguine about beginning a new work early; you get difficulties between authorities, difficulties on the plans and so on, whereas a work in progress goes on and maintenance charges are more or less fixed?—That is so.

28853. Therefore the amount that you over-estimate in a budget, if you do over-estimate, is practically determined by the new works?—Yes, but the Local Government has power to re-appropriate, and should have power to re-appropriate any excess of estimating in new or any other works.

28854. I am speaking of the Government of India's point of view, which is that of accuracy of estimating; if they find that you have a lot of new works in your programme, they have a greater ground for cutting down your estimates in the interest of probability than if you had hardly any new works?—Lapses and over-estimating should rest entirely with the Local Government.

28855. (*Mr. Hichens.*) Are you satisfied that the Audit Department exercises an effective check over your expenditure?—Yes, very effective.

28856. If any fraud were perpetrated, would they be safe to discover it?—Yes, I think so.

28857. I understand that you see no objection to having uniform accounts for Public Works?—No, I think it is most desirable.

28858. Also, you would agree to an independent audit by the Government of India?—Yes. The audit now is independent in so far as the Examiner reports to the Accountant General in the Public Works Department of the Government of India; that would be essential.

28859. But with regard to the Public Works Code, would it be better to have one Code for the whole of India or would you have a Code for each province?—There should be one for, say, from Peshawar down to Calcutta, another for Bombay, and another for Madras; there is sufficient variation in procedure to warrant three codes.

28860. You do not think it is desirable to have one for each province?—No, that would be too minute a sub-division.

28861. With regard to many matters the Public Works Code might safely be substantially modified in each of the provinces to which you allude?—Yes, I think so.

28862. For example, the regulations with regard to official residences give you a great deal of trouble?—They do.

28863. Is your suggestion that you should have a substantially freer hand?—I think the Local Government should be given a freer hand, because it knows the circumstances better.

28864. Should the Local Government be allowed to decide for itself its own rules?—No, I would leave the rule as to residences almost exactly as they stand, but instead of rendering a reference to the Government of India obligatory for reduction of rentals and so forth I would leave it to the Local Government. The rules as they stand are good; they are businesslike and sound; if they were less stringent they would be abused in many ways.

28865. Practically you would allow the Local Government to make exceptions?—Yes; to be the Court of Appeal.

28866. That being so, they might adopt their own rules?—Yes; I have no objection to that.

28867. And it might be the same with regard to other matters, too?—Yes, there are many matters which might be dealt with similarly.

28868. It does not necessarily follow that uniformity is desirable as between, let us say, the northern provinces and the southern?—Not necessarily.

28869. Is there any advantage in allowing a Local Government to work out its own regulations, to a large extent?—The reason for uniformity in Northern India is that transfers in the Public Works Department never occur between Madras, say, and the United Provinces; transfers between the United Provinces and the Punjab, and between Bengal and the Punjab, are not frequent, but they do occasionally take place, and it is of great importance that the officers transferred should have the same forms, the same procedure, the same Public Works Code, in any province in Northern India they are transferred to.

28870. The only officers who are transferred are the upper ones?—No; the Executive Engineers are also transferred by personal request; that is a very common thing.

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28871. Not on the provincial *cadres*?—Yes, on the provincial *cadres*.

28872. Is that the only reason you would give for uniformity?—It is the only one of any weight, I think.

28873. Would it be expecting too much if, when an officer was transferred, he was required to assimilate rules which might vary in certain particulars?—Yes, it would be rather difficult for him.

28874. How far are you prepared to go in allowing freedom to the provincial Government in regard to the purchase of stores?—The Local Government should be given freer power than is at present vested in it for the local purchase of stores.

28875. Would you be prepared to say that the Local Government should be able to decide for itself whether to purchase its stores locally or at home, whether it should call for tenders from both, or from one or the other?—Yes. The other day a famine came very suddenly upon these provinces, and one of the most essential things is to be ready for Public Works as soon as famine shows anywhere. We set to work at once to supplement our store of tools; our store up to the limit fixed by Government was complete, but the Lieutenant-Governor said, "The famine will be far more grievous than was anticipated; we must increase our stores." We set to work to increase our stores at once, principally spades and pickaxes, and so forth, and we have just received a letter from the Home Government to know why we contravened the rules. I think that in a case of this sort the Local Government should have absolute power.

28876. (*Mr. Dutt.*) You say that the Divisional Commissioner is always consulted in the matter of works within his own division undertaken year after year?—As to roads and to a certain extent civil buildings—anything to do with the cutcherry.

28877. Is his formal approval taken?—He signs every estimate, not merely as a matter of formality but he reads the reports. There is a half margin form used, and the Commissioners are in the habit of using that half margin very freely indeed.

28878. Has he a potent voice in deciding which works shall be taken up this year and which the next year, and so on, within his own division?—Certainly.

28879. Practically the Superintending Engineer decides that in consultation with the Commissioner?—Yes; the connection between the Superintending Engineer and the Commissioner is very close indeed in this province.

28880. No difference of opinion has come to your knowledge?—None.

28881. You have told us that all works undertaken by District Boards over the value of Rs. 1,000 are executed by your District Engineers, men of the Public Works Department; is there not a proposal that the District Board should employ their own Engineers?—I am absolutely in favour of that myself, but of course I cannot make any proposal of that kind in a province to which I have only just come. I should like to see it for many reasons.

28882. If they had qualified Engineers, you would allow them to construct their own works up to a certain amount?—Yes, subject to a general supervision by the Superintending Engineers. I assume that the Superintending Engineer and the Commissioner both have the interests of their division at heart jointly, but I would let every District Board have its own Engineer.

28883. What schemes of the District Board now require the sanction of the Superintending Engineer and the Commissioner?—Above Rs. 1,000 everything practically. The Commissioner does not take the opinion of the Superintending Engineer when the estimate is under Rs. 10,000, he sanctions it himself; but in many instances, not being a professional man, he does consult the Superintending Engineer or the Divisional Engineer; he consults whom he wishes.

28884. If the estimate is under Rs. 1,000, it does not require the Commissioner's sanction?—No.

28885. You have told us of the Roorki College and of the desirability of giving diplomas to men as provincial Engineers who might be employed with advantage under District Boards; does the Roorki College train Engineers now from all parts of India?—No, only from northern India; Bengal has its own College at Sibpur, Bombay has its own College at Poona, and Madras has its own Engineering College.

28886. Do these Engineering Colleges train up to the same standard as Roorki?—I do not know. The Roorki College I know a good deal about because I have seen their papers; their standard is a very good one.

28887. Roorki is limited to students of northern India?—Yes, from the Punjab, the United Provinces, and admission from Bengal can be secured under certain conditions.

28888. You are not aware that the standard of education in Roorki College is higher than the standard in Madras or Bombay?—No, I do not know that.

28889 Has the Local Government power now to grant loans to local bodies under certain restrictions?—Yes.

28890. Has any concrete case come to your notice in which a local body has been fettered under the rules and prevented from taking loans which it would otherwise have had?—Yes, the municipality of Lahore some time ago wanted a loan; it applied to Government for the loan on the usual terms; the proposal was negatived by the Government of India, and the municipality was told to raise the loan in the local market, so they went to the Bank of Bengal.

28891. Was it refused by the Local Government, because the Local Government had no power to grant the loan, or because the Local Government thought it ought to be raised on the local market?—I have always understood that they were acting under the orders of the Government of India in the matter.

28892. Have District Boards sufficient power to raise loans for feeder lines and so on?—No, I think that would be most desirable, as has been done in Madras.

28893. Would you place any restrictions to prevent them going in for improvident ventures?—They should be left to themselves; they have got professional advice and they have got the Commissioners; I should leave them unfettered I would let them report to the Government.

28894. But should not the Government have the power to vote such an undertaking if it thinks it is not desirable?—I suppose that would be in accordance with Indian traditions.

28895. Does the right of appeal, as it now exists, give you any undue amount of work?—No, not in my department.

28896. (*Sir Frederic Lely.*) When you speak of the Commissioner being associated with the Public Works budget, do you refer to works of other departments?—The Heads of other Departments make their budget in consultation with the Public Works Department; they have a grant put at their disposal.

28897. So far as you know, they do not consult the Commissioner?—They would in the matter of a hospital; the Inspector General of Hospitals would not propose anything in this budget without consulting the Collector—not the Commissioner.

28898. Would it be possible to arrange for the building of a high school in a place without the knowledge of the Collector of the district?—Absolutely impossible.

28899. Is there anything in the rules to prevent it?—The executive rules say that every estimate must be sent to, and seen by, certain people; a high school would have to go first to the Collector and then to the Head of the Educational Department; it goes through three or four hands.

28900. The Head of the district has to sign the estimate for every work?—Take a police station; the Collector has to sign everything.

28901. That is all round the case, is it?—Yes, in the case of every department.

28902. Is it considered that in the district the Executive Engineer is on an entirely independent footing from the Head of the district?—It depends a great deal on whom the man is; if he is a Gazetted Officer who has come out from England, he is perhaps

a little more independent than a man who has come through Roorki ; but I think there is no subordination on either the one side or the other ; in most cases there is a spirit of *camaraderie* which works very well indeed.

28903. Where that spirit of *camaraderie* exists it depends upon the personality of the men ?—Yes.

28904. I heard an Executive Engineer once describe his Collector as merely his bailiff to collect his rents ; that is rather a bald description of the relationship ; but, broadly speaking, do you take it as more or less true ?—If a man has tact he knows perfectly well that the Collector is the Head of the district and he is bound to consult him if he wants to get on with his work, and all the sensible ones do ; I do not think they look upon it as subordination.

28905. (*Chairman.*) With regard to the sanction of estimates, under your proposals a Superintending Engineer would for imperial work be able to sanction estimates up to Rs. 10,000. and for provincial works up to Rs. 25,000, and for local works anything over Rs. 10,000 ?—Yes.

28906. Eventually he would have power to sanction estimates for imperial works up to Rs. 50,000, and for provincial works up to Rs. 1,00,000 ?—Yes.

28907. What is the reason which requires a difference in his power of sanctioning estimates for imperial and for provincial works ?—It is following up the present practice, which limits the sanction of Superintending Engineers in imperial works very rigidly ; he can sanction at present only up to Rs. 500.

28908. But what is the reason for the differentiation which is made ?—I cannot say ; the Government of India in sending out proposals the other day repeated this differentiation I suppose they wished to have a better control over their own works

28909. Is not an imperial work, say, up to Rs. 50,000 carried out under the direction of the Superintending Engineer ?—Yes, entirely, once it is sanctioned.

28910. But do the estimates go up for check (supposing they are over Rs. 50,000) from him to the Government of India ?—Yes, they are sent up with plans to the Secretary of the Government of India in the Public Works Department.

28911. Then the reason is that the Government of India are unwilling to trust a Superintending Engineer beyond a certain point, while the Provincial Government would trust the same officer up to a much further point ?—That is so.

28912. Speaking from the purely technical point of view, is there any good reason for this differentiation of power ?—No, I do not think that Government of India works estimates are a bit more complicated than the provincial works estimates ; there is no difference in them ; they are mainly buildings.

28913. Is the same differentiation observed with regard to the sanction of contracts ?—No. Contracts are under a different ruling. There is no difference between the power to contract for an imperial work and the power to contract for a provincial work.

28914. Under the proposals made by the Government of India, what would be the power of contract in the case of an imperial work ?—Up to a lakh of rupees.

28915. They can sanction contracts up to a lakh ?—Yes.

28916. And the provincial contracts will be sanctioned also up to a lakh ?—Yes.

28917. Then for local works ?—For local works they would have the same power.

28918. (*Mr. Meyer.*) Are not estimates—prepared in all good faith—habitually exceeded ?—Not habitually.

28919. Frequently ?—When there is any novelty in design, or when alterations are asked for subsequent to sanction by the department concerned.

28920. Provincial works are pretty fairly correctly estimated ?—That is so.

28921. Is that the difference ; if the estimate is exceeded, in the one case the Local Governmeat pays, and in the other case the Imperial Government pays ?—Yes.

(*The witness withdrew.*)

Mr. N. F. McLeod was called and examined.

28922. (*Chairman.*) You are the Secretary to Government in the Public Works Department, Irrigation Branch ?—Yes.

The total capital expenditure on irrigation works has amounted to 10¾ crores of rupees, the annual expenditure at present being 36½ lakhs from imperial funds for construction works, and 38 lakhs from provincial funds for minor works and working expenses. On the systems open for irrigation there are over 14,000 miles of canal and drainage channels, the irrigated area in 1905-6 amounted to 3½ million acres and produced crops to the estimated value of 13½ crores of rupees.

The maintenance of these works, and the regulation and distribution of supply are in the hands of Irrigation Officers, who also measure up the area irrigated, and assess the water-rates thereon, the demand statements being thereafter forwarded to the civil officers for collection. In 1906-7 the gross receipts from water rates and other miscellaneous revenue amounted to 109½ lakhs of rupees, while a further sum of 16½ lakhs was credited to the irrigation accounts for enhanced land revenue. Canal Officers who have magisterial powers can take up cases under the Canal Act VIII of 1873, their decision being subject to revision by the District Magistrate, and to each irrigation division a Deputy Magistrate is attached with power to take up cases under the Canal Act VIII of 1873, and to assist Divisional Officers in revenue matters.

All Irrigation Officers are expected to keep in touch with the District Officers, and to advise them on all matters of irrigation, drainage, and other works to promote agricultural effect.

The Chief Engineer in the Irrigation Branch is the adviser of the Local Government in all matters of irrigation development or drainage inprovement in the province, and on engineering establishment, finance, and revenue matters connected with the department. He exercises general administrative control over his department, and, concurrently with the Examiner, over the accounts of expenditure. He is also professionally responsible for the character and design of all works submitted to the Local Government on his recommendation.

The Code as a whole should be revised ; as it stands, it is complicated, not too well arranged, and overlaps the general rules which affect all departments, and in some instances the rules do not agree. Thus in the Civil Service Regulations, article 188, it is stated that the power to grant transit pay to an officer who has no substantive appointment is vested in the Local Government ; whereas in Public Works Department Code, 474, note, it is stated that the authority who is competent to transfer such an employé is also competent to grant transit pay. In particular, every Public Works Officer would greatly welcome a revision and simplification of the accounts system, especially in matters of audit, whereby the present account correspondence might be reduced.

The operations of the Irrigation Branch fall under the three main heads of (1) productive works, (2) protective works, (3) minor works, irrigation and agricultural. For the latter, funds are provided from provincial revenues ; for the two former by the Government of India. In general, funds have been provided in accordance with requirements, though in the case of provincial minor works, and in especial of agricultural works, it appears likely that funds will be required to a considerably larger extent than can be immediately provided from provincial sources.

Transfers of officers have not been unnecessarily frequent. The expansion of new works has been very great in the past few years, and the strength of the establishment is barely sufficient to cope with it, the margin to provide for leave and casualties is too small, and transfers have in consequence, in some cases, been unavoidable.

28923. How many irrigation circles have you ?—Four.

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28924. You say to each irrigation division is attached a Deputy Magistrate; what do you mean by saying "attached"; does he do nothing else?—No, he is posted to the division.

28925. The distribution of supply is in the hands of Irrigation Officers?—Entirely.

28926. Does that mean the actual distribution of water to the fields?—No; we deliver it at the outlet; the ultimate distribution is left to the cultivators.

28927. To the panchayats?—It is generally left to the cultivators; if there are co-sharers either in a village or other villages we divide it amongst them by time.

28928. You deliver it to the village?—We deliver it at the point of outlet to the village or to the people who irrigate from that particular outlet; it may be three villages.

28929. You do not actually distribute it from field to field?—No.

28930. You assess the water-rate?—Yes.

28931. You do not assess the land revenue?—No.

28932. You do not collect the water-rate?—No; a demand statement is passed in to the Collector to collect. It is collected by the revenue officials.

28933. You say you are expected to keep in touch with the District Officers; what are your orders exactly on that point?—That they may apply to us on any point where they want advice on irrigation or drainage or any agricultural work; also that all matters of distribution of water and new projects have to be referred to them first.

28934. Before you can begin to construct?—Before it comes up for sanction; it may affect land revenue; it affects rentals, and so on, and we have to send it to the District Officer before it comes up for sanction.

28935. To whom?—Either to the Secretary to Government in the Public Works Department or the Chief Engineer.

28936. Suppose a District Officer had any cause to complain or had reason to believe that there was some breach in an irrigation channel or some matter of that sort, what would he do?—He brings it to the notice of the Executive Engineer.

28937. He cannot go to a subordinate?—He can always report such a matter to the Sub-Divisional Officer; he can go straight to him; if he sees that the channel is not in order he brings it to notice; if he sees the water spilling across the road he draws attention to it.

28938. Would the Sub-Divisional Officer take that as if it was an order from the Executive Engineer?—Yes, he would put it right.

28939. You say that you exercise general administrative control in your department. Do you examine each scheme that comes up to you in technical details?—In certain instances only; if they are of a special character or if they are over a certain margin of cost. By the present limit of powers a Superintending Engineer can sanction nothing, so it necessarily has to come up; one often sanctions the original estimate without going into detail.

28940. So that, though the Superintending Engineer theoretically has no responsibility, as a matter of practice you throw the whole thing on him?—We have to.

28941. Up to what extent would you thus practically throw the responsibility on him?—It depends whether he knows the tract or something of the work; if an officer has only been there a few months, I certainly exert more control than if it is a man who has been there three years and knows his tract.

28942. In the case of the latter man what would you allow?—Anything under, say, Rs. 5,000 I should generally pass; over that, other considerations come in.

28943. With that experience in your mind, would you very largely increase the powers of the Superintending Engineer?—I have put it down at Rs. 25,000; I would not go beyond that for an irrigation project.

28944. There is a considerable difference between the suggested sanctioning powers of a Superintending Engineer for roads and a Superintending Engineer for irrigation?—Yes; in any case irrigation projects have to come up to us for reference to the Board of Revenue if it is over that amount.

28945. What is the service of a Superintending Engineer?—Eighteen to twenty-two years.

28946. He passes from that to a Chief Engineer and from Chief Engineer up to the Secretary to Government?—Yes.

28947. Is there any province in which a Chief Engineer is not the Secretary to Government?—The Central Provinces only, it used to be so at least.

28948. Then practically a man would jump from the Rs. 25,000 limit up to a position in which he would have practically the whole powers of the provincial Government behind him?—Yes.

28949. Would it be well therefore, as a man gets senior in the service, to gradually extend those powers?—Where one could do so.

28950. Bearing that in mind, would you reconsider your answer about the Rs. 25,000 limit?—Yes, I should go beyond that. He ought to have the education by that time to be able to sanction anything.

28951. It is not well to give officers responsibility as early in their service as you can?—Certainly.

28952. Having all these considerations in mind, what limit would you assign to the Executive Engineers?—You would have to grade them according to age.

28953. Are not Executive Engineers graded?—They are, but they come in very junior.

28954. Take the first grade, up to what limit would you raise his powers?—Up to, say, Rs. 10,000; we are given that power in certain cases now.

28955. What are your limits of sanctioning estimates now in imperial works?—Rupees 25,000 on an open capital work, Rs. 50,000 on an imperial work, and 10 lakhs on a provincial work.

28956. That is, estimates and contracts?—Estimates only.

28957. And as to contracts?—They go up to the limit of sanction for estimates.

28958. Is there any reason why there should be a differentiation between imperial and provincial works?—No.

28959. Some questions were put by Mr. Meyer to the last witness with regard to the exceeding of estimates in the case of imperial works; has there been any considerable excess of expenditure?—We can go up to 10 per cent. over the estimate.

28960. Do you often do that?—Not often; occasionally in an irrigation work it does go over.

28961. When an Engineer, either Superintending or Executive, has a very serious excess of expenditure over estimates, is any notice taken of that departmentally?—There has not been recently.

28962. Ought there to be?—You might make it more stringent, but most of these excesses are in the nature of things unavoidable. Take the case of a canal into a certain tract; it is provided for such and such an area; by the time the work gets well in hand, reasons come up why it should be expanded to serve a larger area.

28963. But when a work is completed within the area originally proposed and there is a serious excess of expenditure, would you regard that as a mark against the officer who prepared the estimate?—Yes.

28964. Is it so regarded in practice?—Not always.

28965. Have you known any case of an officer reprimanded?—I have known cases of an officer having himself to pay the difference.

28966. Is that very exceptional?—I have known of three cases in my service.

28967. In this province you have not had the full delegation made to you that you might have?—No. Those code rules are rather abstruse, and we have delegated full powers to officers.

28968. The new proposal will give you greater latitude?—Yes.

28969. Is the latitude, which it is proposed to give you, sufficient?—Yes.

28970. You would not exceed it?—I do not think it is necessary to exceed it in our case.

28971. (*Mr. Hichens.*) Have the Irrigation Officers anything to do with the remission of water-rates?—Yes, we can remit anything.

28972. It is entirely in your hands?—In a measure it is in our hands. We are always in direct consultation with the Collector. If there is any calamity, such as hail, we take up the case and send him our proposals, and if the calamity is very widespread he sends us his village list of damage and we re-assess.

28973. You do not do the collecting?—No, and I do not think we should. The Collector does not know the details; he does not know that the charge made against the individual is correct; he takes that on our authority.

28974. I suppose it sometimes happens that a man comes and wants his account explained?—When we measure up a field we at once hand over the demand statement to the individual, and he can appeal to us at once.

28975. But he may not be there?—We give him ample latitude.

28976. In any case, if he does want an explanation, or if a mistake is made, he has to go to your officers?—Yes; all objections come to us to be dealt with.

28977. Would it be better, in the interests of good administration, that you should collect?—I think the present is the simpler method.

28978. When indents are made for home purchases, do they go through the Government of India?—They can go now, a great number of them, direct to the Stores Department by telegram.

28979. (*Mr. Dutt.*) You have told us that the productive and protective works are imperial and undertaken by the Government of India and that minor works are provincial and undertaken by the provincial Government; the total expenditure on these works amounted to $10\frac{3}{4}$ crores of rupees; is that for all the works all told?—Yes. They have been treated differently at various times. At one time our provincial works were paid by the Imperial Government; then they were thrown over into our own hand; we have just had a change in the reverse direction. Some of my canals in the past year have been taken from provincial and put into imperial; so I have had to give you the lump sum.

28980. The plus receipts from water rates were 109 lakhs of rupees?—That was the direct revenue assessments for one year.

28981. So that that gives a return of about 10 per cent.?—All told, it gave us a return of 9·0 per cent. for that year.

28982. Is that the gross return or the nett return?—That is the gross return, excluding interest charges. Our protective works are not paying; the best canal of all pays us about 18 per cent.

28983. Are the water-rates fixed by the Imperial Government or by the provincial Government?—By the Imperial Government.

28984. On protective and productive works?—On everything.

28985. On minor works also?—Everything at present. There is a suggestion that we have just been making that we should have greater latitude. At present it takes such a long time that the effect very often has gone before you can get the work through.

28986. Are the rates different for different crops?—Yes, different kinds of crops.

28987. Would it be possible to simplify that?—Not now. In the beginning we might have had one rate all through which would have come down to a volumetric basis; that cannot be done now; the cultivator who has been calculating so long on these rates knows that the crop is a two-rupee crop or whatever it may be, and he cannot understand and will not understand any levelling up.

28988. You think you are bound to keep up the system which has been in force so long?—Yes, on the whole.

28989. You have not corrected that mistake since?—No; I do not believe in tampering too much with rates.

28990. Certain changes have been made in the rates themselves; the sugar-cane rate was raised from Rs. 5 to Rs. 10, and so on?—In the course of time the rates are changed.

28991. In the matter of land revenue the assessment is revised once in thirty years; is there any rule as to the number of years after which any change in the water rate is allowable, or is it made when Government think it necessary?—No, there is no limit.

28992. So that whenever Government think it necessary they can introduce changes?—Yes.

28993. As a matter of fact, was not the last enhancement made in 1892?—In 1898.

28994. There is now talk of another enhancement?—We enhanced it in 1905, or rather, simply varied the rate on the crop.

28995. Are the people consulted when these water rates are altered or varied?—It goes through every Revenue officer; they are all consulted.

28996. But is the opinion of the people taken?—Only so far as we can get it ourselves.

28997. Is not this a matter in which the people ought to be consulted before these alterations are made?—I do not know quite how we could consult them; how are you going to get the opinion of the cultivators? I think the Irrigation Officer knows more about what the cultivator can pay and will pay than anybody else. I may say that the last enhancement of rate was not suggested by the Irrigation Department.

28998. Would it be possible to organize Councils, either in the province or district headquarters, which could to some extent advise the Government in matters affecting the interests of the cultivators?—It is possible, but I have not succeeded in getting an expression of that opinion.

28999. If it was possible should their opinion be taken before these variations are made?—I do not think you would get any effect out of it.

29000. As a matter of fact, were there any great complaints when the water rates were enhanced?—No, except as to the sugar-cane rate; that came at an unfortunate time; I think it was put on at a wrong time.

29001. (*Sir Steyning Edgerley.*) Suppose you carry out some small work for a Local Board, a tank or anything of that sort, do you charge them?—We nearly always waive the charge for contribution.

29002. You do not in theory work for the Boards free, but in practice you do?—We charge them the initial cost of the work, unless I can take it as an agricultural work pure and simple, and sometimes it is done in that way.

29003. You said you thought that these recent proposals of the Government of India gave you as much power as was necessary; apart from necessity or convenience, might more power be safely given in the way of authority to sanction?—I am quite ready to take the responsibility if I have it. If I can go to 10 lakhs in one case I am ready to go to 10 lakhs in another. I do not see that the sending up of the estimate to the Government of India gives much security.

29004. The difference does not really represent very much?—So far the ordinary estimates which are sent up to the Government of India are generally passed, if we can show that it is a remunerative work or give reasons for it as a protective work.

29005. In the United Provinces the engineers to decide on these matters are selected by the Government of India and to a certain extent are their own officers?—Yes.

29006. And therefore might be trusted by the Government of India for their works as far as the Local Government are prepared to trust them for theirs?—I think so in that way.

29007. (*Mr. Meyer.*) Suppose this system was in vogue, that the Local Government could sanction up to 10 lakhs in an imperial work and that owing to faulty estimating the expenditure came to 15 lakhs; would you recommend that the Government of India should pay, or that the Local Government should pay, or that the Engineer should pay?—I do not think you could enforce it on the latter. After all, the only cases where it would come in would be cases of protective works; in productive work you are responsible in the province yourself for the whole of the interest.

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29008. But take an imperial building, a new Currency Office, for instance?—That you might make provincial.

29009. Might it not be reasonable, if the provincial Government is to have the power of sanction, that it should be responsible for all excess over estimates?—To produce the money or the interest on the money?

29010. They have practically told the Government of India that 10 lakhs would do the job, and in my supposititious case 15 lakhs are required; might not the provincial Government be called upon to pay up 15 lakhs?—They ought to, I suppose.

29011. Would they like it?—They would not.

29012. Under those circumstances, is it not more satisfactory that the Government of India should have its own engineers at headquarters who are *prima facie* the best men in the whole department to look at these estimates also?—Over a certain limit I am with you; it is a matter of limit; I put down the limit as the one that refers to irrigation work.

29013. Might the Government of India reasonably say "This is a matter in which, with the best intentions, your estimates may be faulty; therefore, as the expenditure falls on us we will have it checked by our own Chief Engineer"?—I do not know that they do check that part of it as a matter of fact.

29014. Have you never had any estimates that you have sent up sent back for amendment?—Very often; but not in that way. We have had estimates occasionally reduced which we have rather resented.

29015. Have not the major irrigation works in this province been partly provincialised lately under the settlement of 1904 and the settlement of the current year?—We take the whole of the revenue now. We used to pay the Government of India a certain portion—a third.

29016. That being so, is it necessary that the Government of India should sanction the water rates?—No; there has been a later suggestion, that we should have freer power of modification of water-rates.

29017. You desire the limit of sanction of the Local Government to be raised to Rs. 25,000 in unremunerative productive works; what do you mean by that?—It is now only Rs. 10,000; that is again a limit that the Government of India has fixed.

29018. But it seems a contradiction in terms to talk of an unremunerative productive work?—Productive works are divided into two kinds; there are some which bring in no revenue.

29019. You mean they are accessories, and by themselves they are not profitable?—Just so.

29020. You say in regard to remunerative works the limit should be raised to a lakh?—Yes; it is at present Rs. 25,000.

29021. Without reference to the Government of India?—Yes.

29022. But does not the expenditure fall on the Government of India programme?—Yes.

29023. As regards buildings, you say that the Local Governments should have power to write off such portion of the original capital cost as is deemed necessary without report to the Government of India?—That is in the case of calamities and alterations.

29024. A building falls owing to an earthquake, and it has to be rebuilt; at present it would figure in your books for the cost of the old building that fell down and for the new building that replaced it?—The alteration in the one case could be written off by the Local Government, with a report to Government of India for information.

29025. What do you want to do?—Just to get rid of that report; it seems to be purposeless.

29026. We have been told that you have to get the sanction of the Government of India?—It says in the Code "a report being made to the Government of India."

29027. A report would be necessary in the case of imperial buildings?—This code rule is entirely with reference to residences and office buildings.

29028. There are some buildings occupied by, say, Post Office people or by some other Imperial Department?—Practically in every case it comes to the case of a residency.

29029. Would you make a distinction?—There is no object in reducing the capital cost for an imperial building when you are paying no interest on it; you may have it on your books as worth a lakh or worth Rs. 50,000; the result is the same. In the case of a residence there is a great deal of difference.

29030. I am speaking of a residence; suppose you build a house for a postmaster and it falls in?—Then it comes under these residential rules.

29031. Would you make any distinction, or would you give the Local Government a free hand?—I would give the Local Government an entirely free hand.

29032. Do you follow the last witness in wanting to give the Local Government a free hand as regards the fixation of rents; are you not now bound by the 8 per cent.?—It is 10 per cent.

29033. In any case in which it works out over 8 per cent. you have to go to India?—Yes; it must be worked on the average to come up to 8 per cent. of the pay.

29034. Is that necessary?—No; it is absolutely impossible in many cases.

29035. The last witness said he would give the Local Government a perfectly free hand to relax that rule?—So far as my buildings are concerned I certainly should, because we pay for them; we pay the interest on them, and the other part is our revenue; so that we should have to take good care in the matter.

29036. What you mean is, they are productive works?—Exactly.

29037. What do you mean exactly by "transfer of building" under paragraph 1685?—If I have an irrigation building in a district, and it is required by the Revenue Department or the Civil Department for any purpose, I cannot transfer it without the sanction of the Government of India?

29038. You say "The Local Government should be empowered to relax the rules no matter what funds are thereby affected"; that is as to the 10 per cent. charge for supervision, storage, &c., on stores sold to the public. Might you not get some howl from private enterprise there?—These are Local Boards and municipalities and things of that kind.

29039. If you sold them otherwise, it might be said that you were unfairly competing with private enterprise, because they have to take these things into account?—I did not intend that. It only comes into effect on a very small scale.

29040. You say the Irrigation Deputy Magistrate has to assist the officers in revenue matters; how does he assist them precisely?—In any revenue matters; we have a good deal to do with the revenue part of the canal.

29041. He is your technical adviser?—He is our technical adviser in outside matters; we send him out to investigate any revenue matter that comes up.

29042. And he tries cases?—He tries cases under the Canal Act.

29043. Is he a subordinate of the Executive Engineer?—Yes.

(*The witness withdrew.*)

BABU INDRA NARAYANA SINHA was called and examined.

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29044. (*Chairman.*) You reside at Benares?—Yes. I am an Honorary Magistrate.

With the exception of land revenue, custom duties, and excise the provincial Governments should have the full power of disposal over the revenue of their provinces. In such a case the provincial contracts with the Imperial Government should be for the apportionment of only the land revenue, custom duties, and excise. In a Government like the Government of India, where so many provinces almost dissimilar in their physical features, manners, customs, &c., are united by the concentration of authority in one centre, any further separation of financial interests would lead to a disintegration. It is necessary in

consequence that the Central Government should shape the financial policy of the state to some extent.

When the Local Governments have certain incomes as their own over which the Central Government has no authority they can safely be given the power to borrow money in cases of emergency on the security of those funds only to such an extent that they may be able to liquidate the debt without adding to the burden of taxation.

As regards the proper sphere of the work of the Directors and Inspectors General under the Government of India, it can safely be said that their work can be done more successfully by the holding of periodical conferences of the provincial Directors, where they can compare notes and define the lines on which their different departments are to work in future.

In no case should any curtailment of the right of appeal to the Government of India or to the Local Governments be made either in the case of administrative actions or in cases of officers of Government against orders affecting them personally.

Under the present system of administration much of the time that the officers could have devoted to mixing with the people is taken away by their work at the desk. They have not merely to supervise the various administrative departments but, as regards most of them, even to enter into details. It is very desirable that the Executive Officers should come as much as possible in contact with the people whom they govern. Thus they will come to better understand the needs of the people and to express and explain to them the views of the Government.

In order to have more time which they may devote to mixing with the people the officials must be relieved of some of their work, for instance, they, the Collector-Magistrate at least, may be relieved of their work on the Municipal and District Boards as well as of the administration of criminal justice. The time that would be thus spared them can be more profitably spent in holding informal councils with the people of the town when the officer is there or with the people in the *mufassal* when the official is on tour. In order that the people of a division should come much more in touch with their Commissioner, he should, as far as practicable, visit all the districts in his division at least once every two months.

The officials, the Commissioner, and the Collector at least should have their Advisory Councils, but not at this stage Administrative Councils till it has been seen that the people can control their affairs properly in the Municipal and District Boards. These Councils should be regularly called, and some weight should be attached to what is urged by them on the attention of the officials.

A too frequent change of an officer from one place to another also hinders the intercourse between him and the people. It is very distressing to find that no sooner the people have come to understand an officer and he has come to understand them than is he taken away from among them. Such officers as have become familiar with the people and on whom the people have come to look as a guardian, nay as a friend, should not be transferred unnecessarily from one place to another. They should rather have their promotions from lower to higher grades at that very place.

Most English officers do not possess that knowledge of the vernacular which is essential for them to understand the people whom they have to govern. A knowledge of the vernacular alone is not enough for a free intercourse. To enter into the spirit of the conversation one ought to be well conversant with the dialect of the people, and this cannot be acquired without a sufficiently long stay.

Municipalities and District Boards should be as much free from the official element as possible. The presence of a Government official on the Board takes away all the sense of responsibility. This frustrates the aim for which they were created and that aim was to make the people learn self-government. The interests of the people can always be safeguarded by the Government by vetoing any act which may be thought harmful. District Boards should have full control over the incomes derived from such taxes and cesses as the road cess and the like and the members should be given proper travelling allowances.

The village unions should be empowered to collect money for the upkeep of the local police—the village chaukidars, who should be appointed and dismissed by them being made quite independent of the thanas except in the case of supplying information of births, deaths, accidents, &c., and helping them to quell the disturbances of the public peace. The unions should be entrusted with the sanitary and educational improvements of the villages and should have power to decide petty civil cases, say, to the value of Rs. 25 and compoundable and such criminal cases in which the maximum amount of fine is Rs. 50. These they may do with the help of a jury composed of men elected by the parties. The District and Local Boards, besides making and repairing roads and dak bungalows and controlling education and regulating sanitation, may also exercise the power of supervision over the village unions and from time to time, as emergency arises, may help them with advice and money.

29045. You have never been a member either of a municipality or of a District Board?—No.

29046. You have no knowledge therefore of their work?—I have some knowledge of their general work acquired by frequent talks with the members. I have no direct knowledge at first hand.

29047. You tell us that Divisional and District Officers might mix with the people more in the district; of your own knowledge can you tell us that they do not mix very much, or is it only what you have heard from other people?—I have had personal knowledge myself; the people fight shy of them mostly, because they cannot understand each other.

29048. One man cannot talk to another?—It is not exactly that; these officials have their own set and the people have their own set. They go to them as an inferior goes to a superior.

29049. They do not go to each other as friends?—Not exactly.

29050. Is it desirable that they should?—Yes.

29051. How do you think that that could be brought about?—Much more frequent mixing.

29052. Do you find this amongst Indian Collectors and Sub-Divisional Officers as well as amongst Europeans?—Yes, to a certain extent—not so much. One of the things that keeps the European Officers away from the people is their not being able to understand the people.

29053. How many languages are there in the United Provinces?—Generally speaking, there is only one language, but the dialects vary a great deal.

29054. The man who knows Hindustani would be able to go everywhere and be well understood?—Yes, he would be understood to a certain extent, but not so well as he ought to be.

29055. You yourself are a native of the United Provinces; do you talk all these *patois*?—Mostly, especially that which belongs to my own part, Benares.

29056. Is that different from the language which is spoken here?—It is to a certain extent.

29057. You say that the presence of a permanent official on a District Board takes away the sense of responsibility from the people. Are they afraid to speak in his presence?—Yes; they are shy as a rule, and they are much more shy when they have to meet him as an official.

29058. A native gentleman who was a Collector, told us the other day that the people on his District Board took no interest—that they simply came to the District Board and said "yes" when the Collector proposed anything, and there the matter ended; is that your view?—It is simply on account of their shyness.

29059. But suppose there was a non-official Chairman?—They would then be more free in expressing their own opinions.

29060. Do you know anything about the villages here?—Yes, in Benares and in Bihar; I have most of my property there. One of the reasons that the officials cannot understand the language so well is that they are frequently transferred. Generally when the people have come to like a certain official he is taken away from them, and a new man comes in and that is a great strain to the people.

29061. How long do you think an officer ought to stop in his district?—I would not fix any limit of time, so long as he is not required to go into some other station.

29062. You have had the present Collector of Benares there a long time?—Yes, about six years.

29063. He knows the district pretty well?—Yes.

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29064. And is he much in the confidence of the people there?—Yes, they think of him much more as a friend than as an official.

29065. That is because he has been there a long time?—Yes, and because he mixes with them so much, and understands them so well.

29066. Any official who did the same thing would have the same confidence?—Yes.

29067. (*Mr. Meyer.*) Have you made any particular study of the financial relations between the Local Government and the Imperial Government?—I have only a general view—of course it is a very technical matter.

29068. You say that, with the exception of land revenue, excise, and customs, the Local Government should have the full power of disposal over the revenue of their province. Do you include a matter like the salt revenue; is that a good thing for the Local Government to have the disposal of?—The salt revenue I should give to the Government of India; it is of a general character affecting the whole people. The relation of the different provinces with the Central Government should be such that each part might in a way, working independently, contribute to the well-being of the whole Empire.

29069. Would it not be necessary for the Government of India to get the same amount of money that it does now?—The revenue would be lessened, but their expenses would be lessened also.

29070. And therefore they might stop the construction of railways, or famine relief, or some little matters of that sort perhaps?—Such things would, of course, go to the Government of India.

29071. You desire to reduce the resources of the Government of India, but to keep the Government of India's responsibilities?—Not exactly, I would reduce their expenditure in proportion.

29072. In what direction? Have you not thought of that?—That does not concern me very much particularly.

29073. You desire to keep the District Officer away from Municipal and District Board work; you also desire to dissociate him from magisterial work; do you desire to make him a simple Collector?—Not exactly; he would be mixing with the people much more.

29074. The people will come to him and say, "We should like a road or we should like a dispensary"; and he would have to say, "I am very sorry I cannot help you; you must go to Babu so and so, who is Chairman of the District Board?"—Not exactly; when they come to mix with him he would shape their policies and it would be much more an educative measure for the people.

29075. Would it not be an educative measure for the Collector to be on the District Board and to mix with the representatives of the people?—The people will not be as free with him then. When he has become familiar with the people the people of their own accord will help him, and most likely they would be very grateful for his advice and would follow it.

29076. When you speak of village unions and village chaukidars, are you referring to Bengal or to this province?—Bengal.

29077. There is no such a thing as a chaukidari union in the United Provinces?—No.

29078. Are you prepared to give any local self-government to the villages in this province?—I have very little property in this part—I do not know.

29079. (*Sir Frederic Lely.*) Have you ever stood as a candidate for a municipality?—No. I have no ambition that way. It is only lately that I have been in good health.

29080. There is no other reason why you object to serve?—No.

29081. Do you think a Municipal Commissioner has the power of serving the public in Benares?—Yes.

29082. You do not think he is too much overshadowed by official influence to be able to exert a good influence on public affairs?—No.

29083. Official influence has not gone to an extreme in Benares?—I think not; at present we have such a good official that he is more of a friend to the people; he is considered more as a private friend than as a Government officer. He speaks freely to the people and they speak freely to him.

28084. Would you give him an Advisory Council?—Yes.

29085. But suppose all his many friends whom he constantly consults gave him one opinion on a certain subject and the Advisory Council gave him another opinion, which should he follow?—It would be for him to discriminate between the two.

29086. Which would be of most value?—Of course the Advisory Council.

29087. You think that the opinion of a formal Advisory Council would be of more value than an opinion freely and cordially given in private intercourse?—Not exactly; when he has an Advisory Council he would come much more into contact with them, and the people would come to understand him and he would understand them, and this feeling of shyness between the two would go away.

29088. You think the Advisory Council would bring him into better contact with the people than his private intercourse with private friends?—In the case of our present Collector, he is as much with us as we are with him; there is no barrier between the two—he understands us very well and we understand him very well.

29089. (*Mr. Dutt.*) In the matter of irrigation rates, would the Advisory Council of the Collector be able to give him valuable advice and tell him about the requirements of the people?—Yes.

29090. And when the Government wanted to make any alteration in irrigation rates about different crops the Advisory Council would be able to give good advice?—Yes.

29091. Are you acquainted with any other municipality besides Benares?—To a certain extent with the Chapra municipality.

29092. The proposal has been made to us that in certain towns, instead of having the Collector as the Chairman of the municipality, it would be desirable either to get officials especially appointed as Chairmen, or in the smaller towns to have non-officials as Chairmen—what is your opinion about that?—It would lessen the burden of work of the Collector to a certain extent.

29093. In large and important towns like Cawnpore for instance, instead of burdening the Collector with that work, might some other Civilian be appointed as Chairman and paid by the municipality?—Yes.

29094. In smaller towns might non-official gentlemen perform the duties of Chairmen?—Yes, they should be given a trial at least.

29095. You are probably aware that in many Bengal municipalities non-official gentlemen are at the present time performing the duties of Chairman?—Yes.

29096. Do you think that the same experiment ought to be made in the United Provinces?—Yes.

29097. You say that the Commissioner should visit all the districts in his division at least once in every two months; is that possible, seeing that he has four or five districts under him?—He might not be able to visit every district, but the important districts he can visit.

29098. Would you be satisfied if the Commissioner visited all the districts once in a year?—No; in fact, he does visit once a year, sometimes twice.

29099. His visits ought to be more frequent?—Yes, the more the people come into contact with the officials the better it is for both of them.

29100. (*Mr. Hichens.*) In your district, speaking generally, do the best men go on the District Board?—Yes.

29101. Your complaint is that they have not got enough to do; do they feel that they are restricted and cramped, and that they have not got enough power?—I cannot say exactly; that may be.

29102. Have they not a great deal more power than your Advisory Council would have?—Yes.

29103. The Advisory Council would have no power at all?—The Advisory Council would be altogether an unofficial body and they would have much more liberty to express their views without any sort of formality. These meetings of the District Boards and municipalities and so on are rather formal.

(*The witness withdrew.*)

The Rev. EDWIN GREAVES was called and examined

29104. (*Chairman.*) You are a missionary in India?—Yes. I have been here twenty-six years. I have been principally resident in Mirzapur and in Benares; roughly about half in each. I am now in Benares.

The right of appeal to Heads of Departments and Commissioners should be liberal; but to demand a certificate of the admissibility of an appeal from the officer whose decision is appealed against would surely practically annul the right of appeal. Yet it does seem necessary to prevent as far as possible the misuse of a right of appeal.

My impression is that less rigidity and uniformity are desirable. Uniformity in general principles should be maintained but a measure of freedom allowed in the application of those principles. Conditions vary so much in different divisions, in different districts, and even in different parts of the same district, that to insist on uniformity, in many cases, means loss of efficiency in administration. Officers are hampered by excess of detail in rules and regulations.

In Benares during the last few years we have been peculiarly favoured. We have had the services of a Commissioner and a Collector who have been *very* accessible and very considerate. The result has been a most happy feeling among the people and a practical immunity from the "unrest" which has been apparent in so many places. It is impossible to speak too strongly of the importance of this accessibility and considerateness. On such things rests very largely the success of the British Government in India. The genuine sympathy of the Englishman often lacks the courtesy which is due to the Indian. We do not always take the trouble to acquaint ourselves with the rules of Indian etiquette, and are not perhaps ready enough to observe them. Courtesy demands considerable knowledge, not a little thought, a large measure of patience and much self-restraint, but it is well worth the trouble. A sentence or two from an Indian writer is perhaps worth quoting:—

"But unbending is a virtue the British Executive in India are too slow to learn. If it come to that they would rather lose the country than give up their pet theories of administration."

There are often different ways of effecting the same end, and if this can be secured in a way which will not grate on the prejudices of the people much has been gained.

At least in some cases, a better knowledge of the use of the vernacular is desirable. When so many subordinates know English (and prefer to use it) this matter is one of considerable difficulty, but certainly of great importance. Much irritation is caused and difficulties increased when an officer cannot get into close touch with the people. The officious intermediary who will interpose between the officer and those who wish to approach him or to hear something from him is not merely a "nuisance" but a "curse" in administrative matters, and unless an officer is very familiar with the vernacular this intermediary is always to the fore.

In putting aside seniority great care is necessary lest favouritism should take its place. The claims of seniority are of very secondary importance compared with the demand that for every position the very best officer available should be appointed, but it may not always be easy to *know* who is the best. Supposed efficiency sometimes rests on show bits of work in special circumstances and by the testimony of others who may not be the most unprejudiced judges. The very limited period of service for a Lieutenant-Governor stands in the way of the wisest use of available material, he has to rely too much on the information given by others and too little on personal observation.

The general principle I would advocate is frequent changes for young officers that they may gain experience, but as few changes as possible among the higher officers, unless for special reasons.

A constant endeavour should be made to develop independence of judgment and the outspoken expression of it in municipalities and Boards. They doubtless need wise guidance, but the sense of responsibility should be developed. Subserviency is sometimes confused with loyalty, and Chairmen are perhaps at times a trifle overbearing.

I would warmly advocate the creation of Advisory Councils with some administrative power. Appointments to such Councils should be *partly* elective. The subject of election is an exceedingly difficult one, but must be faced and fostered.

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District Boards might be given some powers of supervision over the municipalities, but only in a very limited way; otherwise they will check instead of developing municipal life.

29105. You think that no curtailment of the right of appeal is desirable?—I am not speaking with very large knowledge on this subject, but it seems to me that there should be a fairly wide opportunity for appeal.

29106. Suppose that a man was able to go beyond the officer who first pronounced sentence to a second officer superior to the first, would that satisfy the general feeling of justice?—That was my purpose in stating what I did. In most cases it would not make a difference as to the final decision, but it would give them a sense of justice.

29107. One clear appeal would satisfy the popular feeling?—No; I do not think that twenty clear appeals would satisfy the popular feeling, but it would do something towards it, and would ensure more justice.

29108. You agree with the last witness as to the value of the Collector's service at Benares; but you rather lead us to believe that his case is not the general experience?—No. In Benares we have been peculiarly happily circumstanced. The Commissioner and the Collector have been men peculiarly in touch with the people; but that is not always the case.

29109. What is the reason that that is not always the case?—There are two reasons. One is, insufficient knowledge of the language of the ordinary people; secondly, a want of consideration for the prejudices of the people.

29110. Are those prejudices and customs and habits learned easily?—They are not; they can only be learned by contact with the people.

29111. Would it be impossible to draw up some sort of short statement of what the peculiarities of etiquette or custom were in the province, which would at all events put an officer when he first came out on his guard against committing wilful acts of discourtesy?—That might be done.

29112. It has never been tried as far as you know?—I think not.

29113. You think it would be well to try it?—I think it would be very well worth an experiment. I know that great injury is done in that way unwittingly.

29114. And, if it were known, unwillingly?—Yes.

29115. Have you any knowledge of the work of a municipality or District Board?—Not as regards the detail work. I have not been a member. I rather get impressions from both sides of it.

29116. Do you agree with the last witness who told us that people were shy about talking before the Collector as Chairman of the municipality or District Board?—Shyness is not an Indian weakness; at the same time men do hesitate sometimes to speak out their whole wants.

29117. Perhaps in private as well as in public life?—To some extent, not the same.

29118. Is there any reticence, no matter from what cause, in the case of a municipality when the Collector is Chairman?—In some cases there would be, in other cases there would not.

29119. It would not depend so much upon the position of the person who occupied the chair as on the temper of the individual?—Very largely, and to some extent in the temper of the person who occupied the chair. I have known members say, "Well, the Chairman will have his own way, whatever we say, so what is the use of our troubling to talk about the matter."

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29120. It depends, then, on the strength of the will of the person in the Chair more than anything else?—That, and the temper of the people who constitute the municipality.

29121. (*Mr. Dutt.*) Of the right of appeal you think that no curtailment is desirable?—I am not speaking with very large knowledge on this.

29122. Would things go better if there was a non-official Chairman in a place like Benares?—I think not; I would not advise it for a moment.

29123. In the case of a District Council what would you say?—I would still have an official there, a man of experience, reliable judgment, and responsibility.

29124. But in the case of the Vice-Chairman?—There could not be the same difficulty there; he might very well be a non-official.

29125. Then about the Secretary?—The Secretary should be a paid official.

29126. An Indian gentleman or a European?—It would depend on the person and position. I see no reason why he should not be an Indian.

29127. But he should be a non-official paid Secretary?—Yes, certainly a paid official.

29128. Do you know anything about village life in this particular province?—Somewhat. For a couple of years I lived right out in the district among the villagers.

29129. Could the villagers form something in the nature of a village panchayat?—I think so under careful guidance.

29130. They would have to be rather nurtured and fostered?—Yes.

29131. As matters now stand, does the village community sometimes act in a collectorate capacity?—No, it depends upon caste rather than on the village.

29132. You get the caste panchayat but not the village panchayat?—That is so, so far as I know.

29133. Suppose you had three or four small villages grouped together for the purpose of a village union, would questions of caste cause much difficulty?—It would depend very largely on the district. The caste system affects the people very differently in different places.

29134. You have told us that it is desirable that a sense of responsibility should be developed in the members of District Boards. Can you give us any idea how that end could be brought about?—I cannot say definitely. I realised when I wrote that statement that it is a considerable difficulty.

29135. You know that the District Board has to deal with a number of different kinds of works like roads, schools, dispensaries, and so on, and also to settle its own finances and prepare its own budget. Suppose that members of the District Board were formed into sub-committees, and each sub-committee was entrusted with one particular department of work, each sub-committee consisting of three or four members working, of course, under the general supervision of the President; would that develop in them a little more responsibility and desire to do their own work?—Yes, I think it would intensify interest.

29136. You speak of the creation of Advisory Councils as desirable; do you mean Advisory Councils for District Officers?—Yes.

29137. Can you give us some instances of subjects in which the Collector could profitably consult his Advisory Council?—I would take as an instance the present state of things with regard to famine; that is one case where he could get very valuable information.

29138. Generally, with regard to questions of the supply of drinking water, the drainage of villages, the fixing of the irrigation rate, and so on, would the opinion of the members be of some use to the Collector?—Irrigation does not come into our districts.

29139. But the other two matters, the supply of drinking water and general sanitary improvement in the villages?—You are on rather a broad subject there. In villages the desire for sanitary improvement is not very keen.

29140. Suppose these duties were entrusted to them, would it foster in them some desire to make such improvements?—More suitable avenues for their energies might be found, because sanitation is so very backward.

29141. Should they be consulted in the matter of liquor shops?—Yes, decidedly.

29142. And also in encouraging trades and industries in different parts of the district?—Yes, and in school work—the location of village schools.

29143. Are you familiar with the villages of the Benares district?—I have travelled, and I lived for quite two years right out in the district midway between Mirzapur and Benares.

29144. Is there a recognised headman in each village?—Yes; it is generally the leading zamindar.

29145. Are there also a few leading men in every village who are considered leaders by the other villages?—I cannot answer that.

29146. Would it be possible to entrust the headman and a few others of the best men with small powers to dispose of village matters and to settle also village disputes locally?—I hardly dare venture an answer to that.

29147. Would you generally try the experiment of creating these village panchayats in the more advanced villages where you think the conditions are favourable?—I would if the right of appeal were preserved.

29148. You would not give them final power?—No.

29149. But under that reservation you would try the experiment?—Yes.

29150. (*Mr. Hichens.*) One of your objections to allowing the District Boards to stand on their own legs without official control is that the individual members would not know enough to run affairs?—They have not sufficient experience for one thing, and they would not have the financial responsibility for another.

29151. Is not the only way you can get experience by trying to do a thing?—No doubt.

29152. Therefore that particular objection can only be met by giving them the opportunity of gaining experience?—There are different ways of gaining experience. I consider that there is the opportunity of gaining experience under the present system with their chairman. Another objection is that they are not particularly keen on the work? Some of them are keen.

29153. On the whole they do not evince very great keenness; is that your view?—No; I think that is going beyond what I have expressed and what I think. I think there is a measure of keenness on the part of some; on the part of others there is not.

29154. Is there sufficient popular control to be sure that if they did wrong public opinion would find it out and punish them?—I do not think it would at present.

29155. In England, for example, practically the only safeguard of local self-government is that you have very strong educated public opinion and therefore very strong popular control?—Yes.

29156. Would you get that out here?—No.

29157. Therefore, perhaps you would say that before giving them real powers you must develop popular knowledge and popular control?—Yes, and that is being done.

29158. Would you say that, beginning with that, and beginning with the village, would be better than trying to give them such important functions as those dealt with by District Boards?—I think the two must go side by side. You cannot work from the village right up, because the men in the town are far more able to deal with these matters than the people in the villages; they must be the teachers of the villages.

29159. Is popular opinion stronger in the towns?—It would not be stronger; but it would be more enlightened.

29160. Would you be prepared to go further in regard to municipalities, in the sense of giving them control over their own affairs, than you would in the case of District Boards?—I think I would because they would be dealing with things which would affect them more personally.

29161. Suppose they managed their own affairs, say, in Benares, and some grievous scandal occurred; would public opinion be strong enough and enlightened enough to get up and turn them out?—I think it would.

29162. (*Mr. Meyer.*) Would it not require a long and rather violent amount of misgovernment to raise such an extent of public indignation as would turn the whole Council out?—I understood the last question to refer to individuals, not to the whole Council.

29163. Do the people take much interest in municipal elections?—The candidates do. The public take some interest.

29164. Is it not rather a personal fight between A and B?—I think it rests on a general view as to the man's capabilities and his desire to serve the people.

29165. Have you ever known what you might call a "party" come in, wanting to reduce rates, for instance?—I do not know that we have got to that stage yet, I am thankful to say.

29166. If a municipality had a free hand, and drains were mismanaged and roads neglected, would you get a "party of reform and economy" coming in at the next election?—That is possible.

29167. At present District Boards pay for the roads, but they are managed by the Public Works Department, at least the larger roads; would you be in favour of giving District Boards their own roads establishment?—My knowledge is very limited, but I do not think I would recommend that.

29168. You say your Advisory Council would be partly elected; have you thought the matter out; whom would you have on it?—I have not thought the matter out; I am rather dealing there with the principle. The feeling is somewhat strong that election should have more power with regard to the appointment of some of these people, and I sympathise with the Indians in that matter. I feel that it is difficult to carry out, but it should be steadily kept in view.

29169. Does election appeal to the people as a whole?—Yes, I think it does.

29170. Would you have them elected from District Boards or Municipal Councils, or would you have a special electoral roll *ad hoc*?—That is a detail I would hardly venture to express an opinion upon.

29171. Would the Collector have power to over-rule them if he differed from them, or would he have to give in to them?—He should make it very clear, in the event of overriding a large majority of his Council, why he did so; that is to say, that their opinions should not simply be opinions supposed to have no weight.

29172. What size Council do you contemplate, roughly?—I should say a dozen, possibly.

29173. With public deliberation, or confidential?—Public deliberations, with opportunities for a private deliberation if necessary. At present, in India, the latter is advisable in some cases; men will not speak out their minds entirely if what they say is to be spread abroad.

29174. Might not the District Board possibly be developed into a Council of that character, assuming it to be required, or would you have a separate body entirely?—I would have a separate body.

29175. Which would, in time, if it succeeded, dwarf the District Board?—Not necessarily. It would take rather broader principles and views than the District Board would. The District Board would deal more with details; an Advisory Council would be rather suggestive of general lines of policy.

29176. Still, it would have some control over the District Board in the matter of education and so forth?—Yes, it would have some control.

29177. (*Sir Steyning Edgerley.*) Would the people take more interest in district affairs if the District Board had power to tax them?—Undoubtedly it would secure an interest, but whether of a helpful character or not I do not know.

29178. If you want to get people to take an interest in these things, would it not be well that they should realise that they are providing the money and therefore ought to see how it should be spent?—Yes, it might be; a great deal rests upon how the money is spent.

29179. With regard to training in the manners and customs of the people, and the suggestion that a book on that subject should be published. Take the Mirzapur and Benares districts, which you know; can you think of any person who could write such a book usefully for this part of the country?—Yes.

29180. You would have to have a separate book for almost every district in India?—No, not so much as that, I should think.

29181. For this province, for instance, would one suffice?—I should say, certainly, taking the country east of Allahabad to the borders of Bengal, one would be sufficient.

29182. (*Sir Frederic Lely.*) Looking back on your twenty-six years in India, are there any great changes in the relationship between the people and the Government Officers which stand out in your view, or are things pretty much the same as they were when you came to the country?—There has not been much difference except in the case of individual officers, which depended rather on the individuals and the times in which they lived. Speaking generally, I have not noticed any great differences.

29183. Have you any people in your mission living in villages outside Benares?—No, we have a district mission, about thirteen miles off, where they are living among villagers.

29184. Have you had much opportunity of knowing about the attitude and the character of the subordinate officers, particularly of the tahsildars, towards the people?—I have known something of it as I have moved about in the district or lived in the district myself.

29185. Is all that you have heard satisfactory?—No; in some cases, at any rate, corruption exists.

29186. Would you go so far as to say that corruption is a prevalent characteristic?—I should be sorry to make a sweeping statement, but it does exist in some places, and has existed.

29187. Would you say that the tahsildars, as a class, are men who would explain to the people with intelligence and loyalty the intentions of Government in the matters upon which wrong impressions have got abroad?—I have no sufficient knowledge to answer that question; I should be inclined to think so.

29188. How would an Advisory Council come in in a place where you have such a Collector as you have in Benares; would it not clash, very often, with the Collector in his other capacities?—I think not; it would be a means of strengthening him; he would be able to say about certain matters that he had not acted on his individual judgment, but had consulted those who were practically representative of the people.

29189. Could he not say so now, with a better based confidence in the genuineness of the opinion that he has taken?—It would not have the weight that the other would have; he would be able to say, "I talked the whole matter over with my Advisory Council, and in doing what I have done I have acted in accordance with the views of, say, a two-thirds majority of the Council."

29190. Would a member of the Advisory Council have the courage to get up and give an opinion if it happened to be an unpopular one?—Some would, undoubtedly.

29191. Is there not a much better chance of getting at the views of the people by private and friendly conversation than in any form of public assembly?—I think there is, but the one method need not interfere with the other.

29192. If there was a clash, what would happen?—The Collector would take one of two courses; he might take that which the Council thought the wisest and best or he might take that of which he might possibly individually disapprove, and say, "The people desire to have it so; let them have it, and they must bear the responsibility." I think that is part of the education of the people.

(*The witness withdrew.*)

Raja RAMPAL SINGH, C.I.E., was called and examined.

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29193. (*Chairman.*) You are a resident in the Rai Bareli district?—Yes. I am a member of the District Board but not Chairman or Vice-Chairman. I have been a member of the District Board for about twelve years with an interval of three years.

The right of appeal which the Government officials and other servants enjoy at present is very highly valued by them. Any curtailment of this right is sure to cause discontent in the service. On it depends in no small measure the popularity of the Government Service, and it is quite undesirable that the channels of justice be narrowed and the security and the confidence which every Government servant feels be shaken and placed at the mercy of the prejudices of individual officers.

The Executive Officers are not in touch with the people. To speak the truth, most of them do not care in earnest to take the people into confidence. It is want of sympathy with the people and mistaken ideas of prestige. I am not placing all the Executive Officers in the same category. There are honourable exceptions, but their number is comparately small. This want of sympathy in the Executive Officers, their aloofness, and the treatment they accord the people in public and in private are the roots of most of the discontent that now and then finds expression in the press. The people hold the Government responsible for such short-comings of the Executive Officers because as far as administration is concerned they are the representatives of the Government in its connection with the masses. The unsympathetic attitude of the Executive Officers is equally and quite naturally reciprocated by the people with distrust and hence the task of good administration suffers. As there are Executive Officers, though their number is comparatively small, who are popular with the Indians, it cannot be maintained or pleaded that owing to press of work they have little time to consult the wishes of the people as to their needs and requirements. There can be expected no reform in the present state of things until Executive Officers amend their ways of treatment towards the people and meet educated and respectable Indians on terms of equality as they do with their own countrymen and take the natural leaders of the people into their confidence, paying due regard to their feelings and sense of self-respect and giving full allowance to human weaknesses from which no race in the world is free. The Executive Officers generally possess a fair knowledge of vernaculars, but sometimes the newcomers without a sufficient knowledge of the people's language are entrusted with judicial powers.

There seems to be no necessity of giving larger powers to Collectors and Commissioners than what they possess. In the selection of such officers not only seniority but also the quality of sympathy should have some weight.

I would not recommend the extension of the present functions of the District Boards and municipalities, but they should be a little more independent of the official control. The Chairman and the Secretary should not be both Government officials simultaneously, for the presence of two such official members in the constitution of the District Boards and municipalities makes it rigidly official. Whenever the funds suffice there should be a paid Secretary for the District Board's work, as in the case with municipalities, so that he may be able to devote his whole time to the work; or members taking an interest in Board's work may be appointed honorary secretaries.

I am not in favour of the creation of Advisory or Administrative Councils. We have in every district Municipal and District Boards consisting of men whose advice could be relied upon. District Officers and the Commissioners have good opportunities, if they only care to take advantage of them, to consult the best men of their respective districts and divisions. What is most needed is that the District Officers should take the enlightened men of the district into confidence and allow them to express their view in administrative matters with frankness.

The municipalities should not be placed under the supervision of the District Boards. The latter are recruited from the landowning class generally residing outside the municipal limits, and the Municipal Boards are recruited from men residing within the municipal limits. Such supervision will be resented by the Municipal Boards themselves.

The village communities are not what they were half a century ago. Changes for the worse have taken place in them owing to certain causes which need not be discussed here. Strife and dissensions rule supreme; in most villages people have lost respect for their elders, and the elders their goodwill for the people. Landlords and *talukdars* have some influence no doubt, but it is fast disappearing. Under such circumstances it seems to be difficult to revive the old system of panchayats, though without them the village administration suffers a great deal. There is very little education amongst the masses, and without diffusion of knowledge much good cannot be expected from the introduction of the system. However, where good agencies could be found the village communities should be initiated in the disposal of local affairs and of petty criminal and civil cases. The experiment is worth trying on a small scale, and if it proves successful the reform may gradually be extended to other places. The trial should be made with every precaution and limitation in the beginning and that such powers should be given to panchayats consisting of three or five leading members of the village nominated every third year by the District Magistrate. The system of appointing Honorary Magistrates and Munsiffs should be more liberally extended to the leading and educated landlords.

29194. You say there is a considerable gap between the representatives of the Government and the people who live in the districts they administer; to what is that due?—To aloofness and exclusiveness.

29195. Is that the case with regard to both European and Indian officials?—It is not very much marked amongst the Indian officials.

29196. Have you not noticed it in both races?—No; in some cases, here and there, there may be an Indian official who holds himself aloof.

29197. Are there many cases where the European official holds himself aloof?—Yes.

29198. Have you yourself ever been treated with incivility or want of courtesy?—Yes.

29199. Will you tell me what your experience is?—The first thing is that our carriages are kept outside the compound and we have to wait in the sun for an hour or more or sit in the verandah, and so on, and we have to conciliate the chaprasis before we can get to see the officials, and unless we give tips to the chaprasis we cannot get chairs.

29200. If you want to visit one of your friends would you stop outside the compound?—No.

29201. Would you drive in?—Yes; and then when we do get inside the room of an official it is much more formal than a friendly visit.

29202. Are you speaking of the case of a man you have met for the first time?—No, it is generally the case.

29203. I understand you are speaking of a particular incident which happened to you; had you met that official for the first time?—No, whenever we go to see the officials that is the treatment which is accorded to us.

29204. What is your standing?—I am a *talukdar*.

29205. Do you say that you have received this want of courtesy at the hands of more than one official?—Yes, we are always kept outside and have to wait in the verandah facing the cold wind, but there are some exceptions no doubt, although generally that is the case.

29206. As a member of the District Board, do you find that you are frightened to speak in the presence of the Chairman who is an official?—Yes.

29207. You feel a little nervous, and you think you would speak with less timidity in the presence of a Chairman who was elected?—Yes, I think I should speak more freely in the presence of a non-official Chairman. We feel hesitation in expressing our views frankly before an official Chairman, but as far

as my district is concerned I would not advise that the official Chairman would be removed and a non-official be substituted, because the district is very backward as regards education, and people are not able to take up the duties of a Board properly.

29208. You think they would neglect education?—Yes.

29209. And sanitation?—It is quite possible.

29210. Do you see the budget of your District Board some time before it is published?—No.

29211. Do you go to the meeting and see it for the first time on the table?—Yes.

29212. Do you discuss it?—Not very much.

29213. Do a good many of the members not understand it?—Yes, it is not sent to us previously.

29214. Would you like it circulated beforehand?—Yes.

29215. What would be the use of its being sent to you previously if you would be afraid to discuss it in the presence of the Collector?—We might make suggestions politely.

29216. Then you would not be afraid to discuss it?—It is true that we do not express our views freely, but even then we could make suggestions.

29217. Are the functions of the District Board wide enough?—Yes, as far as my district is concerned.

29218. Does the Commissioner make much alteration in your budget?—I do not think so.

29219. Does the Collector consult the members of the Board when he is framing the budget?—It is put on the table.

29220. Before it is put on the table are the different members of the Board consulted?—No.

29221. Have you a Vice-Chairman?—No, there is no Vice-Chairman.

29222. Is there a Secretary?—Yes, he is an officer of the Government.

29223. Then the Chairman and the Secretary practically make the budget?—Yes.

29224. Have you any committees of the Board?—No.

29225. Would that be useful?—Yes, for the different departments.

29226. You are not in favour of Advisory Councils?—No.

29227. Would you rather have the Collector discuss matters with the leading gentlemen of a district?—Yes, but I think it is no good multiplying materials.

29228. Do you think there are good men on the District Council if they were not afraid to speak?—Yes.

29229. Is the influence of the *talukdar* disappearing?—Yes, to a certain extent.

29230. Is he looked up to as a leading man?—Yes, even now.

29231. Is it worth while creating a village panchayat?—It is worth trying with powers to dispose of civil and criminal cases, but the power should be very limited because there is so little education, and they might abuse them.

29232. (*Mr. Dutt.*) Who prepares the District Board budget?—The Secretary or Chairman.

29233. Is there any discussion in the meeting as regards the particular sums of money devoted to particular purposes?—No.

29234. Does not the law provide for the election of a Vice-Chairman?—Yes.

29235. How is it that no Vice-Chairman has ever been elected; has that section of the law been overlooked?—Yes.

29236. If a Vice-Chairman was elected from amongst the members, might it help the work of the District Board?—I do not think so because people in my district take very little interest in District Board work; it may be because there is very little education, and it may be because there is very little responsibility.

29237. You have said that you approve of the idea of the different branches of the District Board work being done by different sub-committees; should there be a Finance Committee to prepare the budget and place it before the District Board?—Yes.

29238. Should there also be a committee for education?—Yes.

29239. And another committee to deal with roads?—Yes.

29240. Are all the schools in the district now under the control of the District Board?—Primary schools. Secondary schools were under the Board, but they will not be now.

29241. Who looks after the primary schools?—There are inspectors, deputy-inspectors, and sub-inspectors who look after them.

29242. Are those inspectors in Government service?—Yes.

29243. Are they in any way under the control of the District Board?—Yes, they make reports to the District Board and the Chairman passes orders.

29244. With regard to giving grants to schools or abolishing schools, are orders passed by the District Board under the advice of these officers?—Yes.

29245. You say that the members of the District Board might be consulted by the Collector whenever he desires to have their opinions; should they be consulted informally, or should it be considered a part of their duties?—It would be better that it should be considered as part of their duties.

29246. With regard to Municipal Boards, does the Municipal Act of this province empower the members to elect their own Chairman?—Yes, I think so, but I am not a member and have very little experience.

29247. Is there generally a recognised headman in each village?—Yes; they have been appointed by Government, but they are not recognised by the village community.

29248. Are there no men whom the villagers recognise as their headmen?—No.

29249. So that it would be somewhat difficult now to form any sort of village panchayat or village community?—Yes.

29250. (*Mr. Hichens.*) A statement has been made by a witness that in these provinces panchayats are found among low castes only, and that their functions are confined to caste affairs; do you agree with that statement?—That is true.

29251. We were also told that the village population is composed of *talukdars*, cultivators, and labourers; is that so in your opinion?—Yes, there are artizans also.

29252. Could you get a village Board with representatives of these classes sitting round the same table?—No; the *talukdars* would not like to sit round the table with their own cultivators.

29253. Would the cultivators like to sit with the labourers?—I think they would not object.

29254. What is your idea of a village Board or panchayat?—I think those men who are respected in a village should be formed into a panchayat.

29255. Only *talukdars*, in fact?—No; *talukdars* cannot go to all the villages; they live in one village only, but there are some persons in a village who are respected by the inhabitants, and they should be formed into a panchayat.

29256. But in a village where there are *talukdars* it would be very difficult to give representation to anyone else?—Yes.

29257. (*Mr. Meyer.*) It has been suggested that, although a single village would not form a good groundwork, you might have groups of villages and have committees for the group with certain powers; would that work?—I do not think so; I think such a committee should be formed in every village.

29258. You say that what is needed with a District Board is to take the enlightened men into confidence, and so on, but you also say that members of the District Board do not express their opinions with frankness because of the Collector?—Yes, but if

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these enlightened men would be treated sympathetically by the Collector, they would not have any hesitation in expressing their views frankly.

29259. Is it not the fact that sometimes Indians are afraid of the opinions of their own people and their own caste, and the people amongst whom they move? Supposing there was something proposed to be done with regard to plague or additional taxation which was not popular amongst the people, would it not be just as likely that your District Board member or Advisory Council member would be at least as much afraid of what might be said to him by his own caste as he is of the Collector?—But educated men are not so much afraid of caste feeling as they were in former times.

29260. Then they are not afraid of public opinion?—Not to such a large extent.

29261. Are the educated men afraid of the Collector?—Yes, I think they are, because he has powers with which he can strike on occasion.

(*The witness withdrew.*)

Pandit MAHARAJ NARAYAN SHIVPURI, Rai Bahadur, was called and examined.

Pandit Maharaj Narayan Shivpuri, Rai Bahadur.

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29262. (*Chairman.*) You have been a Deputy Collector?—Yes, for more than twenty-five years. Before that I was Sharistadar to the Board of Revenue.

I would not curtail the right of appeal to Local Government and Heads of Departments as it exists at present.

One of the chief defects of the present system of administration is that the European officers of the Executive Service are not always in full touch with the different classes of the people. Whenever a District Officer makes it a part of his duty to mix with the people and give them opportunity to freely express their views on matters touching their interests many grievances, real and imaginary, are removed, and the result is general contentment among the people and their confidence in good intentions of the Government. A sympathetic District Officer to whom the people have free access, who treats his visitors with courtesy, and is able to talk with ease the dialect of the district, commands the respect and affection of the public. The principle obstacles in the way of personal contact with the people are, viz., (*a*) want of sufficient knowledge of the vernaculars among the European officers, and among the Indian and European officers, (*b*) want of time, and (*c*) in some cases want of tact and sympathy. District Officers and their subordinates are so full of desk work that, notwithstanding their inclination, they are unable to get sufficient leisure to devote to this important business.

European officers very often do not possess sufficient knowledge of the vernaculars. One of the obstacles in their way of acquiring knowledge of the vernaculars is that different dialects are spoken in differents parts of a province. The remedy lies in reducing the size and area of provincial Governments. The standard of examination in vernaculars should be raised also.

In the United Provinces the area of districts, as a rule, is not so large as to make them unmanageable for a Collector. The division of a district into sub-divisions is at present in the United Provinces nominal, and that, too, is not always adhered to. The sub-divisions should be revised and the officer in charge of a sub-division should be notified by the Local Government. Wherever a sub-division is at a distance of more than twenty-five miles from the headquarters of a district, the Sub-Divisional Officer may be required to reside within the sub-division.

Irrespective of the grant of larger powers, greater care should be exercised in the selection of Collectors and of officers of superior grades. Seniority will have to be overlooked in some cases. For satisfactory administration of a district, regard among other things should be paid to the equanimity of temper of the officer and the way in which he treats his subordinates and the public.

Transfer of officers are sometimes too frequent. Collectors should, as a rule, remain not less than three and not more than five years. In case of privilege leave up to three months, the next senior officer in the district should officiate instead of bringing an officer from another district to fill up the temporary vacancy.

With the exception of a few important municipalities and District Boards the time has come for electing a non-official Chairman. The right should be given to those municipalities and District Boards where at least three-fourths of the members be in favour of a non-official Chairman. Subject to the supervision of higher authorities larger powers in sanitary and educational matters be given to them.

The District and Divisional Officers at present consult influential persons on certain matters. There is no necessity or utility of providing them with an Advisory Council. When the members of the Advisory Council have even no right to introduce a subject for discussion, and when their opinion, even unanimous, carries no weight, they are simply ornamental and not of much use.

It is desirable to give the village communities power in the disposal of local affairs relating to sanitary, educational, and police. Whenever such communities are strong, petty criminal cases are disposed of, as a matter of fact, by them. They might with advantage be invested with powers to dispose of petty criminal and civil cases.

It is not necessary to keep both the Board of Revenue and the Divisional Commissioners. If the Commissioners are abolished the number of the members of the Board will have to be increased. They will be required to pass at least three months during the year in visiting the districts under their charge. One of the members of the Board should be specially selected with regard to his legal attainments, so that the public may have confidence in the soundness of his judgment in the disposal of appeals in revenue cases.

29263. You think there is a good deal of want of sympathy between the inhabitants of a district and the European officers; is there want of sympathy on both sides?—I think there is want of sympathy on the part of the European officers, who have no cause to be dissatisfied as a rule with the people, while the natives think it is not desirable to say what they have to say.

29264. Were you hard worked as a Deputy Collector?—Yes, I had to do about ten hours' work daily at least. I acted as Collector also; I had then to do two men's work.

29265. Did many of the people call on you?—Yes.

29266. When they came, had you to keep them waiting sometimes?—Not as a rule, but they had a room in which to wait.

29267. Had you to keep them waiting a long time sometimes?—If I had no leisure I told them I was sorry I could not see them, and made an appointment.

29268. But you had to keep them waiting?—Sometimes perhaps, but not as a rule.

29269. Are you a native of the province?—Yes; I was born in the Rohilkhand Division.

29270. There is only one language in the United Provinces?—There is only one, but there are dialects spoken by some which are quite different, which we do not understand ourselves unless we learn them.

29271. Were you serving in the district in which you were born?—Yes.

29272. If you had been moved to another district would you have had difficulty in speaking to the people?—No, not in these provinces. The principal language here is Hindi, but the dialects among the rustic population are different.

29273. If you had served in a different district from that in which you were born would you have found a difficulty in talking with the rustic population?—Yes.

29274. Were you the Chairman or the Vice-Chairman of the District Board?—As Deputy Collector I was Chairman of the Board.

29275. Did you find there was hesitation on the part of the members of the Board in speaking their minds about things when you were Chairman?—No. It depends altogether on the disposition of the Chairman, and if his treatment is courteous then everybody says what he has to say, but if he is a rather short-tempered

man no one likes to incur his displeasure because he knows he is sure to be snubbed. People do not like to incur the displeasure of a European officer while they do not mind incurring that of a native, in discussing the point with him.

29276. Do you mean that they would begin quarrelling and wrangling with you?—They would not quarrel with me, but if there was a difference of opinion they would express it and ask me to record it.

29277. In most districts would it be possible to find some gentlemen to act as Chairmen of Boards if there was no salary attached to the post?—Yes.

29278. What was the size of the District Board of which you acted as Chairman?—It was a fairly large district I think, one way it would extend about thirty miles from the district headquarters and the other way about forty miles.

29279. Would you find in that district a gentleman who had leisure to go all round the district and see what was going on in it?—We never tried the experiment, but I believe there are men in every district who would devote their time.

29280. But are there gentlemen who would have leisure to go all round the district if they are non-officials?—Yes.

29281. From what class would they be drawn?—From the educated and monied class.

29282. From the pleaders?—No, not from the pleaders, they would not have time—from the zamindar class.

29283. Would they give the time?—Yes.

29284. Had you any zamindars on the District Board with which you were connected?—They are on every Board; the largest number of the members are zamindars.

29285. And from them you think some gentleman could be found who would have time and inclination to go round the district and make himself acquainted with it?—Yes.

29286. Might panchayats be created in the villages?—Yes.

29287. Would you be able to find people who would take an interest in small matters?—Yes. I have no experience of Oudh, but in the Agra province there are still leading men in almost every village and almost all the petty cases are referred to them and they decide them.

29288. To the satisfaction of the people of the village?—Yes.

29289. Therefore ought the establishment of panchayats stop appeals to the Courts to some extent?—Certainly in petty cases.

29290. Would you make their decisions final?—I think the ordinary law should apply to them.

29291. Would you give any appeal against their decisions?—Ordinarily speaking, they would be Third Class Magistrates and as such their decisions would be appealable. I would make them appealable.

29292. (*Sir Steyning Edgerley.*) Where do you live now?—I am living in Benares; I retired last year.

29293. Have you any knowledge of how the new Local Boards Act is working and what its effect has been?—I have knowledge of District Boards, but not of Local Boards.

29294. Do not municipalities elect their own Chairmen?—Yes.

29295. But you say the time has come for the privilege of electing a non-official Chairman?—But they cannot go against the wishes of the District Officer. If you do not make a rule to that effect, they cannot.

29296. What do you mean by saying that the division of a district into sub-divisions is at present nominal?—Because sometimes the sub-divisions are divided so that they have become almost nominal.

29297. Would you like the Sub-Divisional Officer to live within his jurisdiction?—Yes.

29298. Does the Sub-Divisional Officer do the whole work of the sub-divisional area he is in charge of?—It depends on the powers which are delegated to him by the Collector.

29299. Does he simply have to do what the District Officer chooses to give him?—Yes.

29300. Does not he, as a matter of course, deal with the whole of the work?—As a rule, the whole of the work comes to him, but sometimes it is taken from him.

29301. You say you think both the Board of Revenue and Divisional Commissioners should not be kept—why do you think that?—Because they do the same work as a rule.

29302. Then you say if the Commissioners were abolished the members of the Board would have to be increased; what increase would be necessary?—There ought to be one officer to hear appeals and as they would have to go about visiting and inspecting districts two more Members of the Board are necessary and there ought to be one more for the Court of Wards, which would make four.

29303. Would that be enough?—I think so.

29304. Would you prefer to abolish the Commissioners or to abolish the Board?—According to seniority officers are made Commissioners. Sometimes it is considered that a Commissioner is not competent to hear appeals and probably does not know the law, but if a member of the Board hears the final appeal, and a special officer is appointed for that purpose, it would give much more satisfaction.

29305. But is not the Commissioner of to-day a member of the Board to-morrow?—He should be specially selected.

29306. But is there not very careful selection now?—I think they go by seniority.

29307. And the members of the Board do not?—They also go by seniority, but you have to provide for five or six Commissioners.

29308. Has not the Commissioner a very much smaller charge?—Yes.

29309. And he knows it better than the Board of Revenue possibly can?—Yes.

29310. Is not that a considerable advantage?—Yes, but the question is whether there is any necessity; you have a Collector who knows his own district, and that is quite sufficient.

29311. (*Mr. Meyer.*) If you abolished Commissioners would you be prepared to give to Collectors a large part of the powers which they now exercise?—Certainly.

29312. Therefore the Board would only take a small proportion of the Commissioners' duties?—Yes.

29313. There are forty-eight districts in this province; do you think they could be managed by one Board at headquarters?—Yes. At present one member is in charge of so many divisions and another is in charge of so many divisions, and they have to visit and inspect those divisions. If Commissioners are abolished they would have to visit every district.

29314. Would you divide the work amongst the members?—Yes, as at present.

29315. Would you have one member for appeals and the other three dividing the forty-eight districts of the province among them?—Yes.

29316. What would happen with regard to subjects such as excise and Court of Wards?—Generally one member would be in charge of Court of Wards work, but these are details which would have to be thought out.

29317. You say that a Collector at present can give the Sub-Divisional Officer any charge or power that he likes. With regard to rent suits and revenue cases, do you not have a certain number of officers, Assistant Collectors and Deputy Collectors, empowered under certain sections of the Land Act and Revenue Act to exercise the powers of a Collector in respect to these matters? Who gives them that power; does the Collector?—I do not know whether they have under the Act any right to exercise any such power, they may be in one or two cases, but as soon as a man is appointed a Sub-Divisional Officer he would exercise those powers.

29318. Do you want the Sub-Division to be fixed by Government and an officer appointed by the Government to a particular sub-division who should exercise all the powers of a Sub-Divisional Officer?—Yes.

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29319. Criminal appeals from Subordinate Magistrates go to the District Magistrate. Might not the Sub-Divisional Officer have power to dispose of those?—That power could be delegated by the District Magistrate if he chose.

29320. Might the Sub-Divisional Officer not have it as a matter of course; if he is fit to be a first class Magistrate is he not fit to take up appeals in his own sub-division?—Yes.

29321. Therefore, instead of a power being specially conferred, it should be conferred on every Sub-Divisional Officer as soon as he has had a little experience?—Yes.

29322. In appeals in revenue and rent suits does the appeal go from the Sub-Divisional Officer to the Commissioner and not to the Collector?—Those appeals go to the Commissioner, not to the Collector.

29323. Might not they go to the Collector?—The Collector and the Assistant Collector exercise almost the same power. I am in favour of one appeal only in all cases. For instance rent cases which are tried by second class Assistant Collectors, are appealable to the Collector and I would make the decision final in the same way as those which are tried by the first class Assistant Collector and are appealable to the Commissioner. I would make the appellate court's decision final.

29324. Might not the decision of a first class Assistant Collector be appealable to a Collector just as much as the decision of a second class Assistant Collector?—He has no time for it.

29325. But assuming he could find time, might he do it?—He might.

29326. In fact he would have to if you abolish Commissioners?—But the appeal would generally go to the Board, because there you might have a better ruling and decision.

29327. Had you anything to do with Local Boards?—I had to look after the meetings.

29328. Was it a good thing to abolish them?—Those Boards were run by tahsildars only, and there was no harm done in abolishing them; they do very little work.

29329. You say the Sub-Divisional Officer should live in his sub-division and do the work of it; might it not be a good thing to give him a Board for his sub-division corresponding to the Collector's Board for the whole district?—The members of both would nearly always be the same men, so that it would only be doing the same work twice.

29330. Would not people take more interest in a thing if it related to a smaller area?—I do not think so.

29331. Has the District Board control over the dispensaries?—It has control over the dispensaries in so far as they have to pay so much money; otherwise not.

29332. Who manages the dispensaries?—The Civil Surgeon.

29333. Is there a Committee?—No.

29334. Does the Civil Surgeon manage them entirely?—Yes.

29335. Might the Board manage them?—They cannot manage them at present; they must be left to the Civil Surgeon, but if they are given more chance of making inspection, and so forth, it would be of some use.

29336. Would you have a Committee of the Board to discuss the management of dispensaries to which the Civil Surgeon should submit any proposal?—Yes.

29337. (*Mr. Hichens.*) How would you organize your village Councils; would you have a Council for each village, or would you have a Council for several villages?—There are some very large villages and some very small villages and in the small villages there are not a sufficient number of intelligent people to do any useful work, so I would leave them alone, but where there are villages with materials for forming a Council I would give them power.

29338. You would begin with the large villages and see how it worked?—Yes.

29339. How would you select the members of the Council?—In almost every village you will find there are some leaders of the people who would be the proper persons, because the people have confidence in them. There are headmen in every village under the Criminal Procedure Code, but those headmen are not of much use unless they happen to be the leaders of the village.

29340. Would you have a Council consisting of more than one man?—Certainly.

29341. Would they all be selected by the Collector?—Yes, but if you want to make it popular you should consult the people themselves.

29342. Would you have some of the members nominated and some elected?—With a system of election it would not work.

29343. Do you mean that the Collector should nominate them after consulting the people?—Yes.

29344. In a village where there were a certain number of *talukdars* would you be able to put other people on the Board as well?—*Talukdars* are big proprietors in Oudh, and there are equally big landholders in Agra owning 200 or 300 villages; they all belong to the same community, but sometimes a petty man is as respectable as a big *talukdar*, and there are many of them who would act, but the big men would not take to associate with them.

29345. Are there many factions in the villages?—Sometimes there are.

29346. Does feeling run very high?—Sometimes.

29347. Would you be able to get a Council able to control and manage affairs in such a village?—It would be almost impossible at present.

29348. But you would recommend it?—Yes, if the District Officers want it to be done, and they give some encouragement it would be done, but if they throw cold water on it, it will not.

29349. Do you mean that it should be undertaken under the personal supervision of the District Officer?—Yes.

29350. (*Mr. Dutt.*) Would you give the village community any power in regard to educational matters?—I think they are not so far advanced that any power should be given them beyond looking after the affairs of the school.

29351. Are you satisfied from your experience that education in villages is progressing?—Yes, during the last two or three years the number of schools has increased.

29352. Were you ever in charge of a particular department at the headquarters of a district?—I was in charge of the treasury for years; I was in charge of stamps and different departments.

29353. When you were a Treasury Officer you were not a Sub-Divisional Officer?—Sometimes I was.

29354. Is it the case that Sub-Divisional Officers are not appointed to the charge of sub-divisions by the Government, and are not appointed by gazette notifications?—Yes.

29355. And the Government only appoint a certain number of officers to a district, the District Officer posting them to sub-divisions?—Yes.

29356. What is the main source of income of District Boards now?—The main source of income of a District Board I do not know, but so much money is allotted to a division or a district.

29357. Have you any suggestions to make with regard to the improvement of primary education?—I have not considered the matter.

29358. Generally speaking, is the number of primary schools sufficient; is there one primary school for every village or for every two or three villages?—No.

29359. Supposing there are a thousand villages in a district, can you say roughly from your experience how many primary schools there would be in such a district?—From 150 to 200.

29360. Ought the number of them to be largely increased?—Yes.

29361. That can only be done by a larger contribution from Government, for educational purposes?—Yes.

29362. The present law permits members of a municipality to elect a non-official Chairman ; has that right ever been exercised ?—As far as I know there is only one municipality which has exercised that right.

29363. You have said that if the Board of Revenue is kept, the services of Divisional Commissioners might be dispensed with, but have not Divisional Commissioners a very useful function to discharge in inspecting the work of District Officers ?—Inspection is done now by sending questions which are answered by the Collector, but as a rule inspection does some good.

29364. Does not the Divisional Commissioner visit the districts and come into contact with the people, and in that way do good work. If their appointments were kept up would you agree that the members of the Board of Revenue might have their functions enlarged and become to some extent Councillors and colleagues of the Lieutenant-Governor ?—Yes, in that case.

29365. In that way would a large amount of experience be available to the Lieutenant-Governor in his general administration ?—Yes.

29366. (*Sir Frederic Lely.*) When you were Sub-Divisional Officer do you think you had as much power as you might have had, or was there any further power which you might have had with advantage to the public ?—I had as much power as under the law was allowed.

29367. Had you anything to do with the estates under the Court of Wards, for instance ?—Not much.

29368. Had you anything to do with the assessment of income-tax ?—Yes.

29369. Did you have much to do with Local Boards ?—Yes.

29370. You were Chairman of the Local Board ?—Yes.

29371. Why do you say the Sub-Divisional Officer should usually live in his sub-division if the head-quarters are twenty-five miles away ?—Because he would be more in contact with the people ; all the cases go to the Sub-Divisional Officer, and if the people have to go twenty-five miles with a petty case it is a great hardship.

29372. Supposing it is found that a Government officer is quite unfit for his work and incompetent and he was made to retire on a reduced pension, would that cause great dissatisfaction in the Provincial Service ?—I think not ; it would be recognised as reasonable.

(*The witness withdrew,*)

Adjourned.

Pandit Maharaj Narayan Shivpuri, Rai Bahadur.

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FORTY-SIXTH DAY.

LUCKNOW, *Thursday, February 13th*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Colonel R. D. MURRAY, B.M., I.M.S., was called and examined.

29373. (*Chairman.*) You are Inspector-General of Civil Hospitals ?—I am, since over three years, if I include an officiating period.

The provincial Medical Department deals with the medical administration of the province, the Sanitary Commissioner being in charge of the sanitary administration. Civil Surgeons are Superintendents of all dispensaries in their districts, as well as Superintendents of district jails and of vaccination. They are also Health Officers to District Boards, and in many districts they are the Medical Officers of the railways. In Benares and Bareilly the Civil Surgeons are, in addition to their other duties, Superintendents of lunatic asylums, and the Civil Surgeon, Agra, is also the Principal of the Medical School.

The Inspector-General of Civil Hospitals is the administrative Medical Officer of the Medical Department and is responsible for the efficient working of the department, which comprises 521 dispensaries, a medical school, three lunatic asylums, and the Chemical Examiner's Department at Agra. He is responsible for the proper working of the plague protective measures of the province and all measures connected with medical relief in times of famine or scarcity. He is also responsible for the internal administration of the Dufferin Fund institutions.

I consider that the question of fees claimed by Medical Officers for attendance on Indian Chiefs, nobles, and native gentlemen of high social position should be finally disposed of by the Inspector-General after consulting the Local Government without making a reference to the Director-General.

The right of Appeal to the Local Government in respect of administrative action by executive practice may be limited to officers in receipt of a salary of not less than Rs. 100 a month. Government has recently ruled that an appellate order is final in the case of officers drawing up to Rs. 50 a month.

The office of Inspector-General of Civil Hospitals, who is the Administrative Medical Officer of the province, should be increased by the appointment of a personal assistant. Bengal, Eastern Bengal and Burma, Bombay and Madras have all got personal assistants, and this province should be on the same footing, since statistics prove it is equal to them.

District Board budget schedules pertaining to the Medical Department need not be submitted to the Inspector-General for comment, but should be passed by the Commissioner on the approval of the Boards and Civil Surgeons. The appointment, promotion, &c., of District Board and provincial compounders may be left to Civil Surgeons and Boards.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers as they might tend to reduce or curtail the authority of such officers.

29374. Is this province divided, as other provinces are, into districts, each in charge of a Civil Surgeon ?—Yes.

29375. Are Civil Surgeons responsible to you as to medical matters, and responsible to the Sanitary Commissioner as to sanitary matters ?—Yes.

29376. Are they also Superintendents of Jails and sometimes of lunatic asylums ?—Yes.

29377. Do you find that the responsibility of one of your officers to two or three distinct Heads of Departments interferes with their proper duties ?—Not at all, I have never heard of any difficulty arising.

29378. Are you a member of the Sanitary Board ?—I am.

29379. How often does that Board meet ?—It meets three or four times a year.

29380. Do you tour ?—Yes, extensively.

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29381. Does the Board tour?—No.

29382. When some sanitary work is required in a district and a scheme is prepared, what happens?—The Sanitary Board is convened, the project is discussed by it, and recommendations are made.

29383. Does the Board go to see the locality?—I individually go when I can; the Board does not. The Superintending Engineer may accompany the Sanitary Engineer to certain places, but we never meet as a Board on tour.

29384. You meet practically only when some project is sent up to you?—We meet as a Board on certain matters; for instance, with regard to the Lucknow drainage scheme we came here to see the details of the scheme on the spot.

29385. But you do not meet to consider schemes from smaller municipalities or District Boards?—We do not; they are all submitted by the Sanitary Engineer and plans are exhibited.

29386. Who are they submitted to and by whom?—To the Board by the Sanitary Engineer, who is Secretary to the Board.

29387. Are they sent round merely as papers?—No, we meet and discuss them, and occasionally papers are circulated to the individual members of the Board for an expression of opinion when it is impossible to meet.

29388. How many schemes pass through your hands during the course of a year?—It is very hard to say, but I should think probably about ten schemes at each meeting.

29389. As a Board, have you any powers of sanction?—We approve or disapprove of schemes, but what eventually becomes of them I do not really know; I suppose they are put before Government.

29390. Have you no power to say whether a scheme is a satisfactory scheme or otherwise?—We have power to say whether it is a satisfactory scheme, but we have no power to pass direct orders; it goes to Government.

29391. Is that satisfactory?—It seems to be satisfactory.

29392. Is there no unnecessary delay in consequence of your having to consider a scheme first?—Of course the ways and means have to be found after it has been approved by us, and we cannot very well order it to be done without knowing whether the funds are there for carrying it out.

29393. Do you go into the cost at all?—Yes, the cost is stated by the Sanitary Engineer who is Secretary to the Board.

29394. But you do not concern yourself as to whether it is an economical scheme or an expensive one?—I think we do go into that matter because the Chief Engineer is a member of the Board and is capable of expressing his opinion as to whether or not it is an extravagant scheme, and every attempt is made to keep down extravagance consistently with efficiency.

29395 You have stated various powers and so forth which you think might be delegated to the Inspector General of Civil Hospitals; are there any of those powers which the Local Government could at the present moment delegate to you if they chose?—It depends on the Local Government's view.

29396. Do the District Board budgets come to you as far as they pertain to the Medical Department?—They do from all forty-six District Boards.

29397. And the municipalities?—No.

29398. Do you go into them all carefully in detail?—They are all carefully scrutinised.

29399. Is that necessary?—No, I think they need not come to us at all; that is one of the things that might be settled by the Commissioner.

29400. Do they give a good deal of trouble at the present moment?—They do, and they increase my office work unnecessarily.

29401. Do you practically make no comment upon them?—No.

29402. Are you satisfied with the services of all your officers?—Quite.

29403. You have nobody in your province you would like to return to the Military Department?—No; at the present moment I have an excellent lot of officers.

29404. Can you post or transfer your Civil Surgeons as you like?—I make all proposals to Government and they are almost invariably accepted both as to posting and as to transfer.

29405. You do not suggest then that that power should be delegated?—No; I think it is safer for the Government to sanction the Inspector-General's proposals.

29406. Who sanctions them as a matter of fact, the Secretary to the Department?—No, the Lieutenant-Governor, who relieves the Inspector-General. There are Inspectors-General, and one man might be in favour of one action and another of another, and it might be open to a suspicion of jobbery if the Government had not a final say in the matter.

29407. Would it not dispose of the matter if a man had the right of appeal?—That might be satisfactory.

29408. (*Sir Frederic Lely.*) Whom are Hospital Assistants in charge of rural dispensaries paid by?—By the District Board.

29409. Who appoints them?—I appoint, promote, and transfer them. I also generally supervise them.

29410. Has the District Board any hand at all in the management of the rural dispensaries?—They have a supervising power.

29411. Have they any control over the doctors?—If they are dissatisfied with a doctor they might report him to me for any action that I might consider desirable.

29412. Is there a Dispensary Committee attached to each dispensary?—I do not think there is a Dispensary Committee, but there may be a sub-committee of the District Board which deals with dispensaries.

29413. There is no special committee attached to each dispensary for the supervision and visitation of that dispensary only?—The Chairman and members of the Board are at liberty to inspect a dispensary as often as they like.

29414. But there is no more specific supervision than that?—As far as I know, there is not.

29415. Would the only recognised exponent of opinion with regard to a doctor be the Collector; that is the Chairman of the Board?—Yes.

29416. If he found reason to find fault with any Hospital Assistant would he write to you?—He would address me.

29417. Supposing your opinion differed from his, what would happen; would you simply file the correspondence?—No, I should not let it rest there. I should call on the medical subordinate for an explanation, and if his explanation was satisfactory, I should represent the fact to the Chairman of the District Board; if it was not satisfactory, I should deal with him departmentally.

29418. If your opinion differed from that of the Chairman, would you leave him to take further action?—I would refer the matter then to Government.

29419. Without any further reference from him?—Yes; I would not dismiss the case summarily without a reference to Government.

29420. Are Hospital Assistants, as a class, efficient?—They are.

29421. Are they able to make a *post mortem* examination to ascertain the cause of death?—The Assistant Surgeon class are all reliable men, and can be trusted with the performance of a *post mortem* examination.

29422. Who conducts *post mortem* examinations as a rule?—The Civil Surgeon himself at headquarters.

29423. What happens when the distance is great?—It is done mostly by Assistant Surgeons, but a few selected Hospital Assistants who are of lower class still are empowered to perform *post mortems*.

29424. Then are these officers of an inferior class who are forbidden to make examinations?—No, they are not forbidden, because they are actually trained in medico-legal work at Agra and are supposed to be competent to perform the duties. They are all supposed to be competent, because they have to pass examinations; but, because of the extreme importance of the subject, we select men for medico-legal work at places where no Civil Surgeon is available.

29425. It may occasionally happen that an ordinary Hospital Assistant is called upon to give a professional opinion as to whether a murder has been committed or not; is he sufficiently qualified to give that opinion?—Yes, but in very serious cases it is as far as possible the custom to send the corpse to the Civil Surgeon at the station.

29426. You say that the District Board has no voice practically in the management of the dispensary; under what supervision is your Hospital Assistant?—The Civil Surgeon inspects every quarter, and there are inspections made at odd times by the District Magistrate when he is on tour and members of the District Board who may happen to live in the neighbourhood of a dispensary inspect it.

29427. Would it not be a good thing if a Dispensary Committee was attached to each institution with responsibility for visiting it periodically?—I do not see the necessity for it at present, because I myself visit every *sadar* dispensary nearly every year. I do not inspect all branch dispensaries.

29428. But it is desirable to stimulate popular interest in them, and would not that be a good way of doing it?—Yes; the dispensaries as a rule in this province are very well managed indeed, but of course there is nothing like supervision.

29429. It would strengthen the hands of the doctor?—Certainly.

29430. Who pays for the *sadar* hospital?—The District Board.

29431. Does not Government make any special grant?—A new system was introduced last year under which Government subsidised the Boards for the purpose of meeting the expenditure on hospitals.

29432. Is the *sadar* hospital supposed to be under the management of the District Board or municipality?—Entirely under the District Board; the municipality pays a contribution as a rule, but does not manage it.

29433. Has a municipality no point of contact with it?—None except that usually in a station some member of the municipality is a member of the District Board as well.

29434. The municipality as such has no direct interest?—They all have an interest, but I do not think they have any direct control over the hospitals: they are under the District Board.

29435. Do you mean they have an interest as members of the general public and in no other way?—Yes.

29436. Would it not be a good thing to strengthen the connection of the *sadar* hospital with the general public by appointing, for instance, a Board of Visitors on behalf of a municipality?—It is already supervised by the District Board, and the members of the Board are at liberty to visit it whenever they like.

29437. But would it not be a good thing to give a special committee special authority to visit it?—In the old days before dispensaries were under District Boards they were under municipalities to a large extent, and there used to be a Hospital Committee, but that has ceased and the present system answers extremely well.

29438. If a hospital is only vaguely under a District Board, does that not mean practically that they have no touch with it at all?—I do not think so, because the Chairman of the District Board is the District Magistrate as a rule, and I would get reports from him.

29439. Supposing an ordinary member of a District Board interested himself in the management of a hospital and went one morning to see how it was going on, would his visit be welcomed?—Yes, I frequently get reports from members of District Boards who inspect dispensaries.

29440. I am speaking of the *sadar* hospital; would such visits not be resented?—Not at all; it is frequently done; a lot of inspection work goes on. I inspect, the Commissioner visits, the Collector visits, and individual members of the Board visit.

29441. And record their opinions in the visitor's book?—Yes, and they are all sent up to me and I take action on their reports.

29442. (*Mr. Dutt.*) As a rule have you a dispensary in every *tahsil*?—I do not think so.

29443. That gives an average of more than ten dispensaries for every district?—It does.

29444. Generally speaking, have you a dispensary in every important *tahsil*?—I think so; we are well off for dispensaries in this province as compared with other provinces. We have a little smaller population than Bengal and we have 521 dispensaries to 514 in Bengal.

29445. Are the dispensaries generally in charge of Civil Hospital Assistants?—Yes, what are called branch dispensaries.

29446. Does that number include also dispensaries at the headquarters of districts?—Yes.

29447. Are those dispensaries generally in charge of Civil Hospital Assistants or Assistant Surgeons?—Almost invariably of Assistant Surgeons.

29448. Are they appointed by Government on your nomination?—They are, on first appointment to the department. I appoint them to particular dispensaries.

29449. Do you find them generally a competent and satisfactory class of doctors?—Quite.

29450. Are all orders with regard to transfer or promotion passed by the Government?—All promotions and transfers are done by me. Up till recently Government approved of promotions to the senior grade, but that power has now been delegated to me.

29451. You do not propose any change in that rule?—No.

29452. You say you have two Deputy Sanitary Commissioners; what are their duties?—That is in the Sanitary Commissioner's department; the Inspector General of Hospitals and the Sanitary Commissioner are independent of each other.

29453. Do they inspect different districts and different municipalities?—Yes, they are out during the whole of the cold weather inspecting. There are two circles, a first and a second, and one of the most important parts of the Sanitary Commissioner's duty is to control the vaccine lymph depôt.

29454. You say that District Board members occasionally inspect dispensaries, both at headquarters of districts and in the interior; are these dispensaries almost entirely supported by the District Boards?—Yes. they are; there are some private dispensaries.

29455. And when they are situate in municipal towns does the municipality pay a contribution?—Yes.

29456. Are they generally under the supervision of the Civil Surgeon?—Yes.

29457. Supposing you got an unsatisfactory report as to the working of a dispensary from a member of the District Board, what action would you take?—I should immediately call on the Assistant Surgeon for an explanation, and the subsequent action would depend on that.

29458. Would you refer the question to the Collector as the Chairman of the Board?—If I get an unfavourable reply I usually take action and perhaps transfer the subordinate to another station, giving him a reprimand.

29459. Would you generally pass orders after consultation with the District Officer?—Generally, and also with the Civil Surgeon.

29460. As Medical Officers, Civil Surgeons are under you, and as Sanitary Officers they are under the Sanitary Commissioner?—That is so.

29461. Do they recognise it as part of their duties to inspect the different dispensaries in the district?—Yes.

29462. Are Civil Hospital Assistants appointed by you, or by the Government on your nomination?—They are not Gazetted Officers, they are appointed by me to particular charges, but their entry into the department is approved by Government. I select them by seniority, and if there is anything on the record against the man he is passed over for a good appointment, and so on, but as far as possible they are appointed by seniority.

29463. Do you keep a list of the qualified men and generally make appointments by seniority from that list?—Yes, but for special appointments we select.

Colonel R. D. Murray.

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29464. I understand you to say that you desire the power of appointment of Civil Hospital Assistants within the sanctioned scale, but if you already have that power I do not understand your answer?—I want to be able to give a Hospital Assistant a permanent appointment on the *cadre* without reference to Government.

29465. At present have you to make a reference to Government?—Yes.

29466. As a matter of fact, are all your nominations accepted by Government?—Yes.

29467. (*Mr. Hichens.*) Who settles the scale of pay of Hospital Assistants and Assistant Surgeons?—There is a Government scale laid down by the Government of India.

29468. Is that not a matter which might be left to the Local Government to decide?—I should object to that; the pay should be the same.

29469. But is it necessary?—I think so; I do not see why a man in this province should get less than a man is getting in Bengal.

29470. Unless it could be shown that the local conditions were different?—No; this is supposed to be a cheap province compared with Bengal, but I would not on that account make any difference in the pay; besides prices are rising all over India.

29471. Your view is that it is desirable to have uniformity; Yes.

29472. Therefore you would prefer that the question of pay should be decided by the Government of India?—I do.

29473. (*Mr. Meyer.*) Have municipalities nothing to do with medical work except to contribute to the District Boards?—That is all.

29474. Taking a municipality like Lucknow, is it not a more wealthy body than a District Board?—But in big places the hospitals are not District Board institutions; for instance here, the principal hospital is neither a District Board nor a municipal hospital. There are grants made to it from various bodies. It was originally founded by the Maharaja of Balrampur, and he constantly gives large contributions, although the municipality and the District Board contribute also.

29475. Have you hospitals in the province, directly run by, and paid for by the Government, in any way corresponding to the Presidency General Hospital in Calcutta?—There is the Agra Medical School and Hospital; the Agra Hospital is really under the District Board. The Government runs the school and the District Board the hospital.

29476. As far as medical relief is concerned, it is all under the District Board, or private institutions, financially?—I believe so.

29477. Seeing that the District Board has nothing to do with the management, and only contributes to the cost, might it not be desirable to recognise the position and make these institutions provincial?—They are supposed to be managed by the District Board; I administer.

29478. The District Board's management consists in the payment of contributions, and in the privilege accorded to members of it of going to see a dispensary and writing their remarks in the visitors' book?—Yes. They are supposed to control the institution legally; they find the money, and they are at liberty to inspect, and if necessary can report to me.

29479. Could not any one of position in the town go to the dispensary and write remarks in the visitors' book?—I do not think he could, if he was not a member of the Board. Possibly if he was a member of the municipality and the municipality contributed, he might have power to visit, and there would be no objection to his visiting

29480. You are quite satisfied with the present position, and do not think you might go a step further and let the District Board have its own medical staff?—The staff is practically the staff of a District Board now, but they are appointed by me.

29481. The Bengal system is that the District Board can entertain qualified men as Medical Officers for its dispensaries, who are on its own district list, and not on the provincial list at all?—I am thoroughly opposed to that.

29482. As the District Board has so little to do with the real management, might you not recognise the position and take the management and the payment over by Government?—That is going back to the old system; the present system works very smoothly.

29483. If you are going to have control by a local body, is not the essence of it local knowledge?—Yes.

29484. That being so, would it not be better to let municipalities manage dispensaries within the municipal area; a Municipal Committee would surely be of much more value than a District Board?—Yes, but the municipality do not find the money.

29485. Supposing a municipality had the funds, might it not be better for them to manage?—It depends on whether you consider a municipality is superior to the District Board. My opinion is that it would not be any better to have a municipality controlling dispensaries, because a great many of the men on the District Board are also municipal commissioners.

29486. You say that Government aids the District Boards in order to enable them to contribute to dispensaries; is that not a rather roundabout way of doing it?—That is for the Government to consider.

29487. Does your Sanitary Board only take up big projects of drainage and water works, or does it deal with small matters also?—I think it deals with all matters that come before the Sanitary Engineer.

29488. Does it deal with the provision of latrines, for instance?—Yes, even latrines, and small bridges and culverts, and so on.

29489. Is it necessary for the Board to deal with these things?—They might be relegated to the Engineer's control leaving the Board to deal with large schemes.

29490. It has been suggested that the reserve of the Indian Medical Service which is now at the disposal of the Director-General of the Indian Medical Service and the Home Department, should be broken up and distributed amongst the various provinces; would that commend itself to you?—I do not quite understand that. We have our reserve now for this province.

29491. But for the Indian Medical Service, is there not a further pool, so to speak, at the disposal of the Director General?—We have a certain reserve of officers for leave vacancies.

29492. Are you satisfied with it?—I should like a few more. Just recently I got a circular from Government to say that the Jail Department, for the calculation of leave vacancies in the Indian Medical Service, was to be made a separate business. The leave vacancies of officers under me were previously calculated at 20 per cent. on a *cadre* of 46, which allowed me nine leave vacancies at my disposal, but this ruling reduces the number to eight.

29493. Do some of the stations differ from others as to the possibilities of private practice and the general amenities?—Yes.

29494. Do you go on the principle of posting the senior man to the best station?—Not invariably; for the best stations men should be selected having regard to their capacity.

29495. Supposing a good station was vacant, would you bring in a senior man because he happened to be senior, or would you put in the best man?—I should not appoint a man merely on account of his seniority; I should appoint him for his professional merits generally.

29496. Do you have many transfers in that way?—No.

29497. (*Sir Steyning Edgerley.*) Are not Civil Surgeons in Districts actually in charge of the hospitals?—They are responsible for the administration of all the hospitals.

29498. But are they not in direct charge of any particular institution?—Each man is in charge of the *sadar* hospital; the Civil Assistant Surgeon is only in subordinate charge.

29499. Is the Civil Surgeon in any way remunerated by the District Board?—No, he gets nothing from them—the Government pay him.

29500. Have you any centre of medical research in the province?—No, except at Agra; there is a certain amount of research work done by the Chemical Examiner, but there is no regular Research Institution.

29501. Is not every officer you get for civil employ lent to you?—Yes.

29502. Instead of that system, might you not have a provincial Medical Service with your own reserves?—It would help us rather; we should be freer.

29503. You would have to train your own specialists for the Jail Department, lunatic asylums, and so?—That would be necessary.

29504. Coming to the higher appointments, would you make your own selected list?—I would.

29505. Would there be any advantage to the provincial Government in that system?—We should have a greater choice of men if we got them from the Director General, because he could select from the whole of India.

29506. While at present you do not know in the least who you are getting into civil employ, and have to take whatever is given you?—Exactly.

29507. Does that system work well?—So far I have no reason to be dissatisfied.

29508. Have you had much experience with regard to the question of medical fees?—The system has only just begun to work, but there has been no friction or trouble so far

29509. Have you had any cases since the system began to work?—Yes, a few, and in each case the fees demanded have been extremely moderate. *Colonel R. D. Murray.* 13 *Feb.*, 1908.

29510. Do your officers have a regular settled scale of fees whomever they attend?—I cannot say.

29511. Do they vary their fees according to the patient?—The recognised fee is Rs. 16 for a visit and Rs. 32 for a consultation in the station.

29512. Supposing there was a gentleman lying ill in the north of the province who happened to be acquainted with a Civil Surgeon or a doctor at Lucknow and telegraphed for him, is there any provision for such a case?—There is no regular scale; if the fees are over a certain amount they are submitted under the rules.

29513. Have you known of any case in which under such circumstances, a gentleman of position has been prevented from getting the medical assistance he wished to have?—I do not know of any individual instance, but I have heard of the possibility of such a thing occurring.

29514. Is that a matter which ought to be left for the province to decide?—I think so.

(*The witness withdrew.*)

The Honourable Rai Sri Ram Bahadur, C.I.E., was called and examined.

29515. (*Chairman.*) You are a Member of the Legislative Council of the United Provinces?—Yes, I have been a member for the last fifteen years. For about twenty-five years I have been a member of the Municipal Board of Lucknow (having been Vice-Chairman for fifteen years) and I was a member of the District Board of Lucknow for six or seven years. I have been a Member of the Viceroy's Council for six years. *The Hon. Rai Sri Ram Bahadur.* 13 *Feb.*, 1908.

Provincial Governments should have larger financial powers than they have at present. In matters of detail of expenditure the interference of the Central Government hampers the hands of the Local Governments. When a certain sum has been allotted to be spent on a certain head of expenditure, *e.g.* education, Public Works, it should be left to the discretion of the provincial Governments, in cases of necessity, to transfer the whole allotment or a portion of it from one sub-head to another. The provincial Government is the best judge of the working of details and the provincial requirements under its charge. The system of earmarking of a sum for expenditure on a given sub-head and insisting on its being spent on that special sub-head should be relaxed by the Government of India.

In the shared heads of revenue the United Provinces have been recipients of a smaller share as compared with the other provinces. Take for instance land revenue. None of the Indian provinces get such a small share as the United Provinces, their share being only one-fourth. The other provinces get not less than half, and in some cases it is so much as three-fourths. In stamps, excise, assessed taxes, forest, and registration they share the same fate, though in the last provincial settlement the share of the provincial Government under certain heads of revenue has been raised to a larger extent, but notwithstanding the fact that a larger amount has been assigned for local expenditure, that amount is still insufficient for the growing wants of these provinces.

I do not know the local conditions of other provinces, but if the Local Government were to go into the market for any large loans, it would not receive a favourable response from the public of these provinces.

Local Governments should have power to create new appointments of posts carrying salaries of Rs. 200 monthly, and of enhancing salaries up to Rs. 300, and specially so in cases where such posts are of a temporary character, and when the exigencies of the Public Service require that the appointments should be made without loss of time.

The right of appeal to the Government of India should not be curtailed, and a certificate as to the reasonableness of the grounds of appeal from the authority passing the order appealed against is not at all desirable. The right of appeal to the Government of India by officers of Government against orders affecting them personally should not be curtailed.

One of the necessary steps to secure effective decentralization, so far as these provinces are concerned, is to remove the duality of control of, and the exercise of nearly co-ordinate powers in many matters by, the Board of Revenue and the Local Government. At present the matter first goes from the Sub-Divisional Officer to the District Officer, from him to the Commissioner of the division, then to the Board of Revenue, and finally to the Local Government. In nine cases out of ten the recommendation emanating from the District Officer is the one which is finally adopted. It does not seem necessary that between the Local Government and the District Officer there should be two intermediaries, *viz.* the Commissioner and the Board. One is quite enough. After a consideration of the nature of the work which comes before the Board I would say the Board can be dispensed with. Except (1) land revenue, (2) revision of settlement, and (3) judicial and *quasi*-judicial work in the shape of rent and revenue appeals, there is no other matter which cannot be settled by Heads of the Departments concerned under the general control of the Local Government, no intervention of the Board of Revenue being necessary. A Revenue Commissioner, if appointed, when the settlement of revenue is in progress, will be able to deal with the questions of land revenue and assessment. The rent appeals can safely go to the highest judicial tribunals. In the province of Oudh, before 1890, all such appeals used to go to the Court of the Judicial Commissioner, which is the High Court of the province. Revenue appeals, which generally relate to partition and mutation of names, can be left to be finally decided by Commissioners of divisions. The percentage of reversals by the Board of Revenue is very small in rent and revenue appeals.

Commissioners should be invested with greater powers in matters relating to revenue, as they from their local knowledge are more competent to decide such questions than the Board.

Collectors and Sub-Divisional Officers should have power to suspend payment of rent and revenue without obtaining the previous sanction of the Commissioner, but subject to his general control.

The powers of Commissioners of divisions in matters of general administration should be enlarged to a greater extent than they possess at present.

The powers of Collectors of districts in matters relating to District and Municipal Boards within their districts require extension. There are many questions which can safely be decided by the District Officer without any reference to the Commissioner or other superior authority. In order to afford the District Officer sufficient time to cope adequately with the executive matters coming before him, he should be

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relieved from deciding original cases of all kinds—criminal, rent, and revenue. Rent, revenue, and criminal cases should be decided by the Sub-Divisional Officers, and only appeals should go to the District Officer.

The influence of the Commissioner is sufficiently strong and adequate weight is given to his opinions.

Europern Executive Officers have sufficient opportunities for personal contact with the people, but, with some honourable exceptions, these officers do not avail themselves of the opportunities. Differences in social customs and manners, want of that sympathy which the rulers should have towards the ruled, insufficient acquaintance with the manners and customs of the Indians, aloofness, and the rigidity with which they are required to do their routine work, and the consequent want of time at their disposal, are factors which singly or collectively stand in the way of these officers, and they do not or cannot utilise the opportunities which their official position has placed in their hands for coming into personal contact to a larger extent with the people. Some of these depend upon the personal temperament of the individual officer, others are due to press of work. No remedy can be suggested for the obstacles of first class except that the Government should insist on its officers to be more attentive in this respect. The other class of obstacle can be removed by relieving the officers from pressure of work.

The Executive Officers possess sufficient knowledge of vernacular, except that they do not fully understand the *patois* of the rural population.

In order to effect real decentralization, Commissioners and the District Officers should be invested with larger powers, and in many cases the final decision of the questions should rest with them. Such appointments should be made by selection and not by seniority.

The transfers of officers are unnecessarily frequent. In the case of District Officers and Commissioners the minimum limit of the period of holding charge of a division or district should be three years. Except in cases of urgency and the exigencies of the Public Service, the Local Government should make it a condition precedent to the offer of a Collectorship or Commissionership to any individual officer that he will have to stick to the post for the minimum period.

Municipalities should have more extensive powers than they possess at present; specially in sanitation, education, local taxation, and appointment of their subordinates. The municipalities of the United Provinces labour under another great disadvantage—they have to elect an official as their Chairman, who in the majority of cases is the District Magistrate. Though the number of municipalities in this province is very large, in only one solitary instance the Chairman is a non-official. The letter of the law does not circumscribe the election of a Chairman from among officials, but the practice insisted on is that he should be an official. The same is the case with the District Boards. The Chairman is always the District Magistrate. Steps should be taken to remove this great obstacle in the way of educating the Indians in the principles of local self-government. The municipalities and District Boards can properly be worked under non-official Chairmen subject to the control of the District Officers.

The system of finances which is in vogue in the District Boards, though improved to a certain extent lately, is not satisfactory. The Board should have complete control over the rates and taxes raised in the district; the amount so raised, if insufficient, should be supplemented by grants from the provincial funds. The present system, according to which the District Boards are allotted fixed sums by the Local Government irrespective of the local income arising in their respective districts, should be done away with.

Village unions do not generally exist in these provinces, but they can efficiently be organised; and when brought into existence where none exist at present they will be of great use.

I am in favour of establishment of Advisory and Administrative Councils. In questions of public interest affecting the people immediately, such as sanitation, education, and the like, action should be taken only in case it is approved by a considerable majority of the members of such Councils. These Councils should be for the Divisional and for the District Officers separately. They should consist of persons representing the landed classes, leaders of public opinion, different communities and interests and professional classes residing in the division or the district. Care should be taken to secure an adequate representation of the educated classes in these Councils. At least two-thirds of the members should be elected and one-third nominated. The number for each division or district should be fixed according to its population and area and the number of qualified men whose services can be obtained. It should be a guiding principle in the working of these Councils that if a large majority, say, two-thirds of the Councillors, give their unanimous opinion regarding a certain question, that opinion should be accepted, though the official view may not be in accordance with it.

I do not think it is advisable to invest District Boards with powers of supervision and control over smaller municipalities within their respective districts. So far as my experience goes, I have not found any village communities existing in the United Provinces to whom the powers can be safely entrusted at present.

29516. You say that you think under certain circumstances the Board of Revenue in this province might be dispensed with; do you look upon either Commissioners or the Board of Revenue as superfluous?—That is my view. There are two classes of work done by the Board, administrative and judicial; as regards the administrative work done by the Board, that can be easily done by Commissioners and the Heads of the several Departments if larger powers are given to them. For instance, take the case of the Department of Agriculture and Land Revenue; we have a competent officer at the head of that department with a large staff under him, so that there is no necessity of any intervention by the Board. Then if you look at the Board's Manuals, the work done by it is generally the work which comes to it from the several Departments, and it is not necessary that there should be first the District Officer, then the Commissioner, then the Heads of several Departments, then the Board of Revenue, and then the Local Government.

29517. In matters like Court of Ward questions would there be a feeling of satisfaction or otherwise, if they were decided by one person—a Commissioner, instead of being decided by two—the Board of Revenue?—As a matter of fact the questions which are decided by the Board of Revenue are decided by one member only; one member has charge of the Court of Wards Department, and it is he who decides, the other member being supposed to concur in his opinions.

29518. The feeling would be one of perfect satisfaction with the decision of the Commissioner?—Yes.

29519. Would you apply the same argument with regard to revenue appeals?—There are two kinds of appeals which go before the Board—rent appeals and revenue appeals. The rent appeals in Oudh can go to the Court of the Judicial Commissioner, those in the province of Agra to the High Court. Revenue appeals heard by the Board are generally in two classes of cases—partition of revenue-paying estates and the mutation of names in the revenue registers. Statistics show that the number of all such cases heard by the Board in any year either on the appellate or revisional side is not large. In the year before last the number of revenue appeals decided by the Board was 466, and of revision cases 111. It was only in 60 appeal cases and 17 revision cases that the decisions of the Lower Courts were disturbed.

29520. Might those just as well have been settled by the Commissioners?—Yes.

29521. The duties and responsibilities of Commissioners might therefore be advantageously extended; would you say the same with regard to Collectors?—Yes, their powers also should be extended, and they should be relieved of all original judicial work.

29522. It has been stated that it might be difficult, even in a town of this size, to find private gentlemen who would be willing to undertake the onerous duty attaching to the Chairmanship of the municipality; will you give your views on that?—I beg to differ from that; it has never been tried; although the District Boards and the Municipalities Acts have been in force here for the last 25 years, there is only one municipality, and that is a second class municipality, which has a non-official Chairman; all the rest have official Chairmen. Government can exercise perfect

control over the doings of non-official Chairmen; it has power to suspend any resolution, and can do away with the Board if it likes under the provisions of the existing law. If non-official Chairmen are appointed there would be no harm done.

29523. Are there gentlemen in Lucknow who would be willing to undertake the onerous duties of the Chairmanship?—Yes.

29524. Who prepares the budget of the municipality?—The budget is prepared by a Sub-Committee which is called the Finance Committee, then it goes before a meeting of the Board, and then it is sent on to the Commissioner and the Local Government.

29525. Do the members of the municipality have some opportunity of seeing it before it is finally decided?—Always; full opportunity.

29526. Is the budget prepared by the Committee in consultation with the Chairman?—No, it is first prepared by the Secretary, then it goes before a Sub-Committee, and when it goes before the full meeting of the Board it comes before the Chairman. Of course he may look at it before if he likes.

29527. Have the Sub-Committee quite a free hand in preparing it?—Yes.

29528. Does the Commissioner criticise it?—Sometimes it is returned if he thinks the two ends do not meet. We do not find the small payments interfered with very much.

29529. In what way is the effective action of the municipality interfered with by the presence upon it of an official Chairman?—There is not the same amount of freedom in the opinions which are expressed by the members when the Magistrate of the district is present.

29530. You have no hesitation in expressing your views?—I cannot say that there might not be some cases where people are afraid of going against the wish of the official Chairman out of regard to him.

29531. Would not you be swayed in the same way out of regard to a non-official Chairman?—I think not.

29532. With regard to District Boards, would you say the same thing?—Yes, and further the decentralization scheme has not been carried out far enough in the case of District Boards as regards financial questions. The local rates which are raised in a district are not made over entirely to the District Board, but to the Local Government, which allots a certain portion to be spent in a certain district irrespective of the amount raised in the district, so that really they have no financial independence in that way.

29533. Does the Government make a contribution to the District Board out of provincial revenues?—Yes.

29534. Is that contribution plus the district cess, which is spent by the District Board, greater than the total amount raised in cess?—Sometimes it is not; generally speaking.

29535. Are you speaking as far as areas are concerned, or places?—Generally it is the places which are taken which go more to decide these questions than the requirements of special districts.

29536. Is the District Board budget much cut about?—No, but a District Board's budget is prepared officially—that is to say by the official members and the Chairman.

29537. In the case of District Boards would a private gentleman have leisure to tour about in the district if he was Chairman?—I think so; I cannot speak with regard to all districts, but in many districts we could find capable men who would be willing and who would have leisure to act.

29538. Does it not take a good deal of time to tour about a big district; are there many people who would do it?—I think there are one or two to be found in every district.

29539. You desire to see Advisory and Administrative Councils established; would there be room in a district for a District Board, Advisory and Administrative Council?—Yes, because the Municipal Boards and District Boards do not represent all the interests, and there are many gentlemen whom you will not find on either body so that you could get the assistance of such gentlemen also by the establishment of an Advisory Council.

29540. (*Sir Steyning Edgerley.*) What you want is to try to draw a greater number of people into local government?—Yes.

29541. You suggest that certain powers should be transferred from the Local Government to other authorities, and you say that specific amending legislation would be necessary; what do you mean exactly by the words "specific amending legislation"?—I mean that there should be an Act in which all the sections should be quoted and those powers specifically mentioned. There should be separate legislation, giving powers to the Local Government, and there should be some means adopted for giving publicity to the opinions of the Local Government before those powers are transferred. Before the powers are delegated to the Local Government, people should have a chance to express their opinion.

29542. Do you mean that there should be an Act authorizing delegation to take place, but requiring before it was done that there should be full notification and notice to the public?—Yes.

29543. So that you would have one Act which you could use whenever it was necessary, but you would not go to the Legislative Council on every occasion?—No.

29544. Do you mean an Act like Act V. of 1868, but safeguarded by notice and notification, and so on?—Yes.

29545. Are you an advocate?—Yes.

29546. So that you fully understand the distinction?—Yes.

29547. You suggest the abolition of the Board of Revenue; in Bengal they are working under a system by which the Board of Revenue is drawn into close contact with the Lieutenant-Governor; would that be an advantageous thing to do with the Board of Revenue here?—If it is decided to retain it.

29548. You would not retain the Board of Revenue, but would practically convert them into Councillors of the Lieutenant-Governor?—Yes.

29549. Have you noticed that there is any want of continuity by the one-man system of Government here?—Yes.

29550. You think the pendulum swings a good deal?—Yes, it does.

29551. You suggest that more power should be in the hands of Commissioners and Collectors, and you carry it down to the Sub-Divisional Officers and even to the tahsildars; so that really your principle is that, subject to appeal and revision, power should be placed as low down and as near to the people as possible?—Yes.

29552. Would you give Local Boards power of taxation?—No, not without the sanction of the Government.

29553. With sanction, would you allow them to tax?—Yes.

29554. Is not the electorate at present nominated by the Collector?—The list of electors is prepared by the Sub-Divisional Officer, with the approval of the Collector.

29555. If Boards had the power of taxation would that stimulate the interests of the people in their proceedings?—Yes, if they have the power of taxing and spending the money.

29556. The Councils you suggest would be partly Advisory and partly Administrative; they would be administrative in questions of sanitation and education and so on—in what class of subjects would they be advisory?—There are many classes of subjects relating to general administration and on them their advice might be taken.

29557. (*Mr. Meyer.*) You say that Local Governments should be allowed to transfer budget allotments for education, Public Works, and so forth, from one sub-head to another, but have they not absolute power in that respect now?—I do not think they have; sometimes when the grant is made by the Government of India, it is earmarked and the Local Governments are enjoined to spend it on the particular sub-head.

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29558. Apart from the grants made by the Government of India, is not the ordinary provincial expenditure entered in the budget open to the Local Government to transfer from one head to another?—Yes, small items can be transferred.

29559. The grant from the Government of India is for specific purposes, such as police and education, and in regard to that all the Government of India say is: "We give you this money for primary schools and we expect you to spend it on primary schools"; is that unreasonable?—Supposing there is no need to spend the whole of that amount on that particular sub-head; still the Local Government is bound to carry out the directions of the Government of India, and must spend money on that although it might be spent more usefully on something else.

29560. The Government of India, rightly or wrongly, think that it is desirable that more money should be spent on primary education, and for that purpose they allot certain sums to each Government; if a Local Government finds the money cannot usefully be spent on primary education, is it not the proper thing to do to inform the Government of India so that they might give the money to some other province which can?—The powers of the Local Government are fettered. It cannot spend the money on any other sub-head, however urgently such other expenditure may be required.

29561. You say Local Governments require power to create new appointments carrying a salary of Rs. 200 monthly; but can they not go up to Rs. 250 already?—Yes, but the procedure necessary in order to get orders on the subject is so circuitous that it takes a long time before a thing is done.

29562. With regard to the suggested abolition of the Board of Revenue, is your idea generally to give the powers with regard to revenue matters now vested in the Board to Commissioners, and the Commissioner's powers to Collectors, and so on down the list?—Yes.

29563. Would you put the departments which are now under the Board of Revenue, the Director of Agriculture, the Commissioner of Excise, and so forth, under the Local Government?—Yes, that is my idea.

29564. The Local Government would be in direct relations with nine Commissioners besides the separate departmental Commissioners?—Yes.

29565. Would not that rather swamp the Local Government?—These things are managed in Bombay where they have no Board of Revenue. In Madras they have no Commissioners, and yet they manage things there. One of the two institutions, the Commissioner or the Board of Revenue, seems to be superfluous.

29566. Would there not be a want of continuity and uniformity in regard to questions of land revenue and education, if each Commissioner acted according to his own lights, subject merely to the supervision of the Local Government?—No; once the principles are fixed, then the Commissioner, or whoever may be the Executive Officer, carries on the work according to the directions. We require the help of the Commissioner in cases of remission and suspension which are questions of a temporary nature, but with regard to the questions affecting fixed principles, they are settled beforehand by the central authority, and the Commissioner has to carry out the directions.

29567. Which would you prefer, a Lieutenant-Governor and no Board, or a Lieutenant-Governor with a Council?—I would prefer a Lieutenant-Governor with a Council.

29568. Is not your description of the financing of Local Boards a little out of date?—Not quite; we have more independence now, but the whole amount which is raised by a District Board in a district is not invariably given to every district; some of them get a certain amount only. There is one provincial fund for all the rates raised in the districts, and out of that fund a certain amount is allotted to each district according to the requirements considered by the Local Government to be suitable for that district.

29569. Mr. Holms said that that had been changed, and that each district got the whole proceeds of its land cess, and that then there was a certain amount of contribution from Government which was allotted more or less arbitrarily between the District Boards?—That may be so this year, but last year it was not the case.

29570. You say that the District Board should have larger power in regard to education, but have they not a good deal of power now; are they not allowed to manage all vernacular schools in fact?—Yes. The system with regard to high schools is changed now according to the recommendations of a committee which sat a few months ago, and it has been decided that the District Board schools of that class shall be taken over by the Educational Department.

29571. That is, the English schools?—Yes. Then as regards the vernacular schools, the Board has simply to pay the money, but as to the requirements of particular places, and also the things to be taught, the Board has no voice whatever; it is the Department which fixes those things under the rules of the provincial Education Code.

29572. You think that is too rigid, and that the Board should have power to fix the curricula of the school?—Yes, to make suggestions.

29573. Would you admit a certain amount of advice and control by the Director of Public Instruction?—Yes.

29574. Would you be in favour of giving the management of the roads over to the District Boards?—Except provincial roads, they are managed by them.

29575. They are nominally, but they are really managed by the Government Engineer; would you be in favour of giving District Boards their own engineers?—Here we have certain Engineers who are in a way under the District Board, but not solely, and there are classes of roads, some of which are under the District Boards and others are provincial roads—as regards those roads which are purely District Board roads, they should be under the District Boards.

29576. With the District Board's own establishment?—Yes.

29577. Local Boards have been abolished here; was that a wise step?—Yes, they did not take much interest in the work.

29578. But they had very little power?—Yes, and their constitution was not satisfactory.

29579. Would it be possible to create Sub-Divisional Boards which would have some real power?—If real power is to be given them, these institutions of course would be of use, but unless some real powers were given them they will not.

29580. Should a Sub-Divisional Officer live in his sub-division?—No, not necessarily; some of the districts are not very large like they are in Madras and other places; the districts in Oudh are small, so that I do not think it is necessary that they should live at headquarters.

29581. (*Mr. Hichens.*) You said that District Boards ought to have powers of taxation subject to the approval of the Government; what powers do you suggest they should have?—Suppose there are any light railways or tramways to be constructed between a railway and some small town, they might tax the district for the construction or the maintenance of such a line.

29582. But what tax in particular might be put on?—It would be a sort of tax on the landed classes, and also on the people living in the district who have no connection with the land.

29583. An additional cess?—Yes.

29584. To-day the cess is a fixed amount; would you give the District Board power to decide each year what the cess should be, within certain limits?—Yes, according to the requirements of the Board.

29585. And if you had an economically-minded Board they could reduce the cess?—Yes.

29586. Would that give them a good deal more power of control?—Yes.

29587. And you do not think that would be unpopular?—No.

29588. You say that you would like to have unofficial Chairmen of the District Boards, but that you would allow Government to retain the control which they now exercise?—Yes, I would do that for the present, at any rate.

29589. That is to say, that you do not think there is any objection to the Government stepping in and saying that enough money was not being spent on education, for instance, or that enough money was not being spent on sanitation, and increasing the budget provision?—I see no objection to that. There would be a sort of check which is required for the present, owing to the circumstances of this country.

29590. Would you say it was particularly required because there is no very strong public opinion with regard to these matters?—Yes.

29591. If there is no very strong public opinion, therefore, there is no public control over the actions of the members of the Board?—Not to the extent that it should be.

29592. And until you can get that by means of education, it is desirable to have a substantial amount of Government control?—Yes.

29593. With regard to village Boards you say that it would not be safe to entrust them with powers at the present time?—We have not the village communities which existed in olden times.

29594. Do you view that state of affairs with equanimity?—No, I do not, but it is a matter which cannot be helped. Since many centuries these village communities have been disappearing in this part of the country.

29595. Are they dead beyond all possible power of resuscitation?—No, they are not dead. Their germs are existent, and perhaps they can be revived and nourished, but it would require some time.

29596. Is it a matter of importance that it should be done?—It is, and it would be the first and most important step in educating the people in rural areas in local self-government.

29597. Is it perhaps one of the biggest steps of all?—I think so.

29598. You suggest that certain additional powers should be given to the provincial Government, but I gather that you would make the granting of those powers contingent on the grant of wider powers to the Legislative Council?—I did not mean that.

29599. (*Mr. Dutt.*) You said that for the purpose of delegating powers you would recommend that an Act should be passed by the Local Government empowering the delegation of statutory powers when necessary to subordinate officers; when such an Act is passed do you propose that the powers to be delegated from time to time under the operation of that Act should be shown in a schedule?—It would be safer for the powers to be shown in a schedule and permission given to the Government to delegate any of those powers when necessary.

29600. So that when you say you would pass a general Act of delegation, it is your purpose to show in a schedule of that Act those powers which the Government may desire to delegate from time to time, and when the time comes for delegating any one of them, it may be done by Gazette notification; is that your idea?—Yes.

29601. You have said that the Board of Revenue might be abolished, and you would like to see a Lieutenant-Governor assisted by Councillors; would the present two members of the Board of Revenue be sufficient as Councillors?—Yes, I think so.

29602. As Councillors, would they have to take up work in the different departments and hold separate portfolios as in Madras and Bombay?—Yes.

29603. Besides that, do you propose that the two Councillors should also keep some of the present statutory powers of the Board to hear appeals in revenue and other matters, and to sit as a Board to decide important revenue appeals?—No, I do not propose that.

29604. Have you any special knowledge of settlement operations, and do you know what is done by the Settlement Commissioner and by the Divisional Commissioners in making the settlements?—An assessment statement is prepared by the Settlement Officer which is sent to the Settlement Commissioner and to the Board.

29605. Who sends the statement to the Settlement Commissioner?—The Settlement Officer.

29606. Has the Divisional Commissioner or the Collector any chance of criticising that statement before it goes up to the Board of Revenue or the Government?—So far as my knowledge goes, no.

29607. Are the rates published for general information before being sent up to the Government for sanction?—They are not.

29608. Supposing a zamindar or cultivator has any objection to bring forward after the publication of these rates, what opportunities have they for doing so?—They generally file an objection in the office of the Settlement Officer, and on appeal go to the Settlement Commissioners.

29609. Would you propose that these appeals against settlement should be heard by the Collector or the Divisional Commissioner instead of being disposed of by the Settlement Commissioner?—I would propose that they should be heard by the Divisional Commissioner, because those assessment statements are generally published after they are sanctioned by the Settlement Commissioner.

29610. You say that municipalities have to elect an official as their Chairman; why?—Because the Act which governs municipal bodies, although it does not lay down any restrictions, says that the Local Government may frame rules, and in those rules the Government can say which of the municipalities must, as a rule, have the District Magistrate as their Chairman, so that with respect to the first class municipalities—that is those which have a population of over a lakh of people—it has been notified by the Government that they must have an official Chairman—that is, the District Magistrate. There is no rule in other municipalities, but the practice is that it is always the District Magistrate who is elected Chairman of the municipality, or the tahsildar.

29611. Are the first class municipalities bound under the rules framed to elect official chairmen?—They have no right of election; the appointment is *ex officio*.

29612. As regards other municipalities what is the rule?—They do elect or they have a kind of election; they go through the form of election, but they have to elect the District Magistrate as the Chairman.

29613. Is it under the rules that they are compelled to do it?—No.

29614. Then why do you say they have to?—Because of the official influence brought to bear on them.

29615. You have referred to a Finance Sub-Committee of the municipality; has the municipality any other Sub-Committee?—Yes; my own municipality has a Sub-Committee of Finance, a Sub-Committee of Education, and a Sub-Committee of Health.

29616. Is the whole of the work under your supervision or under the supervision of the Chairman?—Under the Chairman and Vice-Chairman.

29617. Under that system is the work done well?—Yes.

29618. Would you suggest the same kind of division of work for District Boards?—Certainly. They have tried to form sub-committees, but division is not carried out to the same extent as it is in the municipalities; if it were it would be more useful.

29619. What control has a District Board over its schools; can it withdraw its grant or disestablish a school which is not giving satisfaction?—Yes, it can, but only primary schools.

29620. Is that done on the report of the deputy inspector or sub-inspector of schools?—Yes.

29621. Would it lead to a better distribution of work if orders were in the first instance passed by a sub-committee instead of being passed by the District Board itself?—Yes; they should go for sanction to the Board.

29622. (*Sir Frederic Lely.*) You say that you think municipalities and District Boards should have unfettered voice in the election of the Chairman; does that mean that you would not require even the approval of Government to the election of a Chairman?—I mean that the initiative should be taken by the Municipal Board, and if the man selected by them is quite unfit, in that case alone the Government should interfere.

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29623. Are the municipal meetings in this province conducted in the vernacular or in English?—In our Board it is mixed; some speak English and others not, just as they like, but the proceedings are always recorded in English.

29624. Is that advisable?—Yes, here in a city like Lucknow.

29625. What about smaller municipalities?—I think everywhere the proceedings are recorded in English.

29626. That means in smaller municipalities that a great mass of the ratepayers are not able to read the proceedings?—As a matter of fact very few ratepayers pay any attention to the proceedings.

29627. What is it the people in an average municipality really wish for? Do they wish for more election of members on the municipality?—Perhaps not that exactly. I think the number of elected members on these municipalities as laid down by the rules is quite enough.

29628. Do they wish for more voice in the management of the hospitals?—No, I do not think so.

29629. Do they wish for a more potent voice in the management of the schools?—Yes, they would like that.

29630. You are a pleader?—Yes. I am an advocate.

29631. Are you in the habit of pleading before the Judicial Commissioner or the High Court?—The Judicial Commissioner.

29632. Is he a European?—Yes.

26933. Do you find any timidity on your part when you plead before him?—No.

(*The witness withdrew.*)

Babu GANGA PRASAD VARMA was called and examined.

Babu Ganga Prasad Varma.

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29634. (*Chairman.*) What is your occupation?—I am the proprietor and editor of two newspapers, the *Advocate* and the *Hindustani*. I have been a member of the Municipal Board of Lucknow for the last 21 years.

Provincial Governments should have larger powers of disposing of the revenues of their provinces, and the Imperial Government should allow for use in each province a fixed percentage of its income. Having regard to the various works of usefulness which require the immediate fostering care of the Local Government in the United Provinces of Agra and Oudh,—for instance primary education, female education, technical education, development of commercial undertakings, and other works of equal importance and urgency,—at least 70 per cent. of the total income could most profitably be employed in meeting the needs of these provinces. The Local Government should be given the power to raise money by issue of debentures or otherwise, to enable it to start and complete works of public utility such as the construction of railways, tramways, markets, works which in course of time will more than repay the interest on the initial outlay. Prominence should here be given to the urgent necessity for continuity of policy. The greater the power vested in Local Governments, the greater would necessarily be the need for caution in this respect.

The tendency of the Secretariats and of the administrative machinery in general has been towards excessive impersonality and rigidity. Mechanical efficiency, though it may be considered satisfactory from a statistical point of view, has not been successful in appealing to the hearts of the people, who require a more human, even if less mechanically perfect, Government. Frequent transfers of officers, facilities of travel by rail and steamer, and a more and more rigid observance of law and procedure have contributed to diminish the personal interest of the officers in the people under their charge, and there is very little intercourse between the officials and those they govern.

It would be a move in the right direction if provincial Governments were allowed freedom to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from outside. The economic and ethnic conditions of the different provinces are so various that to work them rigidly on the same lines would inevitably be prejudicial to their several interests.

I am strongly opposed to the suggestion of curtailing the right of appeal to the Government of India, and likewise that of appeal to the Local Government, by bye-law or by executive practice. The right is *not* unnecessarily liberal, but on the contrary a very necessary and proper safegaurd of the interests of those who possess such a right. The proposal that the right of appeal be made conditional on production of a certificate to be granted by the authority whose order is to be appealed against, is not a wholesome suggestion.

I would not increase the powers in matters of revenue of the members of the Board of Revenue or of any of the Divisional, District, or Sub-Divisional Officers. To safeguard the interest of the public, while it seems desirable to increase the power of the Head of the Local Government, it is essential, on the other hand, not to diminish the check which is at present exercised by the Head over those subordinate to him. The rule of seniority should, for purposes of promotion, be the guiding principle, but sufficient elasticity should be secured to allow deviation from the rule in cases of special fitness.

The transfers of officers are frequent, and should, in the interest of good government, be minimized. Re-posting of officers to the same district after return from furlough or long leave, and promotion in pay without change of office, are some of the ways in which the desired end might be secured.

Municipalities should be given larger powers in the matter of the election of the chairman and the appointment of the Secretary, greater freedom also in the imposition of taxation and expenditure. Municipal Boards may very properly be made the controlling authority of excise traffic and excise revenue. To prevent irremediable mistakes on the part of the Municipal Boards, the Government should have the power to veto their action in cases of emergency.

It would be a good thing to have a small advisory Council to assist administrative officers in matters educational and sanitary, and in any other matters which affect the right of, and impose restriction upon, the people.

It does not seem at all expedient to invest District Boards with the power of supervision or control over municipalities. It would be very difficult for two such bodies to work in harmony if one were placed in a position of authority over the other.

I would largely increase the powers of village communities over matters sanitary and educational, but only gradually their powers over revenue, police, and judicial matters.

29635. The Secretary of the Chamber of Commerce of Cawnpore told us that he thought there was a local market in which the Local Government could borrow money. Would you say the same thing of Lucknow?—I think that money could be raised for local works which are profitable to the city of Lucknow, if the people knew that the security was good.

29636. Even apart from the market on which the Government of India are accustomed to raise loans?—Yes.

29637. The people of Lucknow would produce their savings for the pupose of investing in provincial stock for local purposes, feeder railways, or markets, and so forth?—Yes.

29638. Would it be necessary in a case of that sort to issue stock in very small amounts, say of Rs. 15 each?—Something like Rs. 25 to Rs. 100.

29639. The present Government of India stock is Rs. 100?—Yes.

29640. How long do you think an officer ought to stay in a district?—Not less than five years.

29641. How long would you keep him there?—He may go on for ten years or so until he gets his promotion in the ordinary line.

29642. You would not limit the time in any way?—No.

29643. Do you think that that would enable the Collector to know the district very well?—Yes; he would be able to get acquainted with the people.

29644. He would be in the habit of knowing who was who, of consulting the most important and most responsible men in the district?—I think so.

29645. Have you seen that actually done in practice?—Yes; the senior officers have been more in touch with the people.

29646. You say that you would not increase the powers of the Board of Revenue in matters of revenue, nor would you increase the powers of any District or Divisional Officer. Why do you hold that opinion?—Their charges are already too large and they have too much to do; therefore I would not give them larger powers; I would not give increased powers even to subordinate officers.

29647. The last witness told us that he would like to see increased powers given to (amongst others) the tahsildar; do you take that view?—No.

29648. Is the tahsildar a good class of officer as a rule?—Their powers are already too much, and I would not increase them. Beyond the check of the District Officer, there is no local control; they can do what they like.

29649. The tahsildar used to be Chairman of the Local Board which has now been abolished and he is sometimes Chairman of the District Board nowadays?—He is, and he is now and then Chairman of the Municipal Board as well. I have heard of complaints from the towns generally that they do not like to see the tahsildar Chairman of the Municipal Board.

29650. Does this objection to the presence of an official Chairman of the District Board or municipality extend to the officer as such whether Indian or British?—Yes; it is not a question of any difference between the race of the official.

29651. Is it a question of the official in the chair, which, as the last witness told us, makes everybody frightened?—Not actually frightened. The District Magistrate's powers are such that generally the members cannot be quite free in their decisions or in expressing their opinions. He has a large number of men on the Board who are his own nominees, and he has always those members at his back in any resolution he has to move; and it so happens generally that the elected members do not get freedom or their voice is not heard in the manner it ought to be.

29652. Is it not so much a feeling of timidity that keeps people silent as it is one of hopelessness of overcoming official power?—Quite so.

29653. Do you think that the Municipal Boards have on the whole sufficient power?—The Municipal Boards as at present constituted are simply officialised bodies.

29654. But have they enough functions which they can exercise?—Yes.

29655. You suggest that they might be made the controlling authority in excise, traffic, and revenue. How would they exercise that authority?—In regard to opening new liquor shops in towns; no shop should be opened without the permission of the District Board or the municipality. In the same manner with regard to the sale of liquor in certain houses, or in a certain class of houses, it is the municipality which should be consulted.

29656. You want not only the power to open shops but to take the revenue arising from those shops. Is that a common practice in other countries?—I have been told that it is so in England; that is only from information I have had.

29657. The Advisory Council which you would like to see established to assist Administrative Officers ought to be a very small body; how many members would you have?—In a small district, from six to twelve men; one man from every *tahsil*, or something like that.

29658. Would they come together constantly?—Yes; they might hold four meetings in a year or they might meet once a month at the headquarters of the district.

29659. Out of a district would you get six or eight gentlemen besides the members of the District Board who would attend these meetings?—I see no reason why some members of the District Board should not be members of the Advisory Council; it depends a great deal on the powers the Advisory Council has.

29660. Would not that be doing the same thing twice over?—The District Board members as such are not consulted about the district administration, although now and then a District Magistrate may consult them privately.

29661. Would a District Board member know much about district administration?—Yes; he is in better touch with the people of his district than any one else.

29662. Are you often taken into consultation about matters out of the district?—Not very often. I am consulted privately once or twice in the course of the year.

29663. (*Mr. Hichens.*) How is your Advisory Council to be appointed?—I would have half the members elected and half the members nominated by the District Officer.

29664. Would they hesitate as much to give their opinion to the District Officer as the members of the District Board do to-day?—I only say that the members of the District Board cannot carry out their wishes; I do not know that they hesitate in giving their opinion; they do give their opinion, but there is the official majority always against them.

29665. I understood you to say that that has some damping effect on their spirits and that they therefore do not express their views?—They know that there is a standing majority against them.

29666. Would not your Advisory Council be equally deterred?—The Advisory Council would have no executive functions; it would only give its opinions.

29667. Then there would be still less chance of getting their opinions carried out?—I think not.

29668. You emphasise the necessity of a continuity of policy; have you got any striking instance in your mind where continuity of policy was absent?—Yes, so far as municipal administration goes. I would say that when one Lieutenant-Governor went and another came the policy was changed. Some fifteen years ago there was a scheme of water works proposed for the whole province; another Lieutenant-Governor said they wanted drainage works; the municipalities had not completed the water works; they left the water works alone and drainage was commenced; after that Lieutenant-Governor went away we found we had spent eight or ten lakhs on the matter; we still wanted ten or fifteen lakhs; we found there were no funds. In the same way after spending money we thought we might get good drainage works in Lucknow, but now we are face to face with the problem that we want another fifteen lakhs to save the river from pollution, but we have no funds to carry out the work.

29669. How would you remedy that?—I would suggest having larger popular control over such policy. These policies should be aggregated for the whole province; the people should be consulted, and they should know their financial position in order to judge whether it is possible for them to carry out their schemes. These things have to be laid before the Legislative Council in budget form, but there must be further power of control over such schemes.

29670. Would a Governor in Council secure greater continuity of policy than a Lieutenant-Governor without a Council?—I think it would be a good thing to have a Governor in Council.

29671. The last witness told us that he wanted to have non-official Chairmen of municipalities and District Boards, but he thought that the Government should retain the control that they have to-day; would you endorse that statement?—I would endorse that statement so far as municipalities are concerned, that there should be a non-official Chairman.

29672. And that the Government should have the control, as they have now?—They should have control so far as the budget and taxation is concerned. I want the municipalities to have larger powers in the matter of budget and taxation.

29673. Then you will not go quite so far as the last witness?—I would go with him so far as the non-official Chairman is concerned.

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29674. (*Mr. Dutt.*) You say that the right of appeal is not unnecessarily liberal; do you think it gives a sense of security to Government officers to have the right of appeal?—Yes.

29675. Has it also the effect of making an official careful in passing an order when he knows that there is a possibility of appeal against it?—Yes.

29676. Is it your opinion that Sub-Divisional Officers generally should reside in their sub-divisions or might they live at the headquarters of the district?—They should reside in their sub-divisions. They will then be more in touch with the people.

29677. You have told us that you are in favour of an Executive Council in this province. In that case would you still keep up the Board of Revenue?—I am not competent to say anything about the Board of Revenue, but if the member of the Council can take up the charge of the work which the Board of Revenue does, then there will be no necessity to keep up the Board.

29678. In villages are there generally headmen and leading men?—Yes, in this province in every village almost there are some leading men.

29679. Is it possible to organise some sort of village government with the help of these men?—It is quite possible.

29680. If such a village government were organised, would it help village administration and do good to the people of the village?—Yes it would help village administration, and it will save the people a good deal of harassment, especially at the hands of the police, if they can have panchayats to settle their own disputes.

29681. Is it desirable to have an officer specially told off to organise these panchayats?—I think Government could not do better.

29682. Would you confer limited judicial powers on the village panchayat?—Yes.

29683. Would you make these panchayats in any way subordinate to the police?—No.

29684. (*Sir Frederic Lely.*) You say that you would not give tahsildars and other subordinates any larger powers. Is it not an advantage to get orders promptly?—Yes, but now communication is so easy that orders can be got from the Collector, I would not enlarge the powers of the tahsildars in any case.

29685. If the tahsildar's order is in a man's favour so much the better; if it is not in his favour is he not safeguarded by appeal?—But for a man to appeal and get redress means a lot of trouble.

29686. On the other hand, there is an advantage in getting the original order quickly?—I would not exchange the other for that little advantage.

29687. Suppose a Collector visits a village which has been visited by hailstorm and has had the crops destroyed, would you not give the Collector power to say "I am very sorry for you, and I will see that you get remission at once?"—That might be done. I do not mean the Collector; the village officer may say in one village "There is no hailstorm at all"; then in the next village the Collector may be there himself, and would see that there had been a destruction of crops, and would give a remission.

29688. Would you give the good Collector power to make remissions?—I would give the good Collector power, but it is very difficult to make a general statement.

29689. Therefore you would deprive all of them of the power?—I do not want to give them power; I do not want to deprive them of any power. I say that I would not extend their powers.

29690. You would not give any clear power to a Collector to remit on his own motion?—That is my view.

29691. Then as to the power of licensing liquor shops, which you desire to give to the municipality. People who drink liquor are not as a rule represented in the municipality at all?—They are not represented.

29692. Then might not injustice be done to them?—These shops are not always opened in the interests of those who drink; they are more opened in the interests of revenue than in the interests of men who go to drink there. I can quote, so far as my own municipality is concerned, several cases where shops have been opened in quarters where drinkers do not live, and people come from a distance of one or two miles to get their drinks in those shops.

29693. I am supposing a case in which the people wish to get drink and they want a shop opened. Is there not a danger that your municipality if it is composed of people who think drinking is wrong, might deprive the people who do drink of what is a reasonable facility?—As to liquor drinking being wrong, I think that everybody agrees that it is.

29694. The people who make a habit of drinking do not think it wrong?—I am speaking of the authority which gives the license. The Collector in his heart of hearts believes that drinking is a bad thing, but he gives permission because there are a number of publicans who want to open a shop.

29695. Suppose there are a couple of thousand people who have been in the habit of drinking more or less from their youth, perhaps they want a shop to be opened or a shop to be maintained in a particular locality; is there not a danger that the members of the municipality, considering as they do that liquor drinking is wrong, might ignore the interests of the two thousand people?—I do not think so. If consumers can rely on the Collector to open the shop, they can very well rely on the twenty-four members of the Municipal Council to see that they are not deprived of drinking facilities, and that they do not have illicit distillation.

29696. (*Mr. Meyer.*) You say you desire to give provincial Governments freedom to develop their administration on their own lines; I suppose you refer to matters like excise or land revenue administration?—Education is one of the topics; I had not thought about excise; I am not competent to speak about land revenue; I am not a zamindar.

29697. Sanitation?—I have been thinking of certain rules about sanitation.

29698. One Government may think it necessary to trouble about secondary education and not to trouble about primary; another Government thinks it ought to go in for primary and not worry about secondary; do you think that each Local Government should have discretion?—Yes.

29699. On the other hand, you do not trust that Government in the matter of appeals. If a Local Government is to be trusted to carry out an educational policy, may it not be trusted with regard to appeals?—I do not distrust Local Governments with regard to appeals; I only give the greater chance to the people that they should have a right of appeal against an order by which they feel aggrieved; there is no distrust in that. When an order is appealed against it does not mean that the man who appeals distrusts the officer; it simply means that he does not agree with him, and he wants to get redress from a higher authority.

29700. In the case of education, suppose the Local Government resolved to devote most of its funds to primary education, and you were dissatisfied with that; would you admit the right of appeal to the Government of India?—Certainly.

29701. So that the Government of India really keeps the control?—Yes, the supreme control will remain in the hands of the Government of India.

29702. So long as you grant the right of appeal, as you suggest, you practically keep the control with the Government of India?—I do not dispute that the Government of India should have supreme control over all the provincial Governments.

29703. As regards municipal taxation, you say you want Municipal Boards to have a fairly free hand. Do you admit that there should be an Act laying down the actual rates and what things can be taxed?—Yes, but the Government should not interfere in different heads. Suppose in the Octroi Department we want to tax a certain thing, it should not lie with the Local Government to interfere with the decision of the Board. The Municipal Boards are not free, and I think they should be.

29704. The Local Government, under the instructions of the Government of India, prevent you from laying more than a certain octroi on articles which have already paid customs duty?—We do already tax certain articles which have paid excise duty.

29705. But not more than a certain amount?—The difference is not about the amount; it is generally about the class of article. If we want to tax a certain article we are allowed to do so, but if the Local Government does not feel that we should tax that article there is an objection.

29706. Take the case of Lucknow; a great many articles pass into Lucknow and then pass out of it for consumption in the surrounding districts; do you desire the right to tax those articles for the benefit of the Lucknow municipality?—We want to tax only those articles which are consumed in the city of Lucknow.

29707. You admit that Government may have control to that extent?—Yes.

29708. Is your Advisory Council to be purely advisory; if the Collector disagrees with the majority of his Advisory Council would he be able to over-rule them?—Yes, recording his views and sending them to the Local Government.

29709. Would you give the Commissioner Advisory Councils too?—Yes.

29710. We have heard from other witnesses that the village community in this province is broken up and that there is no real community of interest except in the matter of castes; do you agree with that?—Yes, but the material exists and the panchayats can yet be formed from different caste panchayats; there is the material in the province. *Babu Ganga Prasad Varma.* 13 *Feb.*, 1908.

29711. They can pull together?—Yes, they can be formed.

29712. And the impure castes can be represented?—In this province there is no such thing as impure castes, as in Madras. There are certain castes, but their interests can be taken up by another caste a little higher than themselves.

29713. Have you no caste here whom it would be pollution for members of other castes to touch?—Only the sweeper class and one or two others; their interests could be taken up by a caste a little higher above them.

(*The witness withdrew.*)

RAI KHUSHWAKT RAI was called and examined.

29714. (*Chairman.*) You are Deputy Collector of Hardoi?—Yes. *Rai Khushwakt Rai.* 13 *Feb.*, 1908.

Sub-Divisional Officers have all the powers necessary, but they have very little or practically no control over the police and the officials who are directly subordinate to them though they are the best judges of their work. No investigating police officer should be promoted, rewarded, or punished without official reference to the Sub-Divisional Officer in charge. A Sub-Divisional Officer should be authorized to make appointments on his own staff and in his sub-division when there is a vacancy. He should also be permitted to fine and suspend them, as is done by the officers of the Civil Courts. Similar powers should also be invested in Treasury Officers. By doing this Collectors' work will be curtailed considerably. At present a Sub-Divisional Officer has no power even to fine a peon. If he wants to fine any one under him he has to report the matter to the Collector, though in other respects he has absolute powers under the criminal and revenue laws.

I would not curtail the right of appeal to the Local Government or Government of India, to the Head of the Department, or to any other authority now granted in respect of administrative action. It would not be desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. The right of appeal is considered as one of the great blessings of the British administration. Any curtailment of it would create dissatisfaction in all classes.

The Executive Officers have fewer opportunities for personal contact with the people. The chief obstacle in the way of their freely mixing with them is heavy work. There is very little intercourse between the rulers and the ruled, and if there is any it is purely about business. Heads of Departments, such as Collectors or Commissioners, even do not know enough of the characters and personality of their own assistants because they have very little chance to see them. But there are many honourable exceptions to this rule. The first obstacle can be removed by the increase in the staff. Friendly and kind treatment in public and private of the people by the Executive Officers would create confidence and good will and affection, which constitute a substantial foundation for the stability of a good Government, and this can be achieved by unreservedly mixing with the people.

Executive Officers of some experience generally understand the vernacular of the province as it is spoken, but they do not possess sufficient knowledge to carry on correspondence in vernacular themselves. They should be trained more efficiently than they at present are in the vernacular of the province in which they serve. They should be made to learn the manners, and customs and the feelings of the people by mixing with them and not merely by reading books.

There is a general increase of work all round. It therefore naturally follows that there must be an increase in the administrative staff. In some instances a reduction in the area of the district is also desirable. Mere seniority should not be a recommendation for holding high posts like that of a Commissioner, Collector, or Sub-Divisional Officer. At least larger powers should not be invested in those who have not fitted themselves for such responsible posts, and grant of larger power will decidedly involve a greater care in the selection without regard to seniority.

Transfers are unnecessarily frequent. The longer an officer stays in a district, the better qualified he becomes to work successfully in the interest of the Government and public both. It takes full three or four years to an officer to know the people of a district, but as a rule he is not allowed to stay so long. Transfers should certainly be made when desired by an officer himself for good reasons or when it is desirable from the administrative point of view. If local arrangements are made in cases of vacancies up to six months, this to a certain extent will curtail many transfers.

Municipalities and District Boards both have got sufficient powers. But rules framed by the Municipal Boards, when based on model rules sanctioned by the Government, should be allowed to be passed by the Boards themselves without reference to Government, to avoid unnecessary correspondence and delay. They should be published in the Gazette for information. If there is anything objectionable Government can take notice of it.

I am in favour of non-official Chairmen for both the Boards when practicable, at least in smaller districts. If it is not done and local bodies are not allowed to control the affairs without being interfered with, the object for which self-government was created cannot be realized. District Boards should be empowered to create appointments of Rs. 100 and under without reference to Commissioner. Now they have no power to make appointments themselves. Travelling allowance should be granted to all District Board members on a uniform scale when they travel from long distances. Their non-attendance is often due to the expenses they incur and which they never get.

Advisory or Administrative Councils will be of immense good to the districts where they are created. But for the present I am not in favour of having them in each and every district as it will be difficult to get sufficiently educated and intelligent men for the purpose. But it will be easy to return two or three men from each district for the Council of the Commissioner. I would certainly recommend the creation of these Councils in each division to assist and advise the Commissioner in matters relating to education, sanitation, taxation, prevention of crimes, and in matters demanding the co-operation of the public with the Government carrying out its views. The Divisional Councils should consist of elected and nominated members, twelve or fourteen in number; half of this number should be elected and half nominated.

I would suggest that panchayats should be established for groups of villages located in big central

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villages for deciding petty civil and criminal cases and to control education and sanitation. Sub-Divisional Officers in charge of these villages should be invested with powers to dispose of appeals from the decision of such panchayats.

29715. As a Deputy Collector you decide rent and revenue and criminal cases; and inspect *tahsils* and police stations?—Yes.

29716. Do you collect revenue?—No. The collection is done under the supervision of the Collector by the tahsildar.

29717. He actually takes the revenue and pays it into the local treasury?—Yes.

29718. Have you been, as a Deputy Collector, a member either of a municipality or a District Council?—Yes, in Hardoi. I am Vice-Chairman of the municipality of Hardoi and Secretary of the District Board.

29719. Is there a paid Secretary to the municipality?—No, a non-official honorary Secretary; we cannot afford to have a paid Secretary there.

29720. In the municipality who prepares the budget?—The Secretary prepares the budget under the orders of the Chairman.

29721. Is that communicated to the members of the municipality?—Yes, at a general meeting.

29722. It is not circulated to them before the general meeting?—No.

29723. When the budget goes to the Commissioner, does the Commissioner make many alterations in it as a rule?—Sometimes, when it is necessary.

29724. Does he make them as regards the major heads or the minor heads?—Major heads when necessary. It comes back to the Municipal Committee and is laid before them.

29725. Have you got a Finance Committee in the municipality?—Yes, a sub-committee.

29726. Do they assist in preparing the budget?—Yes.

29727. Have you other sub-committees for other purposes?—Yes, Public Works, Sanitation, and education.

29728. In the District Board who prepares the budget?—In the same way; the budget is prepared in the office; it is then put in the hands of the Chairman and he makes changes if necessary; then it is laid before the General Committee and is passed and is submitted to Commissioner.

29729. But it is prepared in the office by the Chairman?—It is prepared in the office; the figures are collected in the office, and then afterwards the proper changes are made by the Collector.

29730. Is the budget circulated to members in the case of the District Board?—No, it is brought before a general meeting and each head is explained to them.

29731. Have you any Sub-Divisional Officers under you?—No, I am myself a Sub-Divisional Officer; the tahsildar is under me.

29732. Where does the tahsildar reside?—In his *tahsil*—in the sub-division itself.

29733. How many other Sub-Divisional Officers are there in your district?—In my district there are four Sub-Divisional Officers, including myself.

29734. Where do they live?—At headquarters.

29735. Not in their sub-division?—No.

29736. Would it be better that each officer should live in his own sub-division?—I think so. I have lived myself in two sub-divisions, and in the interests of the public it is desirable that a Sub-Divisional Officer should reside in his sub-division rather than at headquarters.

29737. Do you find that people come in from the sub-divisions to the sub-divisional headquarters?—They have to come, to the headquarters of the district.

29738. Do some of them come long distances?—Yes, they have to travel forty or fifty miles to headquarters to file a petition.

29739. Do they come for other purposes?—Yes. They come to the Civil Courts and to the Criminal and Revenue Courts.

29740. If the Sub-Divisional Officer was in his sub-division, would they take all those cases to him, or would they still have to come to the district headquarters?—They would take all those cases to the Sub-Divisional Officer, barring civil cases: civil cases have to go to the headquarters where the Civil Court is fixed; sometimes the Civil Courts are fixed in the *mufassal* as well.

29741. Would there be considerable saving to the people who live in these out-districts if they could come to the Sub-Divisional Officer in the sub-division?—I think it would be a great deal of saving of time and travelling expenses.

29742. It takes a man a considerable long time to travel forty or fifty miles?—Sometimes he walks, sometimes a man comes partly by road and partly by rail; it takes him a considerable time.

29743. How long would you say?—Sometimes it takes two days, fifteen miles a day if he walks.

29744. You tell us that there is very little intercourse between the officials and the people of the district; do they come freely to you?—As a matter of fact there is the same difficulty about the time; I cannot say "I will not see you"; it would be rather insulting to the people, but the amount of work we have to do gives us no spare time to talk much with them; they do come sometimes to see us.

29745. You find yourself considerable difficulty in finding the time to talk to the people because you have so much office work?—Yes, we have sometimes to write judgments and reports at home.

29746. A witness told us when he came to pay a visit to a Collector he was not allowed to drive into the compound; have you ever heard of such a case occurring?—Such a thing has not happened in my district.

29747. Have you ever heard of it happening in other districts?—I have heard of other cases. As a matter of fact people leave their carriage outside; probably they are required not to bring their carriages in.

29748. Would you feel very much aggrieved at that?—It is not for me to judge. I certainly would feel it. If I saw other people going and driving in and I was asked at the door to leave my carriage I should feel, not a little, but very much aggrieved.

29749. You say it takes three or four years for an officer to know all the people in his district; how long did it take you to know your district?—It took a pretty good time. We come to know the district pretty well in the touring season, and when we are acquainted with the district and come to know the people well and the dialect of the district, then suddenly we are transferred.

29750. Is there much difficulty in getting to know the dialect?—When I went to Hardoi the dialect of that district was quite different from the dialect of other districts that I knew; it did not take very long, but it took some time to pick up the new dialect.

29751. How long do you think an officer should stay in a district?—If there is no complaint against an officer and he is getting on very well with the people, I do not see any reason why he should be transferred at all. In these days even I have seen people who have their own property in the district, but there is no complaint against them.

29752. You say you think Advisory Councils would be of immense good; would it be difficult to get members?—In each district it will be difficult to get good intelligent men; for instance, speaking from my own experience of my District Board, some of the District Board members are not even literate. On the Advisory Council of course you must have some number of people, not one or two men, and in that way probably it would be difficult to have an Advisory Council in each district; I may be wrong; I have only the experience of one district, the Hardoi district.

29753. It would be difficult to get even two or three suitable men you think?—It is possible to get one or two men from the headquarters itself.

29754. But not in the outlying districts?—For an Advisory Council we should have at least one or two men from each sub-division.

29755. Would it not be much good unless you could get somebody to represent each part of the district?—That is my idea.

29756. (*Mr. Meyer.*) You say that a Sub-Divisional Officer should be authorised to make appointments of his own staff and in his sub-division. What is the highest paid clerkship?—The reader who reads the papers to us is paid sometimes Rs. 40, sometimes Rs. 50: it is according to the grade. About Rs. 60 is the highest.

29757. Are these people borne on the general district list for the purposes of promotion?—They are.

29758. Suppose you broke that up into sub-divisional lists, would not that interfere with the even flow of promotion?—I do not want to do that; we ought to have power to make appointments from the district list.

29759. Suppose you think highly of a man and want to promote him from Rs. 30 on to Rs. 60?—We should certainly not do that.

29760. You would keep the district list but you would allow the Sub-Divisional Officers to make selections from it?—Certainly.

29761. Do you desire to be able to punish and dismiss the people you appoint?—At present, if I want to fine a chaprassi or a peon on Rs. 5 a month I cannot do it.

29762. Suppose you had power to appoint a clerk, do you desire that you should have power to dismiss him?—I think I should have the power to dismiss him, but he should have the right to appeal.

29763. Can you appoint a peon at present?—No.

29764. The whole system is one of centralization in the hands of the District Collector?—That is so.

29765. You have no power of taking appeals in criminal cases?—No; some Sub-Divisional Officers have; for instance in the Kasia sub-division the Sub-Divisional Officer has; there are special sub-divisions in the United Provinces; he is authorised to take appeals from the orders of the tahsildars.

29766. Is that one of the exceptional sub-divisions where the Sub-Divisional Officer lives in the sub-division?—Yes; there is also a local allowance attached to it, about Rs. 250 a month. There are a few more sub-divisions like this.

29767. He has local appellate jurisdiction in criminal cases?—Yes.

29768. Might a Sub-Divisional Officer well take those appeals?—That would mean an increase of our work.

29769. But apart from the work involved?—Certainly, I should not mind it in the least.

29770. You have only a certain number of Sub-Divisional Officers invested with local powers in rent and revenue suits?—The first class Sub-Divisional Officers are invested with all the powers criminal and revenue.

29771. What is the distinction between first and second class officers?—The juniors are second and third class, and the senior men are first class.

29772. Are the first class people numerous?—Yes.

29773. How long were you a Sub-Divisional Officer before being first class?—I think I got first class criminal powers after two years.

29774. I am speaking of the classification under the rent and revenue heads?—I got first class powers after three or four years.

29775. Is it the same generally?—Yes.

29776. Might more officers receive first class revenue powers?—They could be supplemented.

29777. If a man is fit to be a Sub-Divisional Officer at all, after a relatively short training he might receive first class revenue powers?—Yes, they are given sometimes.

29778. When he has got first class revenue powers the appeals from his decisions go, not to the Collector, but to the Commissioner?—In some cases, for instance in partition cases, they go to the Collector; in rent cases they go to the Judge; in ejectment cases to the Commissioner.

29779. In the cases in which they go to a superior revenue authority, might they not go to the Collector in all cases?—Not in all cases.

29780. I am asking your opinion on the suggestion; is it not reasonable that the first appeal from the action of a Sub-Divisional Officer should be to his Collector?—There is no harm in their going to the Collector.

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29781. Is there not a great deal of work that you would like to delegate to the tahsildar?—We do that already. For instance, we forward lots of petty petitions which are presented to us to the tahsildar for disposal; even then the work is heavy.

29782. Are there not a good many matters which the tahsildar now sends to you for report which he could deal with?—Yes; for instance boundary disputes.

29783. Are there not a great many of those things which you might give the tahsildar final power over, subject, of course, to appeal to yourself?—Yes, power could be given to the tahsildar.

29784. An appeal can go up from the Sub-Divisional Officer to the Board of Revenue?—Not direct.

29785. And as regards disciplinary work, if you could fine your peon, he would appeal to the Collector?—If I am given that power of course he would go on appeal to the Collector.

29786. Is it necessary to have this unrestricted right of appeal in everything?—I think so; it is one of the best things we have now.

29787, Are tahsildars frequently transferred from one division to another?—Sometimes they are transferred, but not very often.

29788. Might the Commissioner be given power to appoint tahsildars, and naib-tahsildars putting them on a divisional list instead of on a provincial list?—It used to be done in former years; the Commissioner might have that power.

29789. Might the Commissioner post Assistant Collectors within his district without having to go up to the Government about it?—Yes.

29790. Do you think it was wise to abolish the old Local Boards?—I think so; I do not think it was a very good thing in those days.

29791. Could you have got some good out of a Board that had real power?—I think so.

29792. You think that your district is so small that one Board is enough to deal with local affairs?—I think so.

29793. (*Sir Steyning Edgerley.*) How many *tahsils* are there in your district?—There are four *tahsils*, one in each sub-division.

29794. What is the size of your sub-division?—Some sub-divisions are very big. My sub-division is about 30 miles long in one place and 20 miles broad—about 30 by 25; it has a population of 266,195.

29795. Is that a fair charge for one tahsildar, or is it too big?—The sub-division that I am now in charge of is a fairly good one; I could not call it a very big one.

29796. Not too big for a tahsildar?—No. There are naib-tahsildars also; generally we have only one naib-tahsildar in each sub-division, but in big places like Lucknow there are two naib-tahsildars.

29797. If you wish to bring powers down within the range of the people in sub-divisions and *tahsils* would it be necessary to increase the number of the tahsildars?—I think so.

29798. Do you as a Sub-Divisional Officer send in an administration report?—We do not send in administration reports, but we send a note on any particular matter upon which the Collector requires a report from us.

29799. Have you charge of the sub-divisional treasury?—No.

29800 There is a municipality at your headquarters?—Yes. I am Vice-Chairman.

29801. Who is the Chairman?—My Collector.

29802. Does he have much to do with the municipality?—He has a great deal to do with it.

29803 Does he come round and preside at the meetings?—Yes. We hold a meeting once a month.

29804. You say you have nothing to do with the collection of revenue?—No, the tahsildar collects the revenue.

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29805. Who collects it in the village?—Peons are sent to the villages. They go and tell the people to bring the money, and they bring the money to the treasury and deposit it there; and they also send their money by money order.

29806. Have you anything to do with the accounts?—When I go to inspect *tahsil* I have to check the accounts also.

29807. Then, so far, you have an oversight over the collection?—In that way I have.

29808. Can you suggest any other powers by giving which to the Sub-Divisional Officer he might be made more useful?—I am rather reluctant to give any further powers, because the amount of work we already have is too much.

29809. I suppose you travel about in your sub-division and make the acquaintance of all sorts and conditions of people?—We try to, but we have very little spare time to do it.

29810. But *you* ascertain fairly well the opinions of the people?—Yes, sometimes.

29811. Suppose you had an Advisory Council and they gave an opinion which did not agree with yours, which would you attach most importance to— your own opinion which you had formed by constant intercourse with the people, or the opinion given by the Advisory Council?—Occasionally I should have to attach most value to the advice of the Advisory Council, and sometimes I should adhere to my own opinion.

29812. Sometimes you would surrender your own opinion?—If I saw that the opinion of the Advisory Council was good, certainly, but otherwise I should say "I must adhere to my own opinion."

29813. Suppose you formed a certain opinion as to the crops of the year; you formed that opinion by looking at the crops yourself and also hearing what the people had to say; then suppose the Advisory Council gave an exactly opposite opinion, which would you report as a fact?—What I had seen with my own eyes; if I was satisfied that I was correct, I should certainly report what I had seen myself.

29814. As to the matter that has been mentioned of an Indian gentleman not being allowed to drive into the compound; if a man was forbidden to drive into the compound would it not be the work of the chaprasis?—In some cases it might be that the chaprasis were playing tricks; I should not wonder.

29815. Is it not likely to be done by the order of the officer?—It is difficult for me to say as to that.

29816. (*Mr. Dutt.*) Are the territorial limits of sub-divisions fixed by Government in this province?—Yes.

29817. Who directs that each sub-division is to consist of one *tahsil* or two *tahsils*; is that all fixed by Government?—Yes.

29818. When a Sub-Divisional Officer is appointed, is the appointment notified in the Gazette?—No. For instance, I am transferred here; the Collector of Lucknow will put me in charge of a certain sub-division; the Government have nothing to do with that.

29819. The Government sends a number of officers to each district, and the Collector can post them according to the exigencies of work?—Yes; for instance a Collector will say "You will take the treasury work, not sub-divisional work," or he may say "You can do both," or he may say "Do not do any work, but look after the office." It depends on the Collector; he gives me whatever he likes me to do.

29820. I understood that that sort of division of work was confined only to the *sadar* sub-division, but you say that an officer can be a Sub-Divisional Officer and also be in charge of the treasury?—That is so.

29821. That, of course, is not notified in the Gazette; it is only according to the orders of the Collector?—That is so.

29822. Do the sub-divisions generally consist of more than one *tahsil*?—No.

29823. Does one sub-division generally consist of one *tahsil* or more than one *tahsil*?—One tahsil only.

29824. Is that the invariable rule in this province?—Yes.

29825. In a sub-division there is thus a Sub-Divisional Officer as well as a tahsildar?—Yes.

29826. And a naib-tahsildar also?—Yes. The Sub-Divisional Officer stays at the headquarters; he does the whole criminal and revenue and miscellaneous work; the tahsildar stays in his *tahsil*, and he does the revenue work, looks after the collection of revenue, and looks after the other affairs of the *tahsil*; the naib tahsildar is under him. If a tahsildar goes out for four days he would hand over the keys of his treasury to the naib-tahsildar; one man must always remain in the *tahsil*.

29827. Does the naib-tahsildar exercise any judicial powers at all?—No.

29828. The tahsildar exercises second class powers?—Sometimes selected people get second class powers, but as a rule third class powers only.

29829. As a rule the cases triable by First Class Magistrates are tried by the Sub-Divisional Officer himself?—Quite so.

29830. You suggest "that rules framed by the Municipal Boards when passed on model rules sanctioned by the Government should be allowed to be passed by the Board themselves"; does it not strike you that the sanction of these rules requires some legal advice?—In these days the Government has framed model rules and has published those rules; we have only to fill up the blank spaces about taxes or anything else; I do not see the necessity of going so far in those matters; it takes such a long time to go through all that machinery unnecessarily.

29831. Are you not empowered also to modify the rules to suit the requirements of particular localities?—That might be done in the bigger towns; I have only the experience of one small place, where there is not even an octroi duty.

29832. In Bengal all these rules are approved of by the Legal Remembrancer before they are sanctioned by the Government; he sees that they are in every way legally correct and consistent with the Act?—They are never sent to the Legal Remembrancer here—at least, I have no knowledge of it.

29833. An opinion has been expressed to us that rent cases might be referred to Civil Courts; what is your opinion on that subject?—If the appeals from our orders in rent cases could go up to the Judges of the Civil Courts, I think it would be very good.

29834. Probably you are aware that in Bengal proper these cases are decided by the Civil Courts?—I do not know.

29835. Anyhow, you think that that could be done?—Yes; in days gone by the Collectors and Assistant Collectors used to hold civil powers; that was before I joined the Service; they used to decide civil cases as well. I believe there are some districts in the hill tracts where they may still decide civil cases.

29836. Revenue cases you would keep in the hands of the Revenue Officers?—Yes.

29837. Generally speaking, do you think that some division of work, distributing different branches of work to different sub-committees of the District Board would be a good plan, and that the members might then take a little more interest in the work?—We have done that.

29838. And so far has it been successful?—It has been successful, speaking generally.

29839. When a Deputy Collector is transferred from one place to another within a division should the Commissioner have power to order the transfer without referring to Government?—I do not see the difference whether the Commissioner transfers or the Government transfers.

29840. But should the Commissioner be empowered to transfer these officers without reference to the Government and without taking the orders of Government?—I do not see that there is any harm in the Commissioner having the power of transfer.

29841. You do not think that that might lead to more frequent transfers?—No; frequent transfers should be stopped of course.

29842. You do not think the Commissioner would be liable to be guided by bias more than the provincial Government?—I do not think so.

29843. (*Mr. Hichens.*) How many members of the District Board are there in your district?—There are sixteen members.

29844. Are they partly elected and partly nominated?—Yes.

29845. How is the electorate arrived at?—We have prepared a list and have got it printed.

29846. Who makes up the list?—It is prepared under the supervision of the district authorities. The tahsildar selects the names for the list; and then it is given to the Sub-Divisional Officer, for the District Magistrate's approval and the Commissioner's final sanction.

29847. Is the selection made on any principle?—Each man must possess certain qualifications.

29848. Anybody the tahsildar likes he puts in?—He would certainly not put down a labourer; he would put down the men who are respectable, and who possess the necessary qualifications.

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29849. A decent sort of labourer would have no chance?—A decent sort of labourer sometimes sits with the Judge as assessor, which is very wrong indeed.

29850. Is there any limit to the number of electors?—As I said, a list is prepared of about fifty members, and these people will elect from one *tahsil* or one sub-division.

29851. Does that work well?—I think it works very well.

(*The witness withdrew.*)

The Hon. Pandit Madan Mohan Malaviya was called and examined.

29852. (*Chairman.*) You are a member of the Legislative Council of the United Provinces?—Yes.

The Hon. Pandit Madan Mohan Malaviya.

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Taking into account the vast changes that have occurred during the last three-quarters of a century these provinces should no longer be kept out of the benefit of being governed by a Governor in Council who should be a statesman of rank and experience, and should, as a general rule, be appointed fresh from England.

If a Governor in Council is appointed, the Board of Revenue should be abolished, and two senior members of the Civil Service, who are at present appointed members of the Board of Revenue, should be appointed as the Councillors of the Governor. It would be desirable that one of the two Councillors should, as is the case in Bombay, be taken from the Judicial branch of the Service, and the other from the Executive branch. In addition to these there should be two Indian Councillors in the Executive Council.

I would leave to the Government of India the revenue from all the heads which are at present wholly Imperial; and to the provincial Governments the whole of the revenues derivable from heads which are wholly "provincial" and also from all heads which are at present "shared" between the two Governments, making the provincial Governments liable to make a rateable contribution to meet imperial expenditure which may not be met from imperial receipts.

I am not in favour of giving borrowing powers to Local Governments. The nature of the duties that are cast upon them would not, generally speaking, justify a resort to loans. If the revenues of the provinces are fairly administered, they should suffice to meet the various obligations of the provinces or define the limit within which those obligations should be met. At present Local Governments should not borrow independently of the Supreme Government.

If provincial Governments are reconstituted as I have suggested, they should have the same power as the Governors in Bombay and Madras have in the matter of creating new appointments. The rule which requires that no European should be appointed to a post carrying a salary of Rs. 200 and more without the sanction of the Secretary of State should be kept up. But the Government should be free to make any other new appointment if its proposal is accepted by the Legislative Council of the province.

If provincial Governments are thus reconstituted, they should be given the fullest measure of freedom in applying or not to local conditions the general lines of policy laid down by the Government of India. The decision should be arrived at after the matter has been discussed at a meeting of the Legislative Council. Even under the existing system it is desirable that no change of policy should be brought about until the matter has been explained at a meeting of the Legislative Council, and an opportunity afforded to the members thereof to express their opinions about it.

If the present Local Governments are replaced by a responsible Government, all restrictions as to details in relation to matters entrusted to them imposed upon them by the Government of India, by law or by rules having the force of law, should be removed. If their character is to remain unaltered, then in provinces other than Bombay and Madras such restrictions had better not be relaxed.

The influence of the Government of India is at present certainly in the direction of excessive rigidity or uniformity. This will be forcibly illustrated if the recommendations of the Education Commission of 1883 are compared with the policy which has been pursued since the time of the late Viceroy in the field of education. During the earlier period the Government of India showed its solicitude to encourage private enterprise and variety of effort in education. During the last few years, particularly since the time of the Educational Conference at Simla, a policy of distrust of non-official enterprise in education and a desire to exercise a closer and stricter control over private institutions have been in evidence. The universities have been cast more or less into one official mould.

The Government of India is too much dominated by considerations of revenue, except where its hands are forced by powerful interests in England. An instance of the last kind is afforded by the imposition in 1896 of the excise duty of 3½ per cent. on cotton goods manufactured in Indian mills. The instances of the former kind are numerous. The refusal of the Government of India to introduce a permanent settlement of the land revenue, which had been practically decided upon nearly 40 years ago, is one such instance. The refusal for years to raise the taxable minimum for the income-tax from Rs. 500 to Rs. 1,000 is another. The refusal for years to lower the duty on salt is a third instance.

I do not see much advantage in the Government of India maintaining Directors and Inspectors-General for departments which are primarily administered by Local Governments. I would leave the Local Governments free to administer those departments as they may consider best. It is no doubt an advantage to have a comparative view of the work done by the different departments of the different provincial Governments. But this can be done by a Secretary to the Government of India. If, however, Directors and Inspectors-General are to continue, their sphere of work should be confined to making a comparative review of the work of the provincial Governments, and of making suggestions which the Local Governments should be free to adopt or not as they may think proper.

It is desirable to allow provincial Governments to develop their administration on their own lines, adopting or not at their discretion, suggestions of reform brought to their notice from other provinces. One of the evil instances of the action of the Government of India in enforcing uniformity in the different provinces is the abolition of the system of competitive examination for the Subordinate Executive Service which was introduced in these provinces by Sir Antony MacDonnell, and which produced quite satisfactory results here, as it did in Bengal, where it had been in force for a long time.

I would not at all curtail the right of appeal to the Government of India now granted in respect to administrative action either by law or by rules having the force of law or by executive practice. To lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against, that reasonable grounds of appeal exist, would be to constitute the person whose action is complained against the judge of the reasonableness of the complaint, and would be tantamount

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in too many instances to taking away the right of such an appeal. The right of appeal to the Government of India now granted to officers of Government against orders affecting them personally is not unnecessarily liberal. I would not curtail it at all.

The Board of Revenue should be abolished as such and absorbed into the Executive Council of the Governor of the province. The appellate and revisional judicial duties of the Board should be transferred to the High Court. In other respects the Board enjoys very little independent power, either in matters of revenue or general administration. The final authority in matters of revenue and administration is the Lieutenant-Governor of the province, and I think he should so remain, and an Executive Council created to help him.

The Commissioners of divisions should be abolished, their judicial duties should be transferred to District Judges, and the Heads of the districts should be permitted to deal directly with the Governor in Council, as is the case in Madras. The Commissioners act, practically speaking, in many matters as so many channels through which proposals or reports are submitted to the Board of Revenue or the Government. They do not seem to be necessary in the economy of a good administration. At any rate I would not give any extended powers to Commissioners of divisions either regarding matters relating to revenue or of general administration

Collectors and Deputy Commissioners should not have extended powers in matters relating to revenue, and they should have the assistance of a District Administrative Council in matters of general administration.

No extended powers should be given regarding matters relating to the Court of Wards, to the Board of Revenue, or Commissioners of divisions, or Collectors and Deputy Commissioners. On the contrary, it is desirable that provision should be made that proposals to take up the estate of any person under the Court of Wards should be supported by the opinion of the District Administrative Council before they are entertained by Government.

I am not in favour of allowing the delegation of powers now vested in Local Governments, by the Civil Service Regulations or other Financial Rules to Heads of Departments or Commissioners of divisions, or other subordinate authorities.

Executive Officers have opportunities for personal contact with the people, but they do not properly utilize them. The opportunities might well be increased, but unless the desire to utilize them increases also no good will result. Among Executive Officers the Commissioner of a division enjoys perhaps the largest amount of spare time, but few sufficiently utilize the opportunities to come into personal contact with the people. The District Magistrate has to perform multifarious duties, and he may reasonably urge that he has not sufficient time to spare to meet the people. He should be relieved of his judicial duties, and should not be required to preside over Municipal and District Boards. This will give him sufficient time to move among the people, to become better acquainted with their wants and feelings, and to interpret better the intentions of the Government and the objects of the measures which it may introduce to the people. The real obstacle to a freer intercourse with the people is the deplorable feeling which European officers generally have that Indians belong to a subject race and are an inferior people. Executive Officers are particularly dominated by the feeling that they belong to the governing class and that they should not meet Indians on a footing of equality. It is this feeling which is at the bottom of the gulf which separates the Executive Officers from the people. Under the influence of this feeling not only a junior officer but sometimes even a senior officer fails to show the courtesy and consideration to an Indian of high position which he would show even to the head assistant of his office.

Executive Officers do not, as a rule, possess a sufficient knowledge of the vernacular. There usefulness and popularity are much affected by this circumstance.

The transfers of officers are not necessarily frequent. The present practice of not allowing an Executive Officer to remain in the same place for more than five years is a beneficial one and should be kept up.

The powers and functions of municipalities and District Boards do not require to be extended in these provinces. The Acts which govern them have invested them with sufficiently large powers. They should be somewhat freed from official control. The municipalities Act permits Municipal Boards generally to elect their own Chairmen. But with the exception of one Municipal Board, all have got the District (or other) Magistrate as their chairmen. The Local Government has, under the provisions of the Act, ruled that the District Magistrate shall be the Chairmen in five of the largest municipalities of the province. These municipalities contain the largest number of public spirited and educated citizens, and are just the places where Municipal Boards could with ease and advantage elect a non-official Chairman. It has been recently stated that suitable persons are not available even at places like Allahabad and Benares to guide the affairs of the Municipal Boards. The Allahabad Municipal Board has during the last twenty-five years had a number of non-official Senior Vice-Chairmen who would have discharged the duties of the Chairmen with credit to themselves and with advantage to the citizens. Some of the Municipal Boards of these large cities from which the privilege of electing the Chairmen has been withheld, have had among their members gentlemen who have for years been members of the Local as well as the Imperial Councils, and one member who has recently been appointed a Judge of the High Court. Suitable persons are not available even at places like Allahabad and Benares to preside over the Municipal Boards. One evil effect of withholding the privilege of electing the Chairmen from these larger Municipal Boards, and of placing an official Chairman over them, has been that with one exception the small municipalities have refrained from exercising the privilege of electing a non-official Chairman.

Though the District Boards have the privilege of electing non-official Chairmen they have systematically elected the District Magistrates as their Chairmen. They have not been encouraged to elect a non-official Chairman. The system of self-government, introduced by Lord Ripon with the object of giving political education to the people has to a large extent been frustrated. To promote real self-government, and to induce more men of ability, independence, and character to take part in the public life of their towns, districts, the larger municipalities should be given the power to elect non-official Chairmen, and all municipalities and District Boards should be encouraged to do the same. In the case of the District Boards it is also necessary that the franchise should be extended to all landholders who pay a certain amount of revenue, and all persons who pay a certain amount as rent or income-tax, and should not be confined, as at present, to those persons only whom the District Magistrate may consider fit persons to be electors. Municipal and District Boards should receive a larger share of the provincial revenues to enable them to adequately discharge the many obligations which have been cast upon them.

I am in favour of creating Administrative District Councils to assist District Officers. The creation of such Councils has become necessary in the interests of good adminstration. Sometimes owing to a want of knowledge of the condition and feeling of the people, sometimes owing to inexperience, and to the misrepresantations of subordinate officers, the District Magistrate is led to commit serious blunders. If the District Magistrate has an Administrative Council consisting of two officials and two non-official gentlemen possessing experence and capable of giving independent advice, such blunders could be avoided. All questions of administration, as distinct from purely routine work, particularly questions relating to the grant of remission of land-tax in times of scarcity, of the distribution of *takavi* and charitable relief, questions relating to the construction of tanks, wells, &c., of forest administration, the administration of the Arms Act, the Excise Department, the assessment and collection of income-tax, recommendations regarding the taking up of an estate under the Court of Wards, questions relating to religious fairs, festivals, and disputes, measures to prevent the advent or spread of infectious disease and measures relating to the preservation of the public peace should fall within the scope of these Councils.

A District Advisory Council may also be formed, consisting of all the members of the Municipal and District Boards and of the District Administrative

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Council. It should meet at least once every six months at the headquarters of the district. It should be empowered to consider any matter which the Municipal Board or the District Board may wish to bring before it for consideration, in addition to those subjects which the Administrative Council or the District Magistrate may desire it to discuss. These gatherings will help in making the views of the people known to the Government through the Head of the district, and the views of the Government to the people. This will prevent misunderstanding, and will promote good feeling between the rulers and the ruled. Other select leading citizens of the district, official and non-official, may with advantage be invited to the meetings of the District Advisory Council.

It is both desirable and practicable to give village communities greater powers in the disposal of local affairs relating to revenue, police, sanitary, educational, and other matters, such as the disposal of criminal and civil cases. A village union or panchayat should be created in every large village or in a group of small villages. It should be elective, and should be entirely free from official influence. Its success will depend upon its being a purely people's institution. If it is so constituted, it can do more to promote the progress of the village and the happiness of the inhabitants thereof than any other institution that I can think of. Its constitution should be popular, and it should be invested with a fair degree of responsibility and power. The District Administrative Council should supervise its administration and help and encourage it in its good work by offering advice and assistance.

29853. Have you been a member of either a municipality or a District Board?—Yes, of the Municipal Board of Allahabad. For two years I was junior Vice-Chairman and for one year senior Vice-Chairman.

29854. You have then at Allahabad two Vice-Chairmen?—Yes, a senior and a junior.

29855. Have you a Secretary as well?—There is a paid Secretary.

29856. Have you practical freedom in the composition of your budget?—The freedom of the Board is largely affected by the presence of the official Chairman. The budget is prepared by the Secretary under the direction of the Chairman; then it is brought before the Board; the Board discuss and pass it, and it is then submitted to the Commissioner; the Commissioner has the power to allow or not to allow the budget; the Board cannot incur any expenditure except in accordance with the budget sanctioned by the Commissioner.

29857. Have you found that the Commissioner has interfered very much with the details of your budget?—He does interfere, sometimes more, sometimes less.

29858. As a matter of fact, has he interfered?—I believe he has interfered and does interfere, but I cannot cite instances at this present moment.

29859. You say that the presence of an official Chairman is a check upon the freedom of action of the municipality; in what particular direction?—In all matters that come before the Board and the discussions at the Board, the Chairman's opinions predominate to a great extent. There are a certain number of members nominated by the Government on the recommendation of the Chairman; these members, and some other members too, when the Chairman has formed a strong opinion, sometimes shape their opinion according to that of the Chairman. Sometimes when the Chairman finds that independent members have expressed an opinion contrary to his own and there is difficulty in carrying what he wants, he speaks to some of the members privately and in that way influences them. If there are members who are not particularly strong in their views and they find that the Chairman has taken up a strong view, they offer a certain amount of opposition, but after a while they give in. So that the decisions of the Board are not always free. Some of the municipal commissioners are appointed Honorary Magistrates on the recommendation of the Chairman, and the nominated members are nominated on the recommendation of the Chairman, so that in the case of both those classes of members there is a further influence at work which makes them attach a great deal too much weight to the opinion of the Chairman at times.

29860. But suppose the official, whoever he was, was no longer Chairman, he might exercise the same influence outside the meeting as he does at it?—That would be very seldom; when the District Magistrate is not on the Board he will not be prying into the affairs of the Board, and the occasions of interference would be very much minimised if they do not altogether disappear.

29861. When you say that there is a considerable amount of interference, has that interference been injurious to the municipality?—Sometimes it has been.

29862. In what particular?—In the matter of taxation. We do not want to impose a certain tax; the Chairman takes a strong view, and he gets the tax imposed.

29863. Can you give me a specific instance?—Yes. At Allahabad there was much opposition to the imposition of the house-tax, but it was carried, and there it stands.

29864. For what purposes are the proceeds of the house-tax devoted?—Specially to the maintenance of roads; it is not earmarked, but it was urged that it was necessary to increase the municipal income in order to maintain the roads in proper condition; much money has to go to that end, and also to meet lighting and other expenses.

29865. So that if this tax had not been imposed the town would have been rather less well-paved, and perhaps rather less well lit?—If the revenues had been administered differently in other respects, the same results might have been obtained, though not to the same extent; we might have spent less; of course if we had spent twice as much as we were spending the roads and pavements would have been better still. It must be borne in mind that we can only enjoy what we can pay for; we do not desire to have the luxuries of civic life which our means do not justify us going in for. In fixing the term of service of a water works Municipal Engineer and in the appointment of a Municipal Civil Engineer, and in many other instances, the views of the official Chairman have predominated. On the whole, speaking generally, the influence exercised is in the direction of restricting the freedom of action and the freedom of judgment of the Board. This has one very evil effect, namely that independent members who wished to give their time and services to the Board do not feel inclined to continue to do so, and other people of the same class are deterred from joining the Board; they see it is no good.

28966. Have there been resignations of members?—It is not a case of resignations alone; there have been some resignations, and there have been other cases of men refraining from going on the Board.

29867. You say there has been a policy of distrust in the matter of education?—During the last few years the restraint imposed on secondary schools has been increased. The freedom that they exercised two decades ago in the matter of appointing teachers and so on has been restricted; now they are required to keep up to a certain standard, and that standard imposes a uniformity which is not always to the advantage of the people.

29868. That has nothing to do with the Local Government; it is the Education Department?—Yes, but the Education Department is controlled and guided by the Local Government.

29869. What schools does your municipality control?—There are a number of primary schools which we maintain ourselves; then there are a number of aided schools, European and Indian, to which we make contributions, but we do not control these aided institutions in any manner. We simply make a contribution on the reports which we receive from the inspector or from the deputy inspector of the Education Department.

29870. Do you inspect these primary schools?—We have an inspector of our own for the primary schools; in addition to that we have a deputy inspector of the Education Department inspecting our schools.

29871. Have you had a sanitary scheme for Allahabad lately?—Yes.

29872. What was the course that that scheme took?—We have had schemes of drainage; before this there have been schemes of drainage for limited areas. We have got two Municipal Engineers—a Water Works Engineer and a Civil Engineer; the proposals are made and they are submitted to Government.

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29873. Who makes the proposals?—The suggestion is sometimes made by the Municipal Engineer himself, sometimes by the Chairman; then a scheme is prepared, and it is sent up for approval to the Sanitary Department of Government if the cost of it exceeds a certain sum. I do not remember exactly how much. Then it goes to the Sanitary Board; when it has been approved by the Sanitary Commissioner and sometimes by the Sanitary Board, it is carried out.

29874. Is it sent back to the municipality after it leaves the Sanitary Board?—Yes.

29875. Then does the municipality sent it back to Government?—No, it is not sent again to Government; the municipality carry it out.

29876. Does this process take a long time?—I have not taken note of the time. We have just got out a big proposal for drainage which involves an expenditure of several lakhs; it is now before the Board.

29877. Does the municipality raise that money?—No, we shall have to take a loan from Government for the purposes of that large scheme.

29878. Could you raise that sum locally?—I doubt whether we could raise it—it is 18 lakhs of rupees.

29879. (*Mr. Dutt.*) You have asked for complete financial independence for the Local Government if the Local Government is reconstituted as you propose. You know, of course, that all laws are sanctioned by the Imperial Government: do you also propose complete legislative independence of the Local Government?—I would give them complete legislative independence in matters within their provinces; that is to say, I would constitute them semi-independent Governments for the purposes of their provinces.

29880. You do not think it is desirable that the Imperial Government should have some control over the administration of provincial Governments in order to secure some degree of uniformity in all the provinces?—It is of greater importance that the Local Governments should be conducted with the control of public opinion in the provinces than that the control should be exercised by the Government of India from a distance. If my proposals to secure a proper and effective control of the public opinion of a province over the action of the Local Governments are accepted, I would not care for the control of the Government of India.

29881. Leaving that aside, is not some degree of control on the part of the Indian Government necessary and desirable in order to secure a certain degree of uniformity in the administration of the different provinces?—I am doubtful about the advantages of it.

29882. The Local Government would not be able, you say, to borrow on the same terms as the Government of India?—If the revenues of the province are properly administered the necessity of borrowing would not arise. There is no urgency about many of the matters which Local Governments have to deal with and they could be postponed; if the necessity arises, and the Government thinks fit to exercise the power, they would not be debarred from exercising the power if they are made semi-independent.

29883. Suppose the Local Government desired to undertake some large works or to meet some very urgent calls in times of famine; should the Local Government be allowed to borrow in the open market or should they get the money from the Imperial Government?—That is a question about which I have doubts.

29884. As regards the delegation of powers, it is desirable that the Local Government should be empowered by a general Act of delegation to delegate its own powers to its own subordinate officers as occasion arises?—I would specify the powers to be delegated; a general Act of delegation would not be desirable.

29885. You think if an Act of delegation is passed, the powers should be specified in the Act itself, and then those powers should be delegated according to necessity?—Yes, not otherwise.

29886. You say it is desirable to allow provincial Governments to develop their administration on their own lines adopting or not the suggestions of reforms brought to their notice from other provinces. Do you also suggest that the Local Government should have the option of not adopting the reforms suggested by the Indian Government?—It should have discretion to adopt or not to adopt them.

29887. Taking the instance of some large reforms which have been effected within the last thirty years, such as the Local Self-Government Act which was suggested by the Imperial Government: should not the Local Governments be bound to accept those suggestions and to carry out those reforms?—Certainly, but I have made these suggestions on the hypothesis that my recommendation regarding the reconstitution of the provincial Governments would be accepted.

29888. Generally, you say that under the existing circumstances suggestions made by the Imperial Government for reforms and other changes in administration ought to be accepted by the provincial Government?—Yes, certainly.

29889. You propose that both the Board of Revenue and the Divisional Commissioners should be abolished; is that also subject to the conditions you have laid down as to the reconstitution of the Government?—Yes.

29890. Otherwise you would keep both those bodies?—No, I do not see the necessity for keeping up the Commissioners; I would do away with the Commissioners, and do away with the Board of Revenue, if it is not to be incorporated with the Council of the Lieutenant-Governor.

29891. Supposing we had the Lieutenant-Governor and an Executive Council, in that case would you keep up the Commissioners and the Board of Revenue?—If I had to keep up one of the two, I would keep up the Board of Revenue rather than the Commissioners.

29892. Do not Commissioners of divisions perform a very useful function now in personally visiting and inspecting the different districts and coming into contact with the officers and people of the districts?—The advantages are so great that they should not be sacrificed to any other arrangements.

29893. Rent and revenue cases are all now disposed of by Revenue Officers?—Yes.

29894. Might either the rent cases or the revenue cases be transferred to Civil Courts?—Both might be tranferred. The rent cases should go to the Civil Courts; as appeals from the Collectors go to the District Judge, so should these cases go to the Appellate Court. Revenue cases also should go to a District Judge or an Additional District Judge. His powers might be enlarged, but you would have a better chance of a more judicial decision.

29895. The original revenue cases you would leave to the Revenue Officers and the appeal cases you would leave to the Civil Courts?—Yes.

29896. Is it desirable and possible now to create panchayats and entrust them with some duties?—It is quite possible and very desirable.

29897. Should an officer be especially appointed to organise these village communities in advanced places?—It would be an excellent thing to do.

29898. That would be a good method of improving the present administration?—Yes, not only that, but it would probably be the best method of promoting the happiness of the people. For instance, in the matter of sanitation, the Government have had the Village Sanitation Act for many years in existence but not much progress has been made. So also in education; and also in the disposal of small cases. If a village panchayat is constituted it should be an entirely popular body without any official influence. In all these matters the influence of the village panchayat will be very perceptible and very beneficial.

29899. You think they would be able to look after their interests in these small matters better than any central Government could do?—Certainly.

29900. (*Mr. Hichens.*) The main thing you want in regard to municipalities is to have a non-official Chairman?—That is the first thing. We also desire to be free from the control of the Commissioner. There are also certain restrictions imposed on the Municipal Boards in the matter of taxation. For instance, we cannot alter the particular head of taxation without reference to the Local Government. If we want to tax one commodity rather than another we must get sanction. That hampers the Board very much. That

restriction should be removed, and, given a certain limit of taxation, the Board should be left free to decide what particular commodities they would tax.

29901. You would not be affected by the consideration that this was without precedent anywhere in the rest of the world?—I find in actual practice that this is a thing which affects municipal administration seriously, and that it is desirable that representatives of the people on the Local Councils should be recognised as being better able to understand the wishes of the people than men at a distance.

29902. Do you think they understand the wishes of the people to-day?—Their representatives on the Boards certainly do to a great extent.

29903. Are they elected?—Yes, the majority are elected.

29904. Apart from that, would you leave the Government with the control practically that it has under the Act to-day?—Yes; for the rest I would leave the control to the Government. The Government has power under the present Act, even when municipalities elect their own Chairman, to approve or not of the election of the Chairman; that is provided for by the Act. I would leave that power to the Government.

29905. Would you leave them power to approve the budget?—The budget is passed by the Commissioner; I would take away that power. I would leave it to the Board to spend the money as they think best.

29906. Would you leave the Government power to step in if they found a mess was being made of it?—Yes, I would leave all the other powers as they are; the District Magistrate has power to suspend any regulation of the municipality where he believes that public interests require it.

29907. For example, if the Government thought that too little was being spent by the municipality on education, would you give them the power to step in and say, "You must spend more"?—No, I think not. They have the power to advise, and I think they should trust to the Board to accept that advice so far as circumstances admit. It would take away the element of self-government if you give the Government the power you suggest.

29908. You would leave the Government full power to enquire what the municipalities did so as to see that they were carrying out not only the letter but the spirit of the law?—Yes, the proceedings would be sent up to the District Magistrate and the Government.

29909. The accounts would be audited?—Yes, by Government auditors.

29910. With regard to District Boards, would you give them much the same freedom?—Yes, quite as much; at present they have not got quite as much; I would introduce as much as possible to begin with. There are certain reforms needed in the constitution of the District Boards. They are not quite elective. The Collector has a list of members prepared, and those people elect the Board. I would give the power to elect to every man who pays a certain amount of revenue or rent or income-tax. I would have no more of selection of the persons who should exercise the franchise.

29911. Are the people in the districts as capable of forming a definite opinion with regard to public affairs as the people in towns; in other words, are they as well educated?—The people in the districts are many of them very well educated either through Sanskrit or through Persian or otherwise.

29912. Speaking broadly, comparing the town with the country, would you say the country was able to form a strong public opinion with regard to matters?—Yes, I think so.

29913. You were here this morning and you no doubt heard several of the witnesses express the contrary view?—Yes. I will give you my reasons for what I say; in the districts you have great zamindars and other gentlemen, bankers and other persons. The towns contain only a fraction of the population of the province; it is in the districts that the greatest proportion of the population live; among them you find men of ancient families, zamindars, and so on, and they develop their business capacity in the management of their own affairs; so that when public affairs are brought fairly before them they are very well able to express their opinion about them. What is needed is that they should be given more power and more freedom.

29914. Are the Municipal Commissioners and the people in the towns really keen on municipal work?—Yes, in many places they are.

29915. For instance, take a drainage scheme—is that a matter upon which you can arouse their own interest?—Very much.

29916. They are anxious to see that their town is improved?—Of course, a general remark cannot be made for the whole province, but in many places they are. They would be very glad to have the money to spend and the power to spend it.

29917. Would you say that public spirit has developed during recent years?—Yes: during the last fifteen or twenty years.

29918. Has your municipality enough funds to carry out a reasonable number of improvements each year?—Ordinary improvements we can carry out; we have a project before the Municipal Board of Allahabad for an open surface drainage; it was laid before a sub-committee the other day and before the Board; the great majority of the members were opposed to having an open drainage; they wanted a covered drainage though it would cost more. Everyone who spoke to me told me he would rather spend a few lakhs more and have the covered drainage rather than the open drainage.

29919. (*Mr. Meyer.*) Are all the increased legislative and financial powers that you propose to put on the Local Government contingent on their control by a Legislative Council?—Yes.

29920. And without that you do not want to decentralize?—Generally speaking, it comes to that.

29921. Generally speaking, you think that the control of the Government of India should be retained as it is, and also the control of the Local Government over its own officers?—Yes; the character of the Local Government would be changed by the suggestions that I have made.

29922. Suppose you could not get your scheme and you had to work with the present administrative machinery, you would not give extra powers to anybody really?—Generally speaking, I would not.

29923. If you carried out your idea of abolishing the Board of Revenue and Commissioners, you would of necessity have to give larger powers to Collectors?—Not necessarily to Collectors. I have proposed a District Administrative Council which would assist the Collector in many matters which he deals with at present alone. If that is accepted, then he would enjoy increased powers along with others; not otherwise.

29924. Is it the fact that according to your Municipal law you have got to get the approval of Government to the establishment of Ward Committees?—No, as far as I know it is not.

29925. Is there any restriction on the appointment of Municipal Committees to deal with sanitation or education or anything else?—I think not. We appoint sub-committees for education, and so on; we have certain sub-committees appointed every year, and we appoint others when occasion arises.

(*The witness withdrew.*)

The Hon'ble Rai Sundar Lal Bahadur, C.I.E., was called and examined.

29926. (*Chairman.*) You are a member of the Legislative Council?—Yes. I am an Advocate of the High Court.

Money is borrowed both in England and India by the Government of India, which has a well-established credit. It is undesirable for Local Governments to raise loans within or outside India.

At present provincial Governments cannot create new appointments or enhance salaries of appointments carrying over Rs. 250 a month without the sanction of the Government of India. The result is that, if the Local Government finds it necessary to appoint an additional Munsif of any but the last grade, or a Subordinate Judge or a Deputy Collector to work off

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arrears in any particular district, it has to move the Government of India to sanction its proposals. In the case of appointments reserved for Europeans the present rule may be allowed to stand, but in the case of all other appointments the limit should be increased to Rs. 500.

I think the influence of the departments of the Government of India is in the direction of excessive rigidity or uniformity. As an instance I mention the recent legislation in connection with the reform of the Indian Universities under Act VIII of 1904.

The proper sphere of work of the Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should be that of experts to advise the Government of India. They should have no direct control over the departments under the Local Governments. Provincial Governments should be permitted to develop their administration on their own lines adopting or not, at their discretion, suggestions for reform brought to their notice from other provinces. They should have the help and assistance of an Executive Council, and it should consult the Provincial Advisory Council and the non-official Members of the Legislative Council and other persons or bodies interested in the particular department, *e.g.*, ine ducational matters the University, in judicial and legislative matters the High Courts, and the leading members of the Bar, &c. If non-official gentlemen of experience and mature views are more largely taken into confidence in the decision of such matters, the provincial Governments will be able to form a better estimate of the needs and requirements of their province.

The right of appeal should not be curtailed, nor should a certificate of its admissibility be required to accompany an appeal. The system of requiring such certificate from the authority against whose decision it is proposed to appeal has not found favour in India.

I would propose no change in the powers now conferred upon Collectors, Deputy Commissioners, or Sub-Divisional Officers. In the administrative system of these provinces the Board of Revenue and the Commissioners exercise concurrent jurisdiction in many matters, in this sense that the Commissioner either decides a matter himself subject to the general control of the appellate or revisional jurisdiction of the Board of Revenue, or he has to submit a report or recommendation for the orders of the Board of Revenue. The Commissioner is the channel through which many matters are thus submitted to the Board of Revenue for decision. The judicial powers of Commissioners in rent and revenue cases should be transferred to the District Judge. He should have appellate and revisional powers in partition cases and in appeals from orders of Settlement Officers, and his services should be more largely utilized by entrusting him with larger general administrative powers. An Executive Council should be formed to help the Lieutenant-Governor, and the members of the Board of Revenue should be members of that Council, each member being placed in charge of a department. It should be something on the lines of the system of administration now prevailing in the Bombay Presidency.

The influence of the provincial Government is in the direction of rigidity and uniformity, but as the population in the various districts in the Government of the United Provinces is of a more homogeneous character than in the various other provinces, and as the Local Government is in more direct touch, its influence in this direction is not felt very much and no measures or reforms are needed in this respect.

Executive Officers have sufficient opportunities for personal contact with the people. They are not as much in contact with the people as they ought to be. European officers in the districts, small as their number is, form their own society and do not socially mix with the people except to a very limited extent. There is not the same interchange of views between a European Collector of a district and his Indian Subordinate Magistrates and other Indian officers as there is between him and his European subordinates. The obstacles to a freer intercourse are many. There is a sense of official dignity and prestige which prevents many officers from mixing more freely with the people. The upper layer of the Indian society in the *mufassal* may be roughly divided into three classes, viz. :—

(*i*) those who would care to mix with the European officers only on terms of social equality, such as the leading gentlemen of the professional classes, men who have been educated in England, successful merchants, and capitalists, &c. :

(*ii*) those who call on the officers more or less frequently for paying visits of ceremony, courtesy to the Head of the district ;

(*iii*) those whose official position as members of Municipal and District Boards, or as landlords, &c., necessitates a visit to the officers.

All that is needed is a greater tendency on the part of European officers to throw off official reserve and sense of dignity and prestige, and a larger concession to the sentiments and susceptibilities of visitors of all classes. The difference is to be seen in the freedom with which a retired Civilian settled in India meets and talks with the people. The pressure of the official work in most cases does not leave much time for such intercourse. Both the time and the will to meet the people more largely is necessary.

Executive Officers possess a sufficient knowledge of the vernaculars.

An increase in the staff is needed in many districts. One method of relieving the District Officers would be to transfer all rent and revenue cases (except partition and settlement cases and certain other special class of cases) to the Civil Courts as in Bengal.

Greater care is certainly required in the section of Collectors of the districts. At present very junior officers have to be placed in charge of the districts at times.

The municipalities and District Boards have already ample powers, but the preponderating influence which the Collector and other officers practically exercise is very great. In the municipal towns (specially in the case of the larger ones) there is a large body of men who take a keen interest in their work and who can very safely be entrusted with larger powers. Municipal Boards will attract a much better class of persons to serve as members if there is less of official influence and if a non-official Chairman presides over the deliberations. The system of election to the District Boards is defective. All landholders paying a certain amount as Government revenue, and all persons paying a certain amount as income-tax or a certain amount as rent, should have the franchise, and not selected persons only nominated by the Collector (as at present).

There are no Local Boards or village unions in these provinces. We have the village *mukhia* or headman, and the village munsif (the latter in certain districts only). Villages should be formed into circles. The leading landholders who are by their education qualified, should be invested with the powers of village munsifs. They should sit in benches to dispose of petty civil cases, and even petty criminal cases, subject to the jurisdiction and control of regular courts ; and the members of these courts and the village *mukhias* should be formed into village councils, and placed in charge of village sanitation and other cognate local matters.

The creation of Advisory and Administrative Councils to assist Divisional or District Officers will be a great help. These officers are a highly-educated and well-trained class of persons, and it is only by putting Indians of education and experience that the Councils will be really in a position to help these officers and discuss matters on less unequal terms. If the membership of the Councils is confined to persons possessing large properties or incomes, it will prove more ornamental than useful. The Councils should be constituted partly by nomination and partly by election. The existing District Boards and municipalities might be permitted to elect some of the members. The professions might be permitted to elect some, and the educated community should also elect a member. Franchise might be given to graduates of a certain standing. The non-official Europeans, wherever their number is sufficiently large, as in Allahabad, Cawnpore, and Lucknow, might be given a seat. The elective seats should not be less than half the total number of seats. The Commissioner has the power to veto any District Board or Municipal resolution. Cases of this class should be brought before the Council and any measure in favour of which at least three-fourths of the members of the Council vote should not be vetoed by the Commissioner unless the Local Government for special reasons decides to the contrary. The Councils should be consulted in all administrative matters arising within the district.

29927. Do you agree with the last witness, who would like to see the post of Commissioner abolished altogether?—No. Commissioners are a necessary part of the machinery of Government. They have to supervise the administration of the districts in their division. The Board of Revenue should be abolished and the members should be made into a Council for the Lieutenant-Governor; we require somebody between the Lieutenant-Governor and his Council and his Collectors.

29928. Suppose the change takes place which you advocate, would you increase the powers of the Commissioners?—To a certain extent.

29929. In relation to Court of Wards?—Yes, and in other departments of administration.

29930. Would you increase the powers of all the Executive Officers down to the tahsildar?—No, I should stop at the Commissioner.

29931. You would not see powers delegated from the Commissioner to the Collectors?—No, I think not. At present the Collectors have a great deal to do, and I do not think we can safely give more work to them than they have at present.

29932. Is your objection to the increased power to the Collectors one that depends on the amount of work that they have to do, or upon the amount of responsibility which they are capable of assuming?—On both considerations, and on a third one, namely that there should be a certain amount of uniformity in the division.

29933. But if all Collectors were given the same amount of responsibility you would get that uniformity?—We should, but not the uniformity of practice; they might decide differently on the application of the powers.

29934. Even within their present powers they might decide differently. You could never prevent that?—Except by the control of the Commisssioner or of a higher officer? In fact, the greater the powers the greater the room for diversity of opinion.

29935. Are the obstacles to agreeable intercourse between the officials of the district and the people insurmountable?—I think not, except for the fact that, while the officers have got the will in the majority of cases to meet the people, in a minority of cases they have not got even the will.

29936. In the majority of cases they have the will and exercise it?—Yes, many of them do.

29937. It is only with the minority that there is friction?—There is no friction, but there is no cordiality; I should not say that in the case of the minority, but it is so in a very large proportion of cases.

29938. Does that extend not merely to British officials, but to Indian officials?—Slightly to Indian officials, not to the same extent.

29939. Is it attributable to the position which the man occupies?—To a certain extent.

29940. You say that it is desirable to remove it; can you suggest a practical remedy?—It is very difficult to say how to remedy a matter of that kind; it entirely depends upon the feelings of the individual officer.

29941. It depends so much upon that that no rule can be laid down or suggestion made?—That is so.

29942. Have you been a member of a municipality or District Board?—No.

29943. Would you agree with the last witness that it is possible and desirable to revive the village panchayat?—Yes.

29944. Would you give them much authority at first?—No; it should be an elastic institution; it should grow up. You would make an experiment here and an experiment there?—Yes.

29945. You think that it is desirable to get rid of official connection between the Collector and the District Board?—No, not completely; there should be some official connection between the two as they are at present constituted.

29946. Would you sever the Collector from the Chairmanship of the Board?—That would be my object; I would do it experimentally and slowly.

29947. And in the case of the municipalities?—More rapidly, I think.

29948. Would you make a beginning at once?—Yes.

29949. Would you get people to take the place of the Collector on the District Board and Municipal Board, who would attend to the work?—Yes, in most large municipal towns we should be able to get them.

29950. Would you have to pay a Chairman in the large municipal towns?—I think not; it would be honorary.

29951. It is hard work?—Yes; but many members of the municipality even now do as much work as that. For example, the senior Vice-Chairman in the Allahabad municipality has to pass orders upon a number of papers every day; he has a very heavy file: that is very much the amount of work that the Chairman has to do.

29952. You would have to find, in addition to the gentlemen who do the two Vice-Chairmen's work, a Chairman in Allahabad; do you think you could get that?—I think so in the case of large municipalities.

29953. Not in small *mufassal* municipalities?—Not at present.

29954. In the district would you get gentlemen to undertake that task?—It would be more difficult to get them in the district than in the larger towns.

29955. Are you in favour of Advisory Councils?—Yes. I would begin with a very small number.

29956. Again, would you find people capable of taking up the work?—I think so; a small number.

29957. (*Sir Frederic Lely.*) Essentially you desire for a new departure in municipalities, a non-official Chairman?—That is very essential.

29958. That is far more important than anything else?—Yes.

29959. Have you any other special proposal that you would make for reforming the municipality?—No, I have not made any proposal, because I am not a member of a Municipal Board myself.

29960. But you are a very interested observer?—Yes, I have known a number of municipal commissioners and have lived in a municipality for years.

29961. You say you would not remove the District Board from control and influence; would you retain the Collector as President of the District Board?—For the present.

29962. Have you any other distinct proposals to make for the District Board?—The powers vested by law in them at present are ample.

29963. You propose to change the system of election; is that your main suggestion for the District Boards?—Yes.

29964. You would have your Advisory Council partly nominated and partly elected; but that is precisely the situation of the District Board at present?—Yes; three-fourths are elected; one-fourth are nominated.

29965. So that practically your Advisory Council would be a duplicate of the District Board?—The functions would be quite different.

29966. But in what way will the situation be different?—The District Boards have finally to decide certain matters and they pass orders which they are authorised to make by law; the other body would be simply advisory.

29967. You propose different duties, but the mode of election in each case will be virtually the same, so that you will get a Council of the same class of men as the Board?—There is this difference in the election. In the case of District Boards the election will be by gentlemen who pay a certain amount as land revenue, or a certain amount as taxes, or who have certain qualifications. The election of the Advisory Council will be by the Boards so constituted.

29968. The members of the Advisory Council will be elected by the District Boards?—By the District Boards, the Municipal Councils, and other corporations and bodies.

29969. (*Mr. Dutt.*) What is your opinion about the Board of Revenue? Would you retain it if you had the Lieutenant-Governor assisted by an Executive Council?—No, I think they will not be necessary.

29970. Do you propose that the two members of the Board of Revenue should be colleagues of the Lieutenant-Governor and Members of his Executive Council?—Yes.

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29971. And that they should hold different portfolios as they do in Madras and Bombay?—Yes.

29972. Should Sub-Divisional Officers generally be stationed within their own sub-divisions, or should they remain within the headquarters of the district as they do at present?—In the case of most districts they should remain within the headquarters of the district.

29973. But where the districts are very large?—There they might be stationed inside their own sub-divisions.

29974. That would prevent the people having to travel long distances to get to them?—Yes.

29975. At present the Deputy and Assistant Collectors are placed in charge of sub-divisions by an order of the District Officer. Should that continue or when they are placed in charge of a sub-division should that be notified as a Government Order in the Gazette?—It is not necessary to notify it.

29976. The present system answers pretty well?—Yes, it is more elastic in fact.

29977. At present all rent cases and revenue cases are tried by Revenue Officers. In your opinion who should try original rent cases?—The Civil Courts, as was the practice here up to 1873, and as they are tried even now in Bengal.

29978. Original revenue cases too should be tried by Civil Courts, not by Revenue Officers?—There are practically only three or four kinds of cases; for example, partition cases might be tried by the Revenue Officers.

29979. Would you make a sort of division and say some revenue cases ought to be tried by Revenue Officers and some by the Civil Courts?—Yes, the principle being that those which require an intimate knowledge of revenue matters might be left to the Revenue Officers, and those which require the trial of issues as in a civil case should go to the Civil Courts.

29980. Does the law permit a non-official to be elected Chairman of a District Board or municipality?—It does.

29981. When you say that you would like to see non-official Chairmen for District Boards, do you mean that you want to see the experiment tried only gradually in places where there are men fitted to take up those duties?—Certainly.

29982. And with regard to municipalities?—So far as municipalities are concerned there is no restriction in the Act itself, but the Local Government is authorised to define and lay down the conditions for election. It is those conditions which make it necessary to elect an official Chairman in first-class municipalities; they should be relaxed in the case of first-class municipalities. Those rules in themselves are elastic; they can be altered again.

29983. There also you would like to see it tried gradually?—Yes.

29984. For your Advisory Councils do you propose limited number of members?—A limited number.

29985. You say "Advisory Councils and Administrative Councils." What kind of administrative duties could be referred to them?—It must be by a slow process of evolution, not by revolution.

29986. If there are certain minor duties which the Collector thinks can be disposed of by the Councils, he should refer the matter to them?—Exactly.

29987. You are in favour of the creation of village panchayats; would you also like to see that experiment tried gradually?—Yes.

29988. Would you favour the employment of a special officer to organize such panchayats in places where the conditions are especially favourable?—Yes, my own impression is that the officer who is Registrar of the co-operative village banks and has assistants might be given authority to bring these things into existence; you do not want a separate officer at present.

29989. Would you give the panchayats small criminal powers?—Yes, I would give them the powers now given to village munsifs, namely power to try suits up to Rs. 20. Every party has a right, if he does not like the village munsif, to get a transfer of the suit to the regular munsif; with that safeguard it might be applied here.

29990. (*Mr Hichens.*) You say the Collector dominates his municipality and District Board too much; might he not dominate his Advisory Council still more?—Yes. There is that danger.

29991. And if he did, possibly you would be better off with no Advisory Council at all?—I think education is advancing, and that the exercise of domination is becoming less and less.

29992. In that case might not the Collector remain Chairman of the District Board?—There would be more friction later on; it is better to let the Boards be free without an official Chairman.

29993. What are your reasons for desiring an Executive Council?—The Lieutenant-Governor will have the advice and assistance of these persons; in the first place, he will be bound to consult them and they will exercise a sort of check upon his own ideas upon any particular matter; there will be more uniformity of action.

29994. The first point is uniformity of action and the second point is that two heads are wiser than one?—Certainly. The Lieutenant-Governor goes away every five years; the Councillors may remain longer; there will be continuity of policy.

29995. Would you say that there is an advantage in having more than one point of view represented on the Governor's Council?—Certainly.

29996. (*Mr. Meyer.*) Do you propose to admit a right of appeal from the decisions of Benches of Honorary Village Munsifs such as you suggest?—A full right of appeal exists now no questions of law. I do not propose any change at all.

29997. Is it often used?—Very seldom, but the fact that there is a right of appeal exercises a very wholesome influence. These are small cases under Rs. 20, and it is a very rare thing to have an appeal, but the right ought to be preserved.

29998. Would you like to extend the present limit of Rs. 20?—Gradually I would extend it; as experience is gained it might be extended to suits up to Rs. 500 in value.

29999. You do not think that the unrestricted right of appeal will eventually break up these Courts?—I think not; there is no indication of that yet.

30000. (*Sir Steyning Edgerley.*) What is the population of Allahabad?—One lakh and sixty thousand approximately.

30001. Is there a large municipal establishment?—Yes.

30002. If you had non-official Chairmen, how could they arrange for the executive control of the establishment?—The Collector is now the Head of the whole thing, the engineers and the tax-collectors and everything.

30003. Where is the actual controlling Head in the municipality of the executive establishment?—The Collector is in charge.

30004. But not in details; in details who is in charge?—For example in the water works we have the engineer in charge.

30005. Have you a separate sanitary establishment?—There is a separate Health Officer in charge of that.

30006. You think that that would not be too much for a non-official Chairman to give his time to?—I do not think it would be too much.

30007. As regards the retransfer of rent cases to Civil Courts, would not such a system very much increase the cost to the cultivators?—No; the cost is just the same as in the Revenue Court; the cultivator has to pay the same court fees everywhere.

30008. But is it not necessary to be rather more expensively represented in the higher courts than in the Munsif's Court?—Most of these cases would be Munsif's cases and you would have the same class of small pleaders as now appear before the Munsif's Court.

30009. In appellate cases would not the cost be much heavier?—No. In most of these cases even now there is an appeal to the Civil Courts. Most of the cases between the zamindar and the cultivator are decided *ex parte*; they are not contested cases; it is a mere matter of obtaining a decree; the bulk of them are of that character.

(*The witness withdrew.*)

Pandit GOKARAN NATH MISRA was called and examined.

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30010. (*Chairman.*) You are a *vakil* of the High Court?—Yes. I have been a municipal Commissioner for four years.

I urge the necessity for decentralization, and of broadening the basis of Government so as to allow of the people being treated with greater confidence and being associated more with the administration of the country, along with the delegation of greater powers to provincial Governments as well as authorities subordinate thereto.

Provincial Governments should be given larger financial powers and should be more liberally treated in regard to allotments. The system of provincial contracts should be settled once for all, thereby making imperial and provincial finances more independent of each other and giving Local Governments a permanent interest in their revenues. They should contribute to the imperial exchequer only a portion of the land revenues, and such sources of revenue as stamps and court fees should be reserved for the provinces.

Provincial Governments should be allowed entire freedom in forming their own budgets in regard to details. Along with these increased powers and freedom the people should have a voice in controlling public expenditure, by the expansion of the Legislative Councils and the enlargement of their functions.

Provincial Governments should not be allowed borrowing powers except for productive works, and even with regard to these a limit should be fixed. This borrowing power also should be subject to popular control through the Legislative Councils.

Administration should be made more elastic by Local Governments being given powers to deviate from the general line of policy laid down by the Government of India as required by local conditions. Such deviations should only be allowed in matters of public utility, *e.g.* education, sanitation, &c. Similar deviations should be allowed within the limits of each province so that backward districts, for instance, could receive more attention. Reforms effected by one provincial Government should, however, be communicated to other Governments for consideration. These deviations should be in consonance with public opinion as declared by the proposed Advisory Councils.

The Government of India and Local Governments regard the administration too much from the point of view of revenue. The land revenue settlements should be on a more permanent and liberal basis, the poverty to which agriculturists in the United Provinces have sunk being mainly attributable to the present system. During revisions the people feel that enhancement is the rule and reduction the exception: when it comes to the collection of revenue, the main effort of all officers from Collectors downwards is to collect it in time: Collectors who show increased figures are considered strong and efficient, while the efficiency of tahsildars and naibs is solely judged thereby. In matters of irrigation the same considerations of revenue prevail. The salt duty is the most objectionable source of revenue, and the delay in its abolition can only be attributed to undue considerations of revenue. Regarding income-tax, the practice of using confidential notes is objectionable. Also the fact that, in spite of the taxable minimum having been raised, the amount of revenue shows no appreciable decrease, indicates the same excessive regard for revenue. In the matter of excise, officers have gone so far as to use their official influence in raising the bids for grog shops: public opinion as to the location of which is disregarded in view of considerations of revenue.

Freedom of appeal inspires confidence and aids administration and good government: rather than curtail the right, facilities for appeal, either personally or through a pleader, should be increased. Documents and reports used against a person appealing should be accessible to him and not confidential. Even Local Governments should not be allowed power to withhold appeals. No certificate of reasonableness should be required to accompany an appeal, because of the difficulty there would be in obtaining it.

In times of scarcity and drought larger powers in connection with the remission and suspension of revenue should be given in the small area within the jurisdiction of each authority to the various executive officers as below:—

——	Remission.	Suspension.	Postponement.
Board of Revenue	4 annas	8 annas	Whole (6 months).
Commissioner	2 do.	4 do.	8 annas do.
Collector or Deputy Commissioner	1 anna	2 do.	4 do. do.
Sub-Divisional Officer	Nil	Nil	4 do. (1 month).

In the case of Sub-Divisional Officers, postponement should be allowed only in the case of May and November instalments and then only for a month.

The authorities subordinate to Local Governments need no further powers under this head. The Board of Revenue should be abolished because the Board of Revenue and Commissioners practically traverse the same ground; and the Board as constituted at present are merely means of focussing official opinion and are quite out of touch with the people.

Important administrative matters at present entrusted to the Board might be taken up by the Local Government and Secretariat and the remainder delegated to Commissioners and Collectors. In matters purely revenue the right of appeal to the Board might safely be done away with, the decisions of Commissioners being final. In matters relating to partition, however, a further appeal to the High Court or the Judicial Commissioner may be allowed as in most of these cases Commissioners are only the Courts of First Appeal.

If the Board of Revenue is abolished most of its powers (which under this head require no extension) should be delegated to Commissioners. The power to bring private estates under the management of the Court of Wards—at present rather overdone—should be sparingly used. Colletors should be allowed larger powers in connection with ward's personal expenses. Generally the administration of the Court of Wards is unpopular. A separate Court of Wards Service should be organized for the United Provinces, and Deputy Collectors should invariably be deputed as managers of Court of Wards estates.

Collectors should have power to fill vacancies in posts up to Rs. 100 *per mensem*, to enable them to recognize merit and efficiency; and to make temporary new appointments up to a limit of Rs. 30 *per mensem*, to enable them to remove congestion of work. Collectors should also be given powers up to Rs. 1,000, to effect alterations or additions to office buildings.

To enable Collectors to obtain an intimate knowledge of the people they should be relieved of case work, both criminal and rent, which should be almost entirely delegated to Sub-Divisional Officers and others; and of office work, &c., by one of the Deputy Collectors being made personal assistant to the Collector.

A number of Deputy Collectors in each district should be set aside to do criminal work alone, directly under the Sessions Judge, the remainder being left free for revenue and executive work. The number of Deputy Collectors should be increased and their emoluments improved, the pay of the last grade being raised from Rs. 250 to Rs. 300 and that of the Probationary Deputy Collectors from Rs. 100 to Rs. 200: and the present system of nomination should be changed for one of limited competition.

Tahsildars should be relieved of their judicial and rent work, which should be made over to Sub-Divisional Officers and Munsifs; and the collection

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of revenue should be delegated to naib-tahsildars, who should be given definite powers and responsibilities. To improve the *morale* of the lower Executive Service it should be remodelled and regarded as follows :—

	3rd grade.	2nd grade.	1st grade.
	Rs.	Rs.	Rs.
Tahsildars	200	225	250
Naib-Tahsildars ...	100	125	150

Tahsildars should also be made Gazetted Officers.

District Superintendents of Police are even more out of touch with the people than District Officers are, to remedy which more Indians should be appointed Superintendents and the number of Deputy Superintendents should be increased, so that there should be at least one such officer in each district. A number of Civilians should always be on the list of Superintendents ; while as regards the lower ranks chaukidars should be better paid, their pay being raised from Rs. 3 per mensem to Rs. 5.

In view of the increased powers proposed for Collector and Commissioner, selection for those posts should be by merit rather than seniority, and officers unfit for promotion should be retired on a proportionate pension.

In order to ensure proper working of both Executive and Judicial lines, each Civilian for the first five years should be given a general training, after which he should be assigned to one of these lines and kept to it. Civilians should not be allowed to officiate as Judge or Collector till after ten years' service, and not be made permanent with less than fifteen years' service and proved merit.

A post should ordinarily be held for five years ; the local arrangement system for filling leave vacancies should be increased from six weeks to six months ; while furlough and leave for a longer period than that should be discouraged unless the officer has almost completed his five years' term.

Officials are proud and isolated, have exaggerated notions of prestige, are distrustful of Indians, and do not exercise discrimination between various classes of visitors, to whom they are anything but courteous. On the other hand, Indians have become more sensitive. Indian visitors should be considerately received, and return visits should be paid to higher class Indians : young Civilians should particularly be taught to be polite and courteous towards Indians. Want of knowledge of ways and manners of the Indians cannot be removed by mere handbooks : frequent contact with the people is necessary—in social gatherings &c. Respectable and educated Indians should be admitted in European clubs : and British officers in turn should join good Indian clubs. Officers should in every way make themselves more accessible. While on tours officers should spend part of their time in talking to the zamindars and in making personal enquiries in villages. Notice of dates and places of camping should be sent round beforehand and full liberty should be given to the people to represent their views. The system of *rasad* and *begar* is a source of grievance. In connection with tours, periodical gatherings of the landowning classes, &c., should be convened with a view to the removal of grievances.

Regarding languages the knowledge of officers is anything but satisfactory : there should be a stricter examination (both in Urdu and Hindi), which should be conducted by a Board of Examiners consisting mostly of Indians ; and confirmation as Collector and Judge should be made conditional on passing it.

District municipalities are at present almost entirely in the hands of District Officers, who are invariably their *ex officio* Chairmen. In order to infuse a real spirit of local self-government into the people they should be freed from official control and given power to elect their own non-official Chairmen and Secretaries. The power of veto should rest only with the Local Government—the only reason why there is no friction under the present system being that the *ex officio* Chairman always consults higher authorities in advance.

Municipal Boards should also have larger powers to provide for occasional and emergent expenditure : *e.g.*, to grant an annuity other than by purchasing it from the Post Office or an insurance company ; to grant rewards for acts of bravery, &c., and certain sources of revenue, such as income-tax, *nazul*, and excise, should be transferred to them. The functions of Municipal Boards should also be extended over such matters as the town police and excise.

District Boards are subject to the official influence of the tahsildar even in the election of their members ; while in their case it is still more necessary that they should have a non-official Chairman since the members, who are mostly zamindars, cannot express themselves freely before the District Officer.

Lastly, smaller municipalities should be controlled, not by District Boards, but by district municipalities, who might infuse their own spirit into them.

The creation of Advisory Councils is extremely desirable. The number of members should ordinarily (except in the case of big cities) not exceed 20, two-thirds elected and one-third nominated. Class representation should be avoided. An income of, say, Rs. 500 annually (or in the case of the landed classes, the payment of Rs. 300 revenue) should qualify for a vote ; and an income of Rs. 1,500 (or payment of Rs. 1,000 revenue) should make a man eligible for a seat on the Council. Members should reside within the district and voters within the electorate : members should be able to read and write either Urdu or Hindi thoroughly. Election should take place every third year, and the appointment of members should be gazetted.

The functions of Advisory Councils should be chiefly recommendatory. They should be consulted on matters appertaining to agriculture and revenue, such as the remission and suspension of revenue, revision of settlement rates, irrigation ; plague and famine ; excise—location of grog shops ; education—opening and location of schools ; industrial matters—revival of old industries ; imparting of technical education ; assessment of income-tax ; new roads and bridges ; proposed measures of legislation or reform, and any other important matter affecting the administration of the district, including the conduct of the police. In certain matters—like excise, income-tax, education, plague, and famine—the recommendations of the Council should be binding on the Collector unless vetoed by the Local Government. In other matters the Collector, if differing, might act on his own responsibility ; but the Councils should have power to represent the matter to higher authorities. In order that a recommendation may be binding on the Collector it must be made by a majority of at least two-thirds of the members present at the meeting. The *quorum* should be one-half of the total number of the members on the Council. The Councils should meet at least once a quarter ; should have power to meet on their own motion ; and attendance should be compulsory. There should be Councils both for Commissioners and Collectors but not for Sub-Divisional Officers. Commissioners and Collectors might take part in meetings, but not as members ; and should adopt a sympathetic attitude, on which the success of the scheme depends.

The establishment of village panchayats is extremely desirable. To ensure their success the best men in the village should be selected, and at first the scheme should be introduced only in selected villages or groups of villages. The panchayats should be empowered to decide civil cases up to Rs. 50 and petty criminal cases such as are tried by Third Class Magistrates with one appeal only—to District or Subordinate Judge and to the Sub-Divisional Officer respectively. Agricultural matters (*takavi*, irrigation, pasture lands, grazing fields) should be entrusted to them ; they should advise regarding sanitation and excise and have powers of supervision and some control over village schools and police. They should sit as a Bench of not less than two members, and a full record of proceedings should be kept. To encourage resort to panchayats no court fees should be levied in cases before them. Their establishment would mean the abolition of village munsifs, whose working has been found unsatisfactory. No further taxation should be levied to carry on the work of the panchayats, on account of the unpopularity which would be caused : a small share of the revenues should be set apart for the purpose.

30011. You wish to see the Board of Revenue abolished, but the powers of the Commissioners and Collectors to be proportionately increased, in particular

in the case of Court of Wards and in revenue jurisdiction?—Yes; also in matters relating to revenue. Where questions of remission or suspension or other matters are involved and the point is to what amount the Government revenue should be remitted or suspended, the matter has to be referred to the Local Government, so that in case the Board of Revenue is abolished a corresponding increase in power will have to be given to the Commissioners and Collectors.

30012. Do you think that the class of naib-tahsildars as at present recruited is a good class?—It is not a very good class. The pay is very low, and the least pay should begin from Rs. 100, and I would go up by increases of Rs. 25, creating three grades, one of Rs. 100, one of Rs. 125, and one of Rs. 150. At present graduates do not like to come in because they have to begin at Rs. 50 only.

30013. Is the class of naib-tahsildar at present a good class?—During the last ten years there has been a tendency to recruit the naib-tahsildars from the graduates, and the class of naib-tahsildar is now more efficient and of superior merit than it used to be, but taking the class, as a whole, it is not yet as efficient as it ought to be.

30014. Should these powers of delegation that you suggest to the naib-tahsildars be given to all officers of that class and at once?—They should be given at once, but they should not be given to the whole class unless the system of recruitment I have suggested is adopted.

30015. Should tahsildars, too, be given some considerable extension of powers?—Yes. From my experience, I think, that in matters of revenue, undoubtedly, a greater discretion should be given to tahsildars; they are on the spot and can see how matters are running, and unless you give them a little more power than they at present possess relief will not come to the people according to the necessity of the occasion. Gradually, if you recruit the naib-tahsildars from a better class of people, and they are promoted to tahsildars, then these powers which I have proposed to delegate should be very useful.

30016. If there were a class of naib-tahsildar recruited as you suggest, would you be in favour of divisional recruitment and appointment?—No. You must have the whole thing provincial; otherwise the people will feel that their chances of promotion are very few, and unless you let these people know that their chances of promotion are more than they at present possess you would not find them entering into the service. The tahsildars, in any case, should be made part of the Provincial Service. Once the naib-tahsildars get the conviction into their mind that they, and they alone, will be the tahsildars, you will have no difficulty in recruiting. The pay of the tahsildars should also be increased.

30017. You have spoken about the difficulty of intercourse between the officials and the people of the district; have you had any personal experience of that matter?—I have always found that so far as the officers are concerned they do not give that sort of warm reception which one expects to receive from them. If one goes to see them, it appears that they consider that it is only a purely formal matter, and after a couple of minutes' talk which is of a formal nature, the officer says that he has nothing more to ask, and shows an attitude by which the visitor receives the impression that it is now time that he should withdraw. There is no consultation with regard to administrative matters and with regard to matters about which people would generally like to be consulted. The District Officer and the official class of men generally keeps himself quite aloof.

30018. Do you mean all classes of officials, however recruited?—I find there is a greater coldness on the part of Executive Officers and a little less on the part of Judicial Officers, but there can be no doubt that the same kind of coldness is perceptible among the whole of the official class. It is not so much amongst the members who belong to the Judicial Service, but I would certainly like that the whole class should receive the people more courteously and should be more polite than is at present the case.

30019. Are you speaking of your own personal experience?—Yes; I would not like to give individual instances, but I have seen men who have only recently come out as Joint-Magistrates, and when people have gone to see them they have been received in a manner from which it appeared that they had gone to ask some favour. Instead of receiving polite treatment and instead of feeling that the officer had received them in a very courteous manner, they come back disappointed and think that they have only wasted an hour or two which could have been profitably spent otherwise. The result is that unless they think it absolutely necessary they will never go and see him again.

30020. It is rather a question then of covert than of overt discourtesy?—I do not mean to say that they intend to be rude, but they treat the people in a manner from which they naturally get this impression.

30021. Do you share the views about official Chairman of municipalities which we have heard this afternoon?—I do.

30022. You think it would be possible to obtain in the municipalities, large or small, non-official Chairmen?—Yes.

30023. With a control over the municipality exercised by the Collector?—Yes. I should like to see the Collector supervising from without, not supervising from within. When matters proceed, after having been decided by the Board, then the Commissioner or Collector, so far as powers are given to him, may offer his objections; but in their deliberations when things have to be decided it would be much better to leave the municipalities to themselves.

30024. (*Sir Steyning Edgerley.*) If you raised the pay of your naib-tahsildars as you suggest, would it not really be a better reform to break up the present *tahsil* and have more tahsildars?—I think it would not work and would create confusion. You must give the tahsildar some assistance, but the assistant you give him should also be one who has some independent duties to perform; it would not do to have one man doing the whole of the existing work.

30025. Why would you give him extra assistance if his charge is not too heavy?—Because I do not like one man doing all sorts of work. Moreover, it would be very difficult to break up the *tahsils* and it will not do to have innumerable *tahsils* in a district. For instance, there are certain districts in the United Provinces where you have already got about nine *tahsils* and to each of those *tahsils* you have got one tahsildar, and sometimes two naib-tahsildars. In the *tahsil* of Lucknow you have one tahsildar and two naib-tahsildars. In that case you would have to break up the Lucknow *tahsil* into three *tahsils*. I would not advocate such a small sub-division.

30026. How would you organise a separate Court of Wards Service for the province?—I would suggest that a number of Deputy Collectors should be set apart who should invariably be put in charge of the Court of Wards. The Collector being primarily under the Revenue Act responsible for the management of the wards in his district I would make this service subordinate to him, but I would have the Commissioner of the division as the head of the Court of Wards.

30027. You suggest that certain sources of income should be transferred to the municipality; what is in your mind about that?—For instance, in a municipality like Lucknow and Fyzabad there is a large income derived from the *Nazul* Department; that is a department which is entrusted with the management of all the property belonging to the Government situate within the municipality. It is proper that all the income which is derived by the Government from property situated within the limits of the municipality should be made over to that municipality because there is the responsibility regarding management, &c., which the municipality itself has to undertake with regard to that property.

30028. The municipality would not have the same benefit from any other owner of land?—No.

30029. What is the reason for applying that specially to Government?—In order to put the municipalities on a sounder basis.

30030. Practically a grant in aid?—Yes.

30031. (*Mr. Meyer.*) You think that the Imperial Government should get a share of the income from land revenue?—Yes, they are already getting a share, but in my opinion they ought to leave a greater share for the provincial Government.

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30032. Are you aware that there has been a new settlement for this province which gives it a much larger share than it used to have?—I have heard of that. The settlement does not go quite up to the limit I would wish, but it goes a long way towards that.

30033. You mention as an instance of the revenue-seeking faults of the Government of India that for a long time they did not reduce the salt tax. How do you suppose you would have got on if they had reduced the salt tax ten years ago; would there not have been considerable deficits?—Yes; but that would have led us into the consideration of various other matters; I advocated in that case that the expenditure in other directions should have been lessened and the salt duty in any case done away with.

30034. If the salt duty were left to the provincial Governments would they have done away with it?—I should have asked the provincial Governments also to do away with the salt tax.

30035. But which Government is more likely to reduce taxation, the Imperial or the provincial Governments?—At present the remission of taxation is not so much in the hands of the provincial Governments at all as it is in the hands of the Imperial Government, and we generally find that the remission begins from the Imperial Government if there is remission at all, not so much from the provincial Government.

30036. The provincial Government might be more likely, might it not, to say "We want the money spent on education or on new buildings, so we will not remit the tax"?—I would not advocate in any case the retention of onerous duties like the salt tax in order to meet expenditure for these purposes. There are other heads under which the expenditure can be curtailed in order to meet the above requirements.

30037. You say provincial Governments should not be allowed borrowing powers except for reproductive works, such as railways and canals. Does not the Government of India borrow for works of that description already?—Yes, but in certain cases the provincial Governments are in a position to be better judges of their own requirements and if they were left to themselves things would improve. At present when the Government of India borrows money and spends it on a particular work the income and interest derived out of it goes entirely to the Imperial Government. When I have advocated that the provincial Government should be given borrowing powers I mean that all the income should go to the provincial Government.

30038. You are not aware that under the new settlement the provincial Government is to have the proceeds from irrigation work?—I am not aware of that; if that is so, it is very satisfactory indeed.

30039. Could the provincial Government raise money in Allahabad or in Lucknow to any great extent?—I know there will be difficulties in raising money, but for reproductive works I do not think there will be any difficulty at all within the limit I have stated—that they should not go beyond 25 per cent. of their revenue, and that the whole thing must be repayable within a particular period, say fifteen to twenty years.

30040. You propose the abolition of the Board of Revenue; would you be prepared to turn the members of the Board of Revenue into a Council?—Yes. If the members of the Board of Revenue are to be abolished and in their place an Executive Council of the Lieutenant-Governor is created, that would be a very good substitute indeed. But even without an Executive Council I would do away with the Board of Revenue altogether. I would have the whole power vested in the Commissioners of divisions, who are the officers in touch with the division. Officers like the Commissioners are primarily responsible for matters concerning the welfare of their division.

30041. In such matters as excise and agriculture, which are now dealt with by special officers under the Board of Revenue, would you put those officers under the orders of the Local Government?—The difficulties would certainly be done away with if you gave the Lieutenant-Governor an Executive Council, but if you do not give the Lieutenant-Governor an Executive Council the matter could safely be dealt with by giving the Secretaries to Government powers with regard to these matters.

30042. With regard to the two classes of rent suits that you mention, will you describe a little more fully what the second class is?—The second class of cases are those in which there is required a more detailed knowledge of revenue matters and in which the appeal at present goes to the Commissioner and Board and not to the District Judge and Judicial Commissioner or High Court. In regard to them I would retain the decision by the present revenue staff, namely the Deputy Collectors. The result of the abolition of the Board of Revenue will be that the right of third appeal will go away. Under the present system of appeal we have three appeals in purely revenue cases, and we have two appeals in these classes of rent cases in which the appeals lie to the Commissioner and to the Board; in those cases, therefore, only two appeals are provided. When the Board of Revenue is abolished I would make those appeals go to the High Court or to the Judicial Commissioner.

30043. You are taking into consideration the fact that appeals at present skip a stage; if the Deputy Collector is fully empowered they go not from him to the Collector, but from him to the Commissioner. Might not the Collector be the appellate authority?—No. In matters relating to ejectment, &c., there ought to be an appeal from a Sub-Divisional Officer, or a Deputy Collector to an officer of a more varied experience than that of Collector. I would make the Commissioner the appellate authority from the orders of the Sub-Divisional Officer and not the Collector.

30044. (*Mr. Dutt.*) I understand you to say that in your opinion there ought to be a discrimination made with regard to rent cases; that some should be made over to the Civil Courts and others left with the Revenue authorities?—Yes.

30045. And that with regard to revenue cases they should all be kept in the hands of the Revenue Officers as at present?—Yes.

30046. You say that larger powers should be given to municipalities in matters of taxation. Does the Municipal Law, as it stands at present, define certain taxes which the municipalities are empowered to impose?—Yes.

30047. When you speak of larger powers, do you mean that that they should be allowed to impose any of these taxes defined in the Municipal Law?—Yes; what I meant was that they should have the power to judge as to what particular commodities they would like to impose taxes upon in preference to any other commodity.

30048. You would not allow them to exceed the limits laid down by the law?—Certainly not.

30049. But would give them discretion within the four corners of the law?—Certainly.

30050. When the municipalities impose such new taxes according to the law, would you require that they should receive the sanction of Government or of the Commissioner?—I would certainly require the sanction of the Local Government because the Government possesses a very varied experience, and with the experience of the whole province it can look into matters from a more catholic point of view. A particular municipality may consider that for the purposes of municipality it would be well to impose a particular tax, whereas, on higher and broader grounds, it might not be advisable.

30051. You would give the Government power to veto any tax if they considered it inadvisable?—I would certainly retain that power in the Local Government.

30052. In cases where the Collector is unable to accept the advice of the Advisory Council would you leave the Collector a free hand to act on his own responsibility?—I would specify certain matters on which the advice of the Advisory Council must be followed by the Collector; if the Collector differs from the opinion given by the Advisory Council he may refer the matter to the Local Government, and the Local Government will be the best arbiter between the two. On other matters which are purely executive and on which the Collector is the person primarily responsible for the administration of the district, I would only ask that the Collector should consult the Advisory Council, but not be bound by the opinion given by the Advisory Council. In a matter like this I would certainly give the Council the

right to go up to the Local Government to represent its views, and it may be that in that case the Government might write and say, "Here is a difference of opinion between you and the Council and you must abide by the decision of the Council."

30053. Take a concrete instance. Suppose the Collector thought it was necessary to drain a particular area, and the Advisory Council thought that drainage works should not be undertaken; you would not allow the Collector to act on his own responsibility without going up to the Government of the province?—Exactly.

30054. Similarly with regard to educational policy?—Exactly.

30055. You have no village panchayats in the United Provinces at present; do you think an attempt should be made to organise them?—Yes, and really capable men should be had upon the village panchayats in order that the working should be a success.

30056. Is it possible to get capable men in every village?—It will not be possible to get them in every village, but if you could not get them in every village you could form a group of certain selected villages and you should start by establishing village panchayats there.

30057. A group of villages contiguous to each other?—Yes, and certainly out of the people residing in that group you would be able to get competent men.

30058. Would there be no difficulty in working a number of villages together?—Absolutely none. Speaking from my own experience I do not know that there is any difficulty at all; the residents of different villages often meet together and discuss what is to be done with regard to a particular matter.

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30059. Is it within your experience that they are generally alive to their own interests if the matter is properly explained to them?—They certainly understand their own interests very well; the only thing is that on certain questions they have not formed their opinions in a definite way; they have only crude notions; if once matters are explained to them in a proper way, the real point of dispute is appreciated by them and they are able to form their own opinion.

30060. So that with a certain degree of guidance you think it might be a success?—Yes, for instance with regard to ordinary money suits up to the limit of Rs. 50, which are at present entrusted to the village munsif, they might be safely taken away from the munsif and entrusted to these village panchayats, but I would up to a certain period advocate that one appeal should be allowed from their decisions to the District Judge.

(*The witness withdrew.*)

Adjourned.

FORTY-SEVENTH DAY.

LUCKNOW, *Friday, the 14th February*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*

Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. P. HARRISON, I.C.S., was called and examined.

30061. (*Sir Frederic Lely.*) You are Secretary to the Board of Revenue?—Yes. I have previously had experience as Head of a district.

My duties are principally concerned with the settlement, collection, remission, and suspension of land revenue; the working of the revenue and rent law and revenue courts; loans for agricultural purposes; land records and the establishment connected therewith; appointments, transfers, and general control of tahsildars and naib-tahsildars and the selection of candidates for Deputy Collectorships; miscellaneous matters dealt with by the Board of Revenue, such as maps, and occasional references on general subjects on which the Board is consulted; general control of the Board's office establishment.

Except in routine matters, I exercise no final authority. In important matters my duty is to prepare cases for the orders of the members and to offer my opinion for their consideration where my personal experience or study warrants such a course. When their orders or views are recorded it is my duty to see that the requisite action is taken in pursuance of them.

In respect of land revenue, I do not recommend the further delegation of powers except in the matter of the suspension and remission of land revenue in the case of local calamities.

The opportunities which Executive Officers have for personal contact with the people vary from district to district, according to the burden of the work. In many places they are ample, but, in some, want of leisure is a great obstacle. In the heavier districts some improvement might be effected by posting a fairly senior Assistant to relieve the Collector of much of the routine, giving a local allowance if necessary. The large municipalities might also, in many cases, have a Chairman other than the District Magistrate.

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The gazetted subordinates of the Collector have in many places to work at so high a pressure that the quality of the work suffers and undesirable delays occur. The clerical staff, particularly in vernacular offices, is overburdened and underpaid and a general enquiry is necessary. Districts in the United Provinces are, with a few notable exceptions, of a suitable size.

Municipalities have, on the whole, sufficiently wide powers, but District Boards are too much fettered in financial matters. Their funds should be "Excluded" and not "Incorporated," in the technical language of the Civil Account Code. The functions of District and Municipal Boards are sufficiently extensive.

I am not in favour of Advisory or Administrative Councils to assist Divisional or District Officers or of giving District Boards control over the smaller municipalities.

I do not think it desirable to give village communities greater powers in local affairs.

30062. Apart from its appellate work, how do you differentiate the functions of the Board of Revenue from those of a Commissioner or the Heads of special Departments, such as Excise; do they not practically cover the same ground?—I suppose they do generally. Of course the Board of Revenue deals with questions generally, and the Commissioners deal with them locally for their divisions.

30063. You say that you are prepared to recommend the grant of extended powers to the Board, to Commissioners, and to Collectors; what powers in particular would you give to the Board which they do

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not at present possess?—There is one rather important power which might be given either to the Board or the Commissioners, and that is the remission of land revenue in times of local calamities, when the financial question is not very important.

30064. Would you place any limit on the power?—That is a matter for the Government to settle; at present in these provinces no remission of land revenue can be made without the actual sanction of the Government as a preliminary to the suspension or remission of rent. The law would have to be amended to some extent, and if it were amended, so that the Government could authorise certain officers to remit or suspend revenue, then it might safely be done in smaller cases of local calamities, such as an occasional flood.

30065. Would you extend that power so far down as Collectors?—Yes, within limits. Then in the Court of Wards it might be possible to give Collectors more power as to smaller estates; the control of the Board is necessary in the case of larger estates where the financial considerations are of importance, but the system of accounts and reports and so forth might be much simplified; in fact, it might even be possible to dispense with the annual report in some of the smaller cases. The Collector might send up his account, and the Commissioner might ask for any information he wanted. There are several petty estates which are not worth writing about really, and the Commissioners and the Board of Revenue, on their tours, could see that things were going on all right.

30066. You would draw a distinction according to the importance of the estate; but is not the work practically the same in the case of a small and a large estate?—No: in the larger estates you are likely to get involved in serious financial questions, and sometimes in serious litigation; and in litigation, for instance, the Collector has not the advantage of good legal advice, and he has not the same number of precedents either. Then, again, in financial matters, if the estate is heavily indebted, the Collector has not the means of raising a big loan or dealing with the estate, whereas the Board of Revenue frequently have to raise loans, and as a matter of fact they have an arrangement with the Allahabad Bank by which they can have an unlimited amount of money at a certain rate per cent.

30067. Would you approve of reserving certain important powers, such as the sanction to raising large loans, for the orders of a higher authority, and giving the whole of the management of the estate to the man on the spot—the Collector?—That is practically what happens now: the management is done by the Collector or a lower officer.

30068. Does the Collector now feel himself responsible for the success of the management?—Most certainly.

30069. And it rests mainly in his hands sufficiently so to stimulate him to personal interest?—Yes. He would be ashamed of himself if the estate was not running well.

30070. Has he any original power of expenditure?—He has to have his budget passed. The year begins in October, and in July or August he has to send up a budget for the next year providing for payment of land revenue, the expenses of the wards and various things, and the payment of debt, if there is any; then the balance he puts down as a rule, or a considerable amount of it, for improvements, and with a large estate he can do a great deal.

30071. Can he re-appropriate on his own authority?—No, the authority which passes the budget has power to sanction transfers; that is to say, no one below the Commissioner at present.

30072. It follows that he cannot spend any money out of the reserve?—No, except towards the payment of debts, if there are any; if he has an unexpectedly large the end of the year, he is allowed to pay off debts.

30073. But practically he has no power to make any new departure however small without referring to a higher authority?—That is so.

30074. In the case of the budget, does the Commissioner sanction?—All but the biggest ones.

30075. Does he, or the Board, often make any alteration in the budget as submitted by the Collector?—Not as a rule. As to substantial alterations they may say, "No, you had better clear off your debts and not spend so much on improvements or that sort of thing." Then extra establishment has to be sanctioned.

30076. Apparently from your detailed answer the Collector has not very much financial independence?—He can make proposals; the initiative more often than not comes from him, and he has only to get them sanctioned; if his proposals are reasonable, the Commissioner and the Board seldom reject them. I do not think there is much change to be made in the management of the Court of Wards except as to the small estates.

30077. Would you give Commissioners power to post tahsildars in their divisions?—They have power to move tahsildars to any *tahsil* in their division.

30078. Do they appoint them?—Yes, to temporary vacancies, but not permanently.

30079. Would you give them power to create temporary appointments of any class required for special work?—They have that power to some extent already, and there is a regular budget provision in this province for certain kinds of extra temporary establishment which the Commissioner has power to appoint, and there is a proposal before our Government now to give that power to Collectors provided they have already budget provision. There are certain branches of work in which every year there is a rush at a particular season, and if you want a few extra men the Commissioner has power to allow them.

30080. In the case of Collectors would you give them power to appoint their own head clerks?—No, because as a rule a Collector has not a very large choice.

30081. If a Collector writes to a Commissioner and says, "I know a certain man who would work well with me and I wish to have him," would the Commissioner appoint him as a matter of course?—He would give due weight to the recommendation. That matter has been taken up too. Commissioners have had power to appoint all sorts of ministerial officers in the Collector's office, even men down to as low as Rs. 50, but that has been altered, and the Commissioner is now to appoint nobody excepting head clerks and the general superintendent, who is head of the vernacular department.

30082. But it would be always open to the Collector, if he had not a man whom he could thoroughly confide in, to write to the Commissioner and say, "I have not a man on the spot who is fit for the office"?—That, of course, happens in regard to appointments now.

30083. Ought not the Collector to have the power to appoint his own head clerk, considering how intimately connected he is with the Collector's work?—Perhaps it might be done, but I am not sure that it is altogether sound.

30084. Has the Collector power to delegate his own powers to his Assistant?—I do not think he has any definite power; of course, he leaves a good many things in executive matters and allows his subordinates to run certain branches of the work, but in judicial matters it would not be possible.

30085. Does he differentiate between his Assistants with regard to particular powers?—He uses Joint-Magistrates more for executive work than he would a Deputy Collector, for instance.

30086. Is not each Assistant on the same footing?—Occasionally some of them have summary powers under the Criminal Procedure Code, but they are not all the same.

30087. Has an officer powers apart from the Collector?—The Collector appoints the Sub-Divisional Officer in his own district with a few exceptions. He puts him in charge of a sub-division, under the Criminal Procedure Code or the Land Revenue Act, and *ipso facto* certain powers are conferred by the appointment by law. The officer in charge of a sub-division has further powers.

30088. Would you give a Collector a discretionary allowance for minor matters, such as giving rewards for good service?—Yes, that might be appreciated, but I do not know that I have ever actually felt the necessity for it myself; one is hampered, of course, by not having money sometimes, but that must happen.

30089. It has been proposed that during the first year of a young Civilian's official life he should be sent for some months to learn settlement work ; have you any such custom here ?—Not necessarily to learn settlement work ; they are sent to a land records class as it is called.

30090. Is that in the Settlement Officer's camp ?—No, there are so few settlements going on that it is not possible ; it is done by the Director of Land Records at Cawnpore.

30091. Would it be better to send a young Civilian through a course lasting for the first twelve months of his service ?—I do not think that would be quite possible.

30092. Is it not very inconvenient after he has begun his regular work to take him away for that course ?—They do not get into regular work in the first year.

30093. You do not think there would be much practical good in making any change ?—It is too early to do it in the first cold weather ; an Assistant has to learn the language and prepare for his examination, and so on.

30094. The suggestion is that in a Settlement Officer's camp he would have more opportunity of learning the language and mixing with the people than if he remained at headquarters ?—On the other hand, he would not be able to obtain sufficient general knowledge of the country and the people to undertake settlement work ; if he is to go on to settlement work it ought to be done a little later.

30095. (*Mr. Dutt.*) There are two Members on the Board of Revenue ; are the departments divided between them ?—Yes.

30096. For the purposes of appeal, is the whole province territorially divided ?—Yes, the members usually distribute the Commissioners' divisions between them.

30097. Might some of the revenue appeals which now come up be delegated to the Divisional Commissioner ?—All the appeals that come to the Board are actual appeals from the Commissioners ; they are second appeals and even third appeals in some cases.

30098. Do you think that in certain cases the Commissioners' decisions on those matters might be made final without an appeal to the Board ?—As a matter of fact, they are limited to points of law much as they are in the Civil Procedure Code. There are one or two anomalies in the revenue law as to second and third appeals, and one curious thing in the Act is that if a Commissioner has disturbed a finding in first appeal there is an appeal on that ground alone ; otherwise there is practically a second appeal to the Board only on points of law. I think there should be some provision for a final decision with regard to Revenue Law.

30099. Generally speaking, how many *tahsils* are there in a district ?—The average is five or six ; it runs up to nine in one or two districts ; but in some of the Oudh districts it is only four.

30100. Do you generally call a *tahsil* a sub-division ?—It is so legally under the Land Revenue Act, and it has been declared to be so under the Criminal Procedure Code.

30101. Is there an officer in charge of that sub-division as well as a tahsildar and naib-tahsildar ?—Yes. It frequently happens, if the staff is larger or smaller than usual, that perhaps you will have one Sub-Divisional Officer dealing with one *tahsil* as a Magistrate and another man taking the revenue work.

30102. Do you know the arrangement in Madras, namely, that a district is divided into two or three sub-divisions, each sub-division being in charge of a Sub-Divisional Officer, and each sub-division is again divided into two or three *tahsils*, each *tahsil* being in charge of a tahsildar ? Would such an arrangement be convenient in this province ?—I do not think that differs essentially from our arrangement, except that the Sub-Divisional Officer and the tahsildar generally correspond, but it does not follow that the Sub-Divisional Magistrate necessarily only has one tahsildar. Frequently I have had to give him more than one so that it comes to the same thing—there is a Sub-Divisional Officer in charge of two sub-divisions, instead of three *tahsils* in one sub-division.

30103. Would not the arrangement I suggest be more symmetrical ?—I think the system would not be quite so elastic ; you would have an absolutely stereotyped provision.

30104. You do not think your system is a little too elastic ?—It is recognised that certain *tahsils* can be dealt with generally with the normal staff, but if you are suddenly left with an officer short or you have an extra officer in a district, you can readjust the work with greater ease, and it leaves the Collector greater discretion.

30105. Is that the only thing you can say in favour of the present arrangement ?—That is the great convenience.

30106. Beyond that you do not see any objection to the system prevailing in Madras ?—I should be very sorry to have three ordinary *tahsils* to a sub-division in an ordinary district—it might be possible sometimes.

30107. But the Sub-Divisional Officer here might be placed in charge of two ?—Yes, and he sometimes is.

30108. Do settlement operations generally involve a preliminary enquiry into the conditions and circumstances of the people ?—Yes, that is generally done by the Director of Land Records, but of course the Settlement Officer would look into the prices and the history of the seasons, and so on, and see how the rent seemed to have gone up. It is generally looked at very largely from a financial point of view.

30109. But does he look into it from the point of view of the cultivator, to find out if any enhancement is possible ?—You can tell that from the land records.

30110. And no further detailed enquiry is made ?—No ; perhaps he tours in the district and sees very often that the figures are anomalous, and he has to go and see what the probable cause of the anomaly is. He does not make a very prolonged tour, but he takes it mainly on the records.

30111. Does he consult the people in order to form an estimate as to whether any enhancement is possible ; and, if so, whether it is likely to be 5, 10, or 20 per cent. on a preliminary estimate ?—The estimate does not seem to me to depend so much on the people. If you find the revenue of a district is now 20 lakhs, and your standard of assessment is 50 per cent. and the rentals are now 60 lakhs, then there is obvious scope for a settlement.

30112. So that he goes on the figures ?—Yes, and on his knowledge of the district and whether it would be politic to act.

30113. Is the rental of an estate fixed on the basis of the rent actually obtained by the zamindars ?—Allowances are made for short collections and various things of that kind as far as possible, but the assets on which the settlement is based are a fair estimate of the annual income and what with reasonable care in management a man may make.

30114. Then you do not proceed on the actual assets, but you find what he might get by reasonable management ?—No. You take his recorded rent, and the rents are recorded with fair accuracy, as the basis ; you add his *khudkasht* and that sort of thing, and in the Agra province you may have occupancy rents which are capable of enhancement and are enhanced by the Settlement Officer. Frequently they are not touched from one settlement to another. Then you make allowances and compare the result with the standard which is arrived at by an inspection of a large number of averages. Then if you find a man's rent-roll is far above, or far below, the standard, you look for the explanation, and if there is no explanation you readjust his rent. You very seldom raise it except when it is tolerably certain that he is concealing his rent ; the tendency is to whittle it down and make allowances for losses.

30115. Then do you fix the revenue at 50 per cent. or whatever it may be ?—That is the standard. It is generally less.

30116. When there is any enhancement made, has the cultivator any right of appeal against the Settlement Officer ?—Yes. To the Divisional Commissioner ; when there is a Settlement Commissioner he has the powers of the Divisional Commissioner. There is an anomaly with regard to that ; the settlements go up to the

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Board of Revenue and even to the Government before they are finally sanctioned, and even so the Commissioners are allowed to interfere.

30117. (*Mr. Hichens.*) Do a large number of matters come before the Board of Revenue in their collective capacity?—Yes. The work is actually divided by departments, and each member is primarily responsible for so many departments, but it is the practice in important cases for one member who is in charge of a Department to refer to the other for his opinion.

30118. Does he do that informally or formally, that is to say does the law prescribe that certain things shall be decided by the Board collectively?—No, there is an unwritten understanding about it; in fact, I myself frequently suggest that both members should deal with any case of importance, and if I do not the member will suggest that he would like his colleague to look into the matter.

30119. Do decisions emanate as the Resolutions of the Board, or as the Resolution of one member of the Board?—If both members have seen the case their names are placed on the minute; otherwise only the name of the member actually in charge of the Department appears. That is legal. Under the Land Revenue Act, one member can exercise all the functions of the Board.

30120. So that, practically speaking, the Board as a Board does not do very much?—Except in regard to judicial matters.

30121. Do they hear appeals jointly?—They do not hear them jointly. The member in whose circle an appeal rises hears the appeal, and if he thinks the order appealed against ought to be disturbed, he has to get the concurrence of the other member by law. If he thinks the appeal ought to be dismissed he can dismiss it on his own authority. The burden of the members' work is appeals. I have a lot of things to do in executive matters because the Secretary has to make it easy for them. If they had to do the work I do, they would not be able to get through it.

30122. Are pleaders allowed to appear before them?—Yes; legal practitioners of sorts; even down to revenue agents.

30123. Can the Board of Revenue decide whether an estate shall be brought under the Court of Wards?—Yes, the majority of the cases can be dealt with by the Board, but it depends on the nature of the cause for taking an estate under management. There are certain cases which require Government approval. When a man is merely incapable and applies to have his estate taken under the Court of Wards, the matter has to go to Government.

30124. Can Commissioners decide whether an estate shall be taken under the Court of Wards?—No, I think the Act requires the sanction of the Board in all cases.

30125. Is that a matter which might be left to them?—It might, but it is rather a matter of policy.

30126. Certain witnesses have said that it is a power which is too frequently exercised—what do you say with regard to that?—It would probably be found that a great many proposals of the Collector are negatived; the estates are not important enough to apply the machinery to them.

30127. Would the Collector be rather prone to take over estates?—Yes, and he would take too sanguine a view very often of the possibility of clearing off a debt, while the Board, with its experience of such matters, would be able to say that the income was estimated too high, or the ordinary expense of management was so much higher than the estimates, and that the debt could not be cleared off within any reasonable period.

30128. You say you think the larger municipalities might have Chairmen other than the District Magistrate?—Yes, a special official Chairman.

30129. You do not mean an unofficial Chairman?—No, not in this province at any rate.

30130. Have you any instance in your mind where it would have been advisable to have a paid Chairman apart from the District Magistrate?—The District Magistrate at Allahabad is overworked and cannot possibly attend to all his duties. The municipal work there takes up a very large part of his time, and he must sacrifice either the municipal work or something else of importance.

30131. What is your objection to a non-official Chairman?—I do not think the municipalities are fit for it, and I do not think the appointment would be popular.

30132. Supposing two-thirds or some large number of electors petitioned in favour of a non-official Chairman, would you then be prepared to try the experiment?—It would depend on the nature of the petition, and I do not believe much in the electorate. One never knows whether the ward rolls of electors are really correct; they are supposed to be revised by the members, but I do not know what attention they get; it would be a most difficult thing to check.

30133. You would not be prepared to take that as an expression of public opinion?—It would depend on circumstances.

30134. If you thought it was genuine would you then be prepared to give them a non-official Chairman as an experiment?—If they could give good reason there would perhaps be no objection.

30135. Would not the mere fact that the majority were in favour justify you in trying the experiment?—I have never even contemplated the idea of two-thirds of the electorate coming in that way; the people do not take enough interest in it. I am not prepared to express an opinion on the point.

30136. Then you say that District Boards are too much fettered in financial matters?—Yes, I have had some difficulties myself. For instance, we had a new hospital in Moradabad, towards the furnishing of which the gentry of the district subscribed very handsomely; the money was paid into the District Board account, but we could not touch it for months simply because it had not been provided in the budget. That of course was absurd. The money was subscribed for a special purpose, for which it could not be used owing to no provision having been made in the budget. It was because the District Board accounts are Incorporated Local Funds and they appear in the provincial estimates for some reason; but I believe it is to be altered.

30137. When the alteration is made will that meet the difficulty?—Yes. Municipal accounts, on the other hand, are quite simple, and have nothing to do with the provincial accounts.

30138. Would you be averse to having a non-official Chairman for District Boards?—It would be very much more difficult, and your choice would be restricted to one or two men at headquarters, possibly, who were members. You could not very well have a man living out in the district as Chairman.

30139. (*Mr. Meyer.*) You are against having a non-official Chairman for a large municipality; but have you thought of a system by which you might have a paid Secretary corresponding to a Town Clerk in England, and a non-official Chairman who would correspond to the English Mayor?—I am not familiar with the arrangement in English towns; I know the Town Clerk is a very important functionary, but I do not know how far his duties extend.

30140. Would it be possible to have some such arrangement here?—We have a paid Secretary who does most of the executive work in the bigger municipalities.

30141. Is it necessary to have an official Chairman and a paid Secretary as well?—I do not know how you would arrange for the secretariat work if you had no Secretary; the Chairman could not do all the correspondence.

30142. It has been suggested that the Secretary to the District Board might be a full-time officer, and especially that he might deal with educational matters; would that be a good thing?—I do not think you would have work enough for a full-time officer.

30143. Who does the secretariat work now?—Generally one of the district staff.

30144. Is there not a complaint that the district staff are overworked?—If you had a separate officer would you not relieve the district staff?—Certainly.

30145. Would there be an advantage from that point of view?—Yes, but I am not quite sure what kind of man you contemplate.

30146. Say a man of the tahsildar or Deputy Collector grade?—If you put in a man like that, it is just as easy to increase the district staff. There is not full-time work in most places for a Secretary.

30147. Might the District Boards deal with their own roads as they do in some other provinces?—I think they do except with what are called provincial roads.

30148. Have they ever had any control over the District Engineer?—He is a Public Works Officer, but the District Engineer works well enough with the Chairman of the District Board as a rule.

30149. If the Chairman found him unsatisfactory, could he get rid of him?—He could get him punished. But you can always get the Executive Engineer to help the District Engineer.

30150. You are dependent practically on the favour of the Executive or Superintending Engineer? If he backed up the District Engineer, what would you do?—That is true in a way; one has not direct control certainly, but there is an advantage in having a Public Works man to do the work, because the District Board would not be able to afford a good man.

30151. It is a question of finance then?—Yes, largely: if you had the means I think it would be well to have a separate man.

30152. Would it be possible for two districts to join together and have an Engineer for the two?—That might work.

30153. In your old District Boards Act was the Collector *ex officio* the Chairman of the Board or was he elected?—He was elected, and under the new Act he is elected. I think the original draft of the Act proposed to make him *ex officio*, but that was modified.

30154. Is it the same as regards municipalities except in certain cases?—Yes, Government reserves power to appoint in certain cases.

30155. Are such towns scheduled in the Act?—Government notifies them from time to time.

30156. Are you Secretary to both members of the Board?—Yes, that is to say I deal with departments some of which are in charge of one member and some in charge of the other.

30157. You do not mention excise work among your duties?—That is dealt with by a Joint-Secretary, whose principal duties are Court of Wards and excise.

30158. The bulk of the Board's work, you say, consists of appeals?—The bulk of the members' time is taken up by appeals.

30159. Are they largely second appeals?—They must be second appeals unless by chance a Commissioner passes an original order in some executive matter. Under the Revenue Act appeals start generally with the Collector and may go to the Board, and in rent cases there is an appeal first of all to the Commissioner.

30160. Is it only under the Tenancy Act that there is a system of skipping the Collector?—Yes.

30161. Not in any revenue case?—No. Of course, the Collector passes more original orders under the Land Revenue Act than he does under the Tenancy Act.

30162. Ought not appeals from the Sub-Divisional Officer to go to the Collector?—There is no particular reason why they should not, except that it is inconvenient. It would overburden the Collector.

30163. Anyhow it would relieve the Commissioner and the Board?—It depends on how far you let appeals go. It would relieve Commissioners of course, and there is a provision by which Commissioners, if they are overburdened, are allowed to transfer a certain number of their appeals to Collectors.

30164. Therefore they can do it now by an indirect process?—Yes, but they are only allowed to do it in times of pressure. As a matter of fact, a Collector is somewhat at a disadvantage in not being able to hear appeals in rent cases; if he could, he would have a better hold of the district, but I do not think many of them are anxious to have the work to do.

30165. Under your sub-divisional system an officer may have charge of one *tahsil* one month and another *tahsil* another month, and so on?—If the Collector likes to change about like that, but he does not do it.

30166. Does he tour through the *tahsil* or does he live there?—He does not as a rule live in the *tahsil*.

30167. Does he get sufficient knowledge of the people or the people of him in that way?—I think so; their charges are not very big in area as a rule.

30168. Would you be in favour of making a Sub-Divisional Officer live in his own sub-division and keeping each sub-division as a continuous entity?—That no doubt would be more advantageous, but I am not sure that it is worth while.

30169. Can Sub-Divisional Officers now take criminal appeals?—I am not quite sure how the law stands, but it is possible to give a First Class Magistrate powers to hear appeals.

30170. Do you not think he might take appeals?—He might, but, on the other hand, the only appeals he would get would be those from tahsildars, and this is one way in which the District Magistrate can see what his tahsildars are doing.

30171. Does he not see the calendars of cases?—Not in detail; I do not know quite what calendar means.

30172. The calendar is a statement of the case, the judgment and the sentence?—We have no such system as that here. One cannot tell whether it is a right sentence or wrong sentence from the daily report we have, which is a bare statement that someone was charged under some section and was imprisoned for a week and so on.

30173. Might it not relieve the District Magistrate if you distributed his criminal appeal work as far as possible among the Sub-Divisional Magistrates, and gave him more information in the shape of a calendar as to what was going on?—I have never felt the burden of criminal appeals myself, and they are not a very important part of one's work. I do not think that even in the biggest districts they come to more than 120 to 130 a year on the average.

30174. As regards Court of Wards work, do you take up many encumbered estates, the proprietor being of full age and simply wanting the estate to be taken over?—I think so, but I cannot give you any idea of the proportion to all Court of Wards cases. There are certainly a good many.

30175. You spoke of District Officers being rather over-anxious to get estates taken over; were you referring to encumbered estates or to estates which had fallen into the hands of a child or a woman?—In the case of minors and women there is more general readiness to take them over, but in cases where estates are merely indebted the Court of Wards will not, as a rule, take them over so readily.

30176. Have you a great number of applications for sanction from Commissioners; and is the bulk of them agreed to as a matter of course?—Yes, I think so.

30177. Generally speaking, is there not a great deal of work in the Board's office which might be handed over to Commissioners?—I think Commissioners might be given more final authority in some small matters.

30178. And might Commissioners delegate some matters to Collectors?—Ever since this Commission has been appointed I have heen looking through all sorts of rules and regulations, and it is astonishing what few things there seem to be which could be delegated.

30179. The late Mr. Impey submitted proposals for reducing the number of returns, and so on; was there any delegation of powers made at the same time?—Not that I recollect.

30180. (*Sir Steyning Edgerley.*) When you looked through the reports and returns what was the principle in your mind to guide you?—I took up a branch of the work and saw what parts of that work required references and sanctions, and so on, and I also, speaking for myself and the members of the Board, have considered certain points where some action might be possible.

30181. Is it not the best principle that no case should be sent up which could possibly be safely decided by the subordinate officer?—If any rules could be made to give effect to that it would be excellent, the difficulty is to draw the line.

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30182. That is hardly the principle which governs the references at the moment?—I am not sure, a good many references are required by law. When the law was made it was admitted that some further sanction must be given as a safeguard. Most of these things can be traced back to some necessity.

30183. That may be sound when the law is passed, but as time goes on is it not found that it can be dispensed with?—All these things have been considered independently of the law, and actual amendments of the law have been suggested with that principle in view; for instance, it is owing to the law that at present nobody but the Government can remit land revenue.

30184. It has been stated elsewhere that a sufficiently safe principle with regard to remissions and suspensions is that the Collector should suspend in all cases, and that the Commissioner should remit in all cases; would that be too much for this province?—You might take the present famine time. I do not think the Government would like the Commissioners to suspend 115 lakhs of their revenue, without being warned at any rate.

30185. Does the system of countersigned contingencies give very much trouble?—I do not think so; countersigning is generally a formality, and it does not give much trouble except to the countersigning officer.

30186. Does it not mean a letter backwards and forwards?—We do not actually write letters with those things.

30187. Supposing all contingent grants were lumped into a contract contingent allotment, would that not be simpler?—I doubt whether that would be possible because there are varying items.

30188. What is the actual object of an annual report as to Court of Wards work?—To report progress really; there is nothing else that I can see.

30189. So long as their accounts are available to the persons interested in the estates, what more is wanted?—That, again, seems to me to go back to the question as to who is to run the estate. If Collectors are to have a free hand, possibly you might dispense with annual reports altogether; but if you recognise that some control is required, then the least you can do is to have the annual accounts and something to explain them.

30190. But you publish a big report?—That is the provincial report.

30191. What is the object of that?—I do not know what the origin of it is, but there is no Department at present which has not to report—whether it serves any useful purpose is for the Government and the Home authorities.

30192. Can you mention any useful purpose which you think it does serve?—It is useful as a book of reference in future years, but whether that is a really useful purpose I do not know; it is entirely for the Government and the Home authorities to deal with it.

30193. What is the present charge to estates for management?—I think it is from $2\frac{3}{4}$ to $3\frac{1}{4}$ per cent., that is for superior supervision.

30194. And that covers the charges of management in the Board of Revenue?—Yes.

30195. Did you say that every Collector ought to have a grant for improvements?—If he has any money to spend, and he has any improvements to suggest, he budgets for expenditure.

30196. Has he any sort of reserve which he can use at his discretion during the year in connection with the Court of Wards estates?—There is a small provision made for unforeseen charges, but it is quite small and of no importance.

30197. Have you any system by which you can give Government loans to clear estates, or do you always have to raise money outside?—It is done sometimes. To the big Ajudhia estate the Government advanced money at 4 per cent., a lower rate than a bank would allow, but that was for a political reason and was a particular case.

30198. Is there not a certain amount of political importance, in rescuing the ordinary district aristocracy?—That is recognised by the fact of the Court of Wards existing.

30199. There has been a certain amount of evidence that the management of estates has to be frequently thrown up again which were thought worthy of being taken into the case of the Court because loans could not be raised to clear them—have you any experience of that?—I do not think there is any difficulty in getting the money.

30200. Do the estates pay for the legal advice which it is necessary to take?—Locally in the case of small suits, for the recovery of rent, and so forth, the Government Pleader is bound to advise the Collector.

30201. Is that done free?—No, he is allowed a fee from the estates.

30202. Do the big estates also have to pay the legal expenses in cases of big litigation?—They would pay, but if the Board wants a legal opinion it goes to the Legal Remembrancer and he refers to the Government Advocate.

30203. Are they paid?—They are not paid specially; it is part of their duty; they have fixed salaries, which are partly met from the rate which is levied on the estates.

30204. Does that come in in the $3\frac{1}{4}$ per cent.?—Yes, but in some districts the Government Pleader gets a fee.

30205. As regards the want of extension in non-official management in local self-government, have you ever sent any one round to examine into the working of municipalities elsewhere, or have you ever known it done?—Yes, I went myself once to look into the Cawnpore arrangements, but I have never been outside the provinces.

30206. With regard to the system of single *tahsil* sub-divisions, how do you manage the record for the Sub-Divisional Officer; is there a separate sub-divisional record for each *taluka*?—The Court Staff is arranged; the ordinary staff will perhaps be four Deputy Collectors and a Joint-Magistrate for five *tahsils* and there is a Court staff for each of those recognized officers, that staff being in charge of the records, they merely go over with the work.

30207. Do they always transfer the whole charge bodily?—That is generally done. The Court staff is not known as a sub-divisional staff.

30208. What is the pay of a Collector's head clerk here?—It varies from Rs. 100 to Rs. 200 or Rs. 250.

33209. There has been some complaint that in certain districts the establishments are not very efficient and that the Collector's work is added to by that fact; would you agree with that?—There is some truth in that; the staff of officers you get is not good because possibly the pay is not high enough.

30210. Is that true with regard to the whole province? Cannot you get men or is it that they are not sufficiently paid?—I do not think the service is attractive enough really. It is very difficult in a place like Allahabad, for instance, where you would think you might get them, to get good men.

30211. One way of helping a Collector, which would not be extremely expensive, would be to recognise his office?—To make it a little more attractive, yes. You cannot get men to work up from the bottom. We try to get men in as apprentices with the idea that they will learn their work, but the system is not altogether satisfactory.

30212. Do you help the Collectors freely with typewriters and shorthand writers?—No, shorthand writers are unknown at present except in the Secretariat.

30213. Is that because they cannot be had, or because they are not allowed?—They have never yet been provided, and nobody has ever asked for one.

30214. Has it been considered outside the range of practical politics?—I never had one myself.

30215. But would it not be of great assistance?—I am not sure that it would in regard to a Collector's work.

30216. (*Sir Frederic Lely.*) Does the Board of Revenue tour?—Yes, during practically the whole of the cold weather and part of the rains.

30217. Do the members tour by themselves or together?—Nearly always by themselves.

30218. Have they equipment?—Yes, it is a recognised thing.

30219. In the course of his proceedings does the Settlement Officer make numerous reports to the Settlement Commissioner?—They are made actually to the Board of Revenue except when there is a special Settlement Commissioner, who sends up the rent rate reports.

30220. Do they go through the Collectors?—No; they go straight to the Board as a rule, except when there is a Settlement Commissioner.

30221. What other reports are there?—Then there is the assessment report. The rent rate report explains the rates which are going to be adopted for the settlement and the assessment report discusses the results.

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30222. Has the Collector any knowledge of that?—He has no official opportunity of seeing it.

30223. Does the assessment report go through the Collector?—No, that goes straight to the Board; it is supposed to go through the Commissioner, but, as a matter of fact, the Board have told Commissioners not to deal with it.

30224. Is there any other report of importance which is sent up?—Those are the two main reports.

(*The witness withdrew.*)

Mr. A. W. Trethewy, I.C.S., was called and examined.

30225. (*Sir Frederic Lely.*) You appear in a double capacity, as late officiating Inspector-General of Police and as Deputy Commissioner of Fyzabad?—Yes.

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The Gazetted Officers of the Police Department are—one Inspector-General, four Deputy Inspectors-General (three of ranges and one of the Criminal Investigation Department and Railway Police), fifty-two Superintendents, forty-eight Assistant Superintendents and thirty-five Deputy Superintendents. Fifteen Deputy Superintendents have been appointed and two more are being appointed; the full number could not be appointed because money was not available.

The Inspector-General is the Head of the Police Department, but is not a Secretary to Government as in the Punjab. The Deputy Inspector-General is mainly an inspecting officer, but has considerable administrative powers. The Superintendent of Police is the Head of the police force of the district; all communications between Magistrates and the police force must be conveyed through him; all orders and instructions issued to the police must come from him. Assistant and Deputy Superintendents may do any of the Superintendent's work which he is not obliged by law or rules to do personally. The District Magistrate is the Head of the criminal administration of the district, and in that capacity controls and directs the action of the police. The Commissioner exercises a general power of supervision over the District Magistrates of his division in matters relating to the police as in other branches of the administration.

The Inspector-General's power of transferring money from one head of the Public Works department budget to another should be increased; at present he has the power to transfer money from the normal grant alone. He should have the power of transferring savings or lapses from the special grant also to any project which has been finally sanctioned. He should also have the power of transferring money from the Police budget to that of the Public Works Department. This would save numerous references to Government.

Appeals lie to the Local Government against orders of the Inspector-General and against orders of the Commissioner confirming the dismissal of sub-inspectors of the civil police. Appeals of the first kind should be retained. Original orders of the Inspector-General are rare and some provision for appeal must be made. I would abolish the appeal from the Commissioner's order by taking away from him the duty of confirming orders of dismissal except on appeal. Though according to the Police Regulations appeals lie to the Local Government only in the cases mentioned above, the Government reserves a general power of revision with reference to all orders. Applications for revision are frequent; there have been sixteen in the current year; they are nearly always fruitless and they must cost the applicants much money; they increase the work of the Inspector-General, for he often has to spend time in going through the papers a second time to give his opinion for the information of Government after having already disposed of an application for revision presented to himself. I would restrict them to cases in which the order is one of dismissal. I would not limit the power of Government to interfere, but only the right to apply for interference. It is open to question whether an application should be allowed against every order of dismissal. I am in favour of allowing it only when the applicant draws Rs. 50 or more as pay or has long enough service to be approaching the time of pension; perhaps twenty years is a proper minimum.

As regards appeals to the Head of the Department, no second appeal is allowed and no appeal is allowed in trifling cases. The Superintendent of Police and the District Magistrate should be empowered to dismiss a sub-inspector of the civil police without reporting the order to the Commissioner for confirmation. Paragraph 395 (*b*) of the Police Regulations should be widened to embrace an appeal against an order of dismissal. The Inspector-General has power to revise all orders except those of the Commissioner and District Magistrate, and these officers can pass orders only about sub-inspectors of the civil police. I would allow no right to apply for revision in cases in which no appeal is allowed, *e.g.*, an order for a black mark, nor would I concede the right in any case in which an appeal lies unless the punishment is dismissal.

The Commissioner has sufficient power over the police; he exercises it generally through the District Magistrate; he has special powers with reference to the punishment and the promotion of sub-inspectors of the civil police, rewards, and allocation.

Executive Officers have sufficient opportunities for personal contact with the people. Some Superintendents do not make full use of these opportunities, but obtain all their information from their subordinates and do little on tour besides inspecting stations. This is a personal question; it is difficult to compel an officer to do what he will not do of his own accord.

I do not think that the grant of larger powers to Superintendents will involve greater care in their selection. The additional powers with which they can be invested will call for the exercise of no more judgment than is required under existing conditions for carrying on the police administration of a district. Their position is already very important and responsible.

Transfers of officers are not unnecessarily frequent; with the increase of the Gazetted Staff they will become less frequent. They are generally due to leave; when there are more Assistant and Deputy Superintendents it will be easier to arrange for leave vacancies. The present rule is to allow the reserve inspector to hold charge of current duties up to six weeks if there is no Assistant or Deputy Superintendent on the spot.

It is the practice to apply demi-officially to the Chief Secretary for sanction to all proposals for the posting and leave of gazetted officers. The Inspector-General might have power to grant leave up to six weeks to Superintendents and officers of low rank, provided in the case of officers attached to a district that the District Magistrate agrees, and to make any arrangements with or without transfers that may be necessary to fill such leave vacancies. The posting of Assistant and Deputy Superintendents might also be left in the hands of the Inspector-General, or at least he might be allowed to submit notifications for insertion in the Gazette if approved without first obtaining sanction demi-officially. In practice Government very rarely negatives his proposals about Assistant and Deputy Superintendents.

30226. You acted as Inspector-General of Police for six months and then again after an interval, for a year, and then reverted?—Yes.

30227. Why did you revert?—Because I was only acting for Mr. Brereton who went on leave.

30228. Was that a change occurring in the ordinary course of service consequent on Mr. Brereton going on leave and coming back again?—Yes, it is quite unavoidable.

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30229. Has the Commissioner some power connected with the sub-inspectors?—Yes, and certain powers in departmental matter as to rewards, and so on, which mean very little really.

30230. Setting aside his relations to sub-inspectors, would it be correct to say that his connection is rather with the District Magistrate than with the police?—Just so.

30231. Is it proposed to do away with his connection with sub-inspectors?—No, only to alter the details of it, at least that is my personal proposal.

30232. Why is this single link retained between the Commissioner and the police?—The District Magistrate has a say in all questions of punishment of sub-inspectors only, because the sub-inspector is punished generally for something connected with an investigation, and the Magistrate has more judicial experience than a police officer.

30233. If that action is required in the case of sub-inspectors, ought it not to be extended?—No, I do not think so, because the charge which ordinarily comes up against the sub-inspector, *i.e.*, some charge of mismanaging an investigation or fabricating a false case is not often made against a head constable or a constable.

30234. Is not what you have said applicable also to an inspector?—Only the Inspector-General can punish an inspector.

30235. What is the reason why you give a Commissioner an interest in the sub-inspector and not in the inspector?—Because we think the appeal from the Magistrate's decision had better go to the Commissioner as the Magistrate's immediate superior.

30236. As a general principle, is it not a pity to departmentalize the police and to make them quite isolated from the whole of the rest of the administration of the country?—I do not think they are isolated in practice; the District Magistrate has a great deal of authority over them.

30237. Has he sufficient authority?—I think so.

30238. Is it not advisable to give the Commissioner any more interest in the efficiency and general conduct of the police?—I do not think so; the Commissioner has a good deal to do with the police as the superior of the District Magistrate, and he is in touch with all that is going on; a copy of the special report is sent to him in the case of every important crime.

30239. Does the Police Department expect assistance from the Commissioner?—Yes. As Inspector-General I should certainly ask the Commissioner's opinion about the police work in his division, and the annual report is sent to the Commissioner.

30240. As a matter of fact, during the year you occupied the post of Inspector-General, how many times, roughly, would you say you asked the opinion of the Commissioner on any point?—A great many times.

30241. You say that you do not think greater care is necessary in the selection of Superintendents—at what age does a man usually become a Superintendent of Police and begin to officiate permanently?—At about thirty.

30242. As a rule then a man receives permanent charge, whether officiating or otherwise, of a district rather earlier in his career than a Collector does?—It is a very difficult question to answer, because we are in a stage of transition; the period used to be about ten years, but now there will be a block.

30243. As a class are they equal in temper, education, and judgment to their position?—Yes, I think so, with some exceptions of course; since recruitment from England was started we have got some very good men.

30244. You suggest that the Police Superintendent should have power to punish chaukidars. Do you consider them separate from the stipendiary police, or are they still considered village police in this province?—They are half and half; theoretically they are simply village police, but as a matter of fact we depend on them for a great deal of police work.

30245. Is it not of importance to maintain that theory and translate it into practice as far as possible?—Certainly; but one of the most important duties of a chaukidar is to keep a watch on all bad characters, and you cannot get your information about bad characters otherwise than through the chaukidar, and whether he acts of his own accord or by the head-man it does not matter.

30246. But is it not better to maintain his character as a village servant?—I do not quite see how one can tell whether he is doing his duty or not, except through the police.

30247. Do you think, balancing the two, it would be a greater advantage to place the chaukidar under the Superintendent as practically a member of the stipendiary police?—I think so; I would give the Superintendent of Police power to dismiss a chaukidar; at present if a chaukidar does not do his work properly he has to send him to a Magistrate for dismissal, and the Magistrate can know very little about it.

30248. Could not the Sub-Divisional Officer deal with a matter of that sort?—Yes, he might, but if a Superintendent of Police sends a man up he ought to go to the District Magistrate because the Superintendent would not like being overruled by anybody else.

30249. Not by a First Class Magistrate even?—I think not.

30250. Surely that would be an ill-founded feeling?—I think not, from the point of view of discipline.

30251. Do you consider that the changes introduced as a consequence of the late Police Commission are advantageous?—I think so.

30252. Is the provincial Government being interfered with too much in the way of detail?—I think our rules as they stand now are all right. I drafted them myself, so perhaps I am not a good person to express an opinion upon them.

30253. Did you make them yourself, and not according to the models suggested?—Yes, I was on special duty for a year revising the Police Manual. First of all I acted as Inspector-General of Police, and then I was on duty for a year revising the Manual before acting the second time, and I framed the rules on the instructions received from the Government of India, which were very general. We discussed every point.

30254. Did they leave enough to the initiative of the provincial Government?—I think so. I understood the Government of India wished to divorce the Magistrate even more from the administration of the police, but we stood out for the District Magistrate's powers of punishing sub-inspectors. The Government of India wished the punishment of sub-inspectors to be left to the Superintendent.

30255. Then, to a certain extent you had your own way?—Yes. The rules as made are only provisional pending the receipt of the Police Manual from the Government of India; that is generally recognised.

30256. (*Sir Steyning Edgerley.*) Do the Government of India contemplate a general Manual for police?—Certainly, it is proposed, and I believe it is still under contemplation; if it has been dropped it has been dropped recently.

30257. Is the ordinary strength of a *tahsil* guard one head constable and four constables?—Yes.

30258. Are they recruited and relieved from the headquarters station reserve?—They are relieved from the headquarters station.

30259. Are they quite independent of the ordinary *tahsil* police; are they counted on their strength?—They are independent of the police in the stations of the *tahsils*. We recruit in the first instance for the police force as a body without any distinction between armed and civil police, and after a period of about two years we draft a constable to the branch for which he is considered more suited and determine whether he is to be an armed or a civil policeman.

30260. Do the rates of pay differ in the two branches?—No, they are the same.

30261. When a man is once drafted to the armed police, does he stay there?—Yes, unless he is moved back for a special reason.

30262. The *tahsil* guard being one head constable and four men, how many men do you put into the force to keep the guards supplied?—The armed police are used for many other purposes than *tahsil* guards. We make up the reserve for the whole force. We

calculate the requirements of a district, so many for guards, so many for escorts, and take a general average.

30263. In Allahabad you have 15 head constables and 62 constables allocated to fixed guards, and you said there are in the reserve a total of 25 head constables and 206 constables in addition ; what other duties have the reserve beside guard duties ?—Mainly escort duties for treasury and prisoners.

30264. You provide one head constable and four men for a *tahsil* guard, but you do not count that in making up your forces for relief as two head constables and eight men ?—No, we count up all the duties which are required for the district and calculate our force accordingly. The word "reserve" is rather misleading ; it should be "armed branch."

30265. If a guard is mounted at a *tahsil* treasury, have they to be always present ?—One of them has to be on sentry-go always and they all have to be there on night duty, but in the guard room.

30266. Not during the day ?—No, not during the day.

30267. Must there not always be a man on duty at the treasury ?—There is simply a sentry over the treasury, *i.e.*, *tahsil* treasury.

30268. How do you arrange for the care of under-trial prisoners ?—The police at the station have charge of them : under-trial prisoners at the station or on their way to the courts from the police station are under the charge of the station police. The escort to which I referred was mainly the escort from the jail to the court, or from one district to another.

30269. As a matter of practice do you very often use the chaukidars to escort prisoners into head-quarters ?—Yes, to supplement the police guard.

30270. What is the pay of a chaukidar ?—Rs. 3, or to be exact Rs. 2-13-0 ; for three annas are deducted for uniform.

30271. What percentage of married men are there in the police ?—Most of them are married.

30272. Would it be correct to say that not more than 10 per cent. of the men have wives with them ?—It is very difficult to answer that question.

30273. You say that all communications between Magistrates and the police force must be conveyed through the Superintendent ?—Yes, that is the rule.

30274. Supposing a Magistrate gets a report of an investigation under the Criminal Procedure Code from a station officer, can he not send it direct ?—Yes, but the practice is to send it through a police clerk ; we do not carry out that rule strictly.

30275. Can you carry it out at all ; is it not in contravention of the law ?—Does the law say the Magistrate must communicate his orders direct ? I pointed out to Government when I drafted the rule that the clause could not work in practice, but I do not think it causes serious inconvenience.

30276. You are now Deputy Commissioner at Fyzabad ; have you for the municipality a non-official Chairman ?—Yes.

30277. How is the system working ?—I have not been at Fyzabad for two months, and I have been busy all the time dealing with famine, so I would rather not give an opinion.

30278. Has any difficulty so far come to your notice owing to that arrangement ?—I have had to write to the Chairman on two or three occasions to press him to comply with some suggestions made by the Civil Surgeon.

30279. You say that you think District Officers' clerks are not so good as they might be ; is your establishment seriously inefficient ?—Yes, I think it is. I have had better establishments.

30280. Do you mean that the men are not good enough, or that they are not numerous enough ?—The men are not good enough.

30281. What would be necessary to improve their efficiency sufficiently to prevent that being an obstacle to you ?—Their pay and their prospects might be improved ; their prospects are bad at present, and they have nothing to look forward to except a head clerkship ; it is very rare that a head clerk is made a Deputy Collector, and the prospects are not sufficiently tempting.

30282. You say you think wider magisterial powers than they have at present might be given not only to tahsildars but also to Honorary Magistrates ?—I think the appeals should be reduced. They might be allowed to pass non-appealable sentences in petty cases.

30283. Are most of the tahsildars fit to have second class powers ?—I am not sure that they are. They may be fit for it, but the question is whether they would have time for it ; tahsildars have a great deal to do.

30284. You have naib-tahsildars ; have they any magisterial power at all ?—None.

30285. What is their pay ?—Rs. 50 to Rs. 100.

30286. Could they be given third class powers ?—Some could, and we have given them revenue powers in order to relieve the tahsildar.

30287. Could you not give the tahsildar second class powers if you had a Third Class Magistrate on the spot, and would not that be a great convenience to the people ?—It would be a convenience no doubt, because cases could be tried on the spot, but in my present district I do not think the tahsildar has time for it ; there are only four *tahsils* and it is a big district.

30288. Are your *tahsils* too big ?—In my present district they are too big for any increase of the tahsildar's work, but in my former districts I had more *tahsils* and the tahsildars did not work so hard.

30289. In your former district would it not have been a great convenience to the people if you had had a few more Magisterial Courts within their reach ?—It certainly would have been a convenience in regard to police cases, but I do not know that I would give more facilities for litigation. A tahsildar, however, has third-class powers, and if you give him second-class powers it will not increase the amount of work much in the shape of cases based on complaint.

30290. (*Mr. Meyer.*) Are you aware that in Madras and Bombay the officers corresponding to naib-tahsidars and tahsildars habitually exercise third and second-class powers ?—No.

30291. Other officers have told us that they want more Deputy Collectors and more Civilians. Before any such scheme is started, might it not be a good thing if some officers were deputed to visit Madras, Bombay, and Bengal to see how they manage things there ?—That is rather a question for the Government.

30292. Suppose you were called upon to advise upon a scheme of decentralization, would you study what was done in other provinces, or would you be content to work out your own salvation locally ?—It depends on how much time I was given for the purpose ; if I had ample time I certainly should examine the system elsewhere.

30293. Might your Sub-Divisional Magistrates take criminal appeals ?—Yes, some of them.

30294. If it is found that elsewhere they do take appeals as a matter of course and that in the United Provinces they are not allowed to do so, is it not a fair inference that either the United Provinces staff is inferior or that there is undue centralization ?—I do not know what they are like in other places, and I do not know how they do their work or how far the scheme succeeds.

30295. Has your Treasury Officer other work to do besides the charge of the treasury ?—Yes ; he is a Deputy Collector. His other work depends on the district. If the treasury is a very big one he would do very little work besides treasury work, but he would have certain miscellaneous duties connected with records, stamps, copies, and so on, and he would also have judicial work in a district where the treasury work was not heavy.

30296. Does he take a sub-division, or is he simply employed as a sort of miscellaneous assistant to the Collector ?—That again depends on the district ; generally I would give him only special cases to deal with.

30297. Have your relations with the Director of Criminal Intelligence been satisfactory in this province ?—Yes.

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30298. Have you had any reason to complain of undue interference?—Nothing serious during the last year.

30299. Have there been no reports called for from districts which the Local Government did not consider quite necessary?—In May and June, 1907, the Director called for a daily telegram from the Local Criminal Investigation Department as to the state of feeling in the province. This necessitated telegraphic reports from districts. Some exception was taken and it was soon discontinued.

30300. Are returns called for direct from your Criminal Intelligence Branch by the Director of Criminal Intelligence at Simla, or do they come through you?—They are called for direct, but I gave an order to the Deputy Inspector-General that he was to let me know of all correspondence that was initiated by the Director.

30301. So that you are informed?—Yes, of all general questions. He often asks questions about particular men for his own purposes, but I presume you are not referring to that.

30302. I am speaking of possible calls for information which lay a considerable amount of work on District Officers.—There was one instance when he wanted some particulars with regard to dacoity in order to see to what extent residents of Native States were concerned, and I said it was impossible to give him all the information at once, but he could get it from the *Criminal Intelligence Gazette*, and he gave way.

30303. Then have you found that when it has been pointed out to him that he is asking for something which would give a good deal of trouble without any proportionate amount of good, he has given it up?—Yes. I have had no trouble about it lately.

30304. Have you finished your police reorganization scheme in this province?—It is still under the consideration of the Secretary of State.

30305. Have you finished it as between the Government of India and the provincial Government?—I do not know what has happened during the last two months, but at the time I made over the charge of the police the position was that our proposals had gone to the Government of India, and had been forwarded to the Secretary of State with certain reservations of which we were not aware.

30306. It has been alleged in other provinces that there was a good deal of undue interference in matters of detail arising out of the re-organization. Has that been your experience?—We resisted on some points; we made our protests and we were tacitly allowed to do what we liked, and in the regulations that have been recently framed there are things which do not quite agree with the views of the Government of India.

30307. I am speaking more with regard to the establishment question?—For instance, we were pressed to give up some sub-inspectors of armed police, which we refused to do, and we have still kept them, but I do not know what orders the Secretary of State will pass about that. I believe that was one of the points on which the Government of India objected to our Scheme.

30308. Do you mean sub-inspectors of police as a general grade?—Yes.

30309. What did the Government of India want instead?—They thought sub-inspectors were not required, and that the reserve inspector would be able to do all the work.

30310. With respect to your proposals in particular districts and for civil police, did you have any interference?—They pressed us to have more inspectors; it was not that they were always cutting us down.

30311. On the whole have you reason to complain, or was it an amicable controversy which has been settled satisfactorily so far as you are concerned?—It has not been settled yet—that is the point. I do not know what the Secretary of State will say. So far we have made some concession and we are satisfied.

30312. What is your authority for stating that the Government of India intend issuing a general Police Manual?—I had it in correspondence with Sir Harold Stuart.

30313. What sort of ground will it mainly cover?—I do not think that is settled. The latest idea was to issue a manual of directions as to investigation work, but I am not quite certain.

30314. Is there any intention of having a sort of rigid code for all India in regard to police procedure, police appeals, and police promotions?—You can see it all in print; it is on the file of the Police Commission, and you will see it stated there that a general Police Manual is under contemplation.

30315. Was there not a general Act contemplated at that time?—Yes.

30316. And it has been dropped?—I am not quite sure about that.

30317. If you do not have a general Act is it intended to have a general manual?—I am not competent to give an opinion about this matter; all that I have heard has been demi-official or in conversation, and I do not know much about it; but I know it was contemplated.

30318. In the general instructions of 1905 issued by the Government of India was it not laid down that the District Magistrate should continue to be responsible for the peace and order of his district?—I cannot quote the words, but certainly the District Magistrate was mentioned in connection with the administration of the district.

30319. Was it not laid down that he should have power to direct inquiry into the misconduct of police officers?—It certainly was mentioned.

30320. Do your rules carry that out sufficiently?—Yes, I think so, because what happens in practice is that if the Superintendent will not take action where the Magistrate thinks action necessary, the Magistrate writes to the Deputy Inspector-General or the Inspector-General.

30321. But can the District Magistrate tell the District Superintendent to inquire into the conduct of an inspector in some particular district?—Yes.

30322. And would he have to do it?—He certainly would if it was referred to me, because I should tell him he would have to carry out the Magistrate's orders.

30323. As a rule would he carry out the order, or would the Magistrate have to come to you?—The Superintendent would always carry out the Magistrate's order in a case of that kind.

30324. Is not the position of an Inspector rather a responsible and important one with regard to the peace of a district?—The inspector fills an important position, but I do not know that I could say the preservation of the peace of a district has so much to do with him.

30325. Is it not so with regard to the prevention of crime?—Yes, that is his work.

30326. Is it not rather anomalous to give the District Magistrate considerable power in the matter of a sub-inspector while he has nothing to do with an inspector?—He has something to say with regard to his promotion, because he makes remarks; there is a statement with reference to inspectors with space for his remarks.

30327. Does he make a sort of confidential report every year?—It is not confidential; it is an ordinary report which goes from the Superintendent to the Magistrate. With punishments he has nothing to do.

30328. Are your inspectors normally promoted by seniority?—Yes. Very frequently the punishment papers of an inspector come through a Magistrate. Of course inspectors are not often punished, but I know of two cases in which inspectors have been punished and in both of them the Magistrate gave his opinion. I directed that his opinion should be taken in one case; he gave it of his own accord in the other.

30329. Do you make the promotions of inspectors?—Yes.

30330. Would you write to a Magistrate and say "A certain inspector is next for promotion, is there any reason why he should not be promoted"?—I should have before me the Magistrate's remarks on the last annual inspection.

30331. But that might be months ago?—I might, I should not ordinarily write to a Magistrate, but I might do so.

30332. (*Sir Steyning Edgerley.*) Has the question as to whether sub-inspectors of armed police should or should not be appointed to them to go to the Government of India?—It has gone to them and there has been some discussion about it.

30333. Is it a question the provincial Government cannot decide for itself?—We have always had sub-inspectors of armed police and we were asked to discontinue them.

30334. But it is not within your power to say that you are going to have such sub-inspectors because the Government of India claim the right to interfere?—Yes, I suppose they do; they urged us to give them up after the report of the Police Commission, but we protested, and I presume that the question is left in its original state.

30335. Do you not think the provincial Government might be allowed to decide for itself with regard to these particular men?—Certainly; if we lose our sub-inspectors of armed police we shall be very angry, no doubt.

30336. Are there any other matters in which you think your liberties have been curtailed, or in which you have not got enough independence?—Yes. After the report of the Police Commission came out two or three Resolutions were issued, and we were asked to do a good many things; and if we are eventually compelled to do everything that we are asked to do, then I should say our liberties are curtailed, but I do not know what the real intention is. The idea was to make the police force the same all over India but we said that what would suit other provinces would not suit us.

30337. Would the provincial Government have power to alter the scale of pay of the subordinate grades?—No, I do not think so, because that has been sanctioned; everything has gone up to the Secretary of State.

30338. Should they have that power?—Yes, if they can afford it.

30339. There is no objection on the score of absence of uniformity as between the various provinces?—There is a difference between the subordinate and the superior grades, and as to the subordinate grade I do not see any need of uniformity.

30340. In practice are very few of your policemen transferred from one province to another?—Very few.

30341. And your recruitment is more or less territorial?—Yes, we get a good many men from the Punjab.

30342. Taking those things into consideration you see no objection to having different scales of pay in the different provinces?—No, I see none; in fact there are different scales of pay already.

30343. Because of the local conditions?—Yes; in Burma, for instance, they pay more.

30344. Was the tendency of the Police Commission report to make scales of pay uniform?—It tended towards uniformity in every direction except where some special reason was shown for divergencies.

30345. Having seen their report and the reasons alleged in favour of uniformity, are you of opinion that it would be better that the provincial Government should be allowed to decide such matters as scales of pay?—Yes, I think so, but it is open to the Government of India to say "This is done in Madras and Bombay, might it not be done in the United Provinces?"

30346. But you think the ultimate decision should remain with yourselves on the ground that you are more likely than anybody else to know what is a reasonable pay to give in order to get the class of men you want?—Yes.

30347. Have you any other examples in mind where the control exercised by the Government of India seems to have been somewhat excessive?—It is hardly right to call it a control; it was an attempt to control. There were two or three points—one was as to punishment.

30348. Cannot you punish?—Yes, but as to the point put just now about the Magistrate punishing a sub-inspector, we certainly resisted the proposal to leave the punishment entirely to the Superintendent of Police. Then at some places we have two reserve inspectors and they wished to reduce the number and give us more sergeants instead.

30349. When once these reforms have been carried out and you have your new system will you be able to go on as you like, or will you still have to refer to the Government of India with regard to any new change?—That is a question I cannot answer because I do not know what will transpire between the Government of India and the Local Government. I hope we shall have perfect freedom, but it depends a great deal on the attitude of the Government of India.

30350. Assuming for the moment that the Government of India negative your proposals in regard to sub-inspectors, do you not think the probabilities are that having once assumed responsibility with regard to the reorganization of the force the Government of India are likely to retain it?—Yes, it depends a great deal on who is the member and who is the secretary; the tendency always is for the higher authority to stick to any power it gets.

30351. (*Mr. Dutt.*) Does the inspector take any part generally in directing investigation into particular criminal cases?—Yes, he directs investigation in important cases.

30352. In very important cases does he take up the investigation himself?—Occasionally, but not often; we discourage it as a rule. If the case is of sufficient importance he sometimes does.

30353. His main duty is that of a station officer and head of the force in the station?—No, the inspector has several stations under him. Under him there are sub-inspectors and he is the controlling officer. He has not much initiative; he is an inspector and his duty is to inspect and put things straight.

30354. But there are a certain number of sub-inspectors under him and his duty is to inspect the work of those sub-inspectors?—That is his main work.

30355. When the time comes for the promotion of an inspector according to seniority, is not the District Magistrate generally consulted?—I already have his remarks, and I should look at them; after doing that I should not consult him unless I thought it necessary.

30356. Is it desirable that the District Magistrate should be consulted when the time comes for an inspector to get his promotion?—It depends a good deal upon the circumstances of the case. The statement to which I referred reaches me in January, February, or March, and if the time for promotion occurs immediately I do not see the good of consulting the Magistrate because I have got his recent remarks. On the other hand, if the District Magistrate or sub-inspector has only just gone to the district there is no object at all in consulting the Magistrate.

30357. You would not make it a rule that the sanction of the Magistrate should be obtained before the inspector is promoted?—No, I would leave it as it is. The Deputy Inspector-General is almost always consulted, and he will have consulted the Magistrate.

30358. Do you recognise the Magistrate as the local Head of the criminal administration of his district?—Yes.

30359. In that capacity is it not desirable that his views should be taken upon every occasion on which an inspector gets promotion?—I should have no objection to it, and I think it is done whenever necessary.

30360. Would you have any objection to making that a rule?—No, except that it would cause a certain amount of unnecessary correspondence.

30361. Is there such a rule with regard to sub-inspectors?—The Magistrate and the Superintendent of Police arrange it among themselves, and if they differ the case goes up to the Commissioner.

30362. How is the pay of chaukidars raised?—It is paid from the rates imposed on villages, but I believe the provincial Government is taking it over.

30363. Is it not the idea that the chaukidar is a village servant?—Yes.

30364. Whose duty is it to enter the names of bad characters?—It is the duty of the police, but, of course, the Magistrate can give directions.

30365. Otherwise have the police power to enter the name of a man as a bad character and to keep watch over him afterwards?—Yes, it is the main duty of the police.

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30366. You do not require the Magistrate's sanction to entering the names of such characters?—No.

30367. Supposing a Magistrate, after enquiry, thought a man's name ought to be removed from the list of bad characters, has he power to pass an order to that effect?—The Superintendent would carry out his wishes; the Magistrate has not the power according to rule to do it, but the position of a Magistrate in this province is very strong indeed, and the Superintendent would always carry out his wishes.

30368. Therefore the Magistrate's control over the keeping of the records of bad characters is very feeble?—No, I do not think in practice it is at all feeble. If I, as District Magistrate, inspected a police station I should expect the Superintendent to carry out my wishes, and if he did not I should take the matter up.

30369. You would not give the Magistrate further power over the surveillance register and the action of the police in respect of these bad characters?—No, he has quite as much power as is necessary. I would not insist on his sanctioning the entry of every name because that would simply mean an increase of clerical work.

30370. I was referring to the specific case where a Magistrate was satisfied that a man's name had been wrongly entered in the list; has he power then to order its removal?—Practically he has.

30371. Is each *tahsil* practically a sub-division?—Yes, but it is not a sub-division in the sense that it is in Bengal. For instance in a district containing seven or eight *tahsils*, two *tahsils* may be under the same Magistrate, so that your sub-division is really two *tahsils*.

30372. Would you like to make two or three *tahsils* into a sub-division all over the province and then appoint a Sub-Divisional Officer to be in charge of one sub-division?—I do not know that it would be any advantage. Sometimes one wishes to alter the arrangement of *tahsils*, and I have often had occasion to do it; as a rule one tries to fit two *tahsils* which are similar in character together under one Sub-Divisional Officer, but owing to the exigencies of work or the number of officers one may have to break up the division.

30373. Would you not have a uniform rule as there is in Madras and Bengal fixing the limits of the sub-division and appointing an officer in charge of it?—No, on the whole it would be inconvenient. The Magistrate could do that himself, and if you make a uniform rule you tie his hands.

30374. (*Sir Frederic Lely.*) Did not the Government of India state its views in very great detail on the report of the Police Commission as to the numbers of the force as well as their pay, their uniform, the grades, and the duties of officers, and so on?—Yes.

30375. They even went so far as to lay down the exact percentage of head constables who should be promoted to be sub-inspectors?—They did.

30376. And even when they gave way to your views, was it at the cost of considerable trouble and labour in defending your views?—Yes, I did not happen to be Inspector-General on either of the two occasions, but I know there was a very hot discussion.

(*The witness withdrew.*)

MR. C. F. DE LA FOSSE, M.A., was called and examined.

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30377. (*Sir Frederic Lely.*) You are Director of Public Instruction in the United Provinces?—Yes, since a little over a year.

The Superior Service of the Education Department comprises the Indian Educational and the Provincial Services; the Subordinate Service includes all other posts paid from provincial funds.

Government Arts Colleges, of which there are only two, are under the Director. The Training College for teachers is also directly under him. The only Government high school in the province is the one attached to the Queen's College, Benares; all other high schools belong to District Boards or are under private management; the latter are either aided by District Boards or wholly maintained by fees, private subscriptions, and endowments. Middle and primary schools are similarly maintained and owned.

The department through its inspectorate controls the instruction in all schools which are allowed to present scholars at puplic examinations or are in receipt of aid, *i.e.* recognised schools. But the management of schools has lately been made over wholly to the control of District and Municipal Boards; though the departmental inspectors exercise a loose general supervision over the educational work of Boards, and are required, among other things, to see that the rules and orders contained in the Educational Code regarding the qualifications of teachers, furnishing reports and returns, courses of study, time tables, promotion of scholars, grants-in-aid, examinations, and text-books are observed, and to check the schedules of the educational budgets of District Boards. An important part of the duty of inspectors is to enquire into and decide upon the fitness of schools for recognition.

The departmental inspectors visit every recognised English school twice a year and as many vernacular schools as come in their way, and each has the general control of the educational work in a revenue division. They are assisted in the work of general supervision by assistant inspectors, who mainly concern themselves with the state of tuition in, and inspection of, vernacular schools and inspect the educational offices of District Boards. For the inspection of its vernacular schools a District Board maintains its own inspectorate, consisting of a deputy and sub-deputy inspectors, and the municipalities within the district usually make over their vernacular schools to the care of the District Board and its inspectors. Speaking generally, the position of the departmental inspectors is that of advisers to Boards and reporters to Government upon the state of education.

The Director is concerned with all forms of general education and at present with industrial as well. Upon the University he is Vice-President of the Syndicate and the mouthpiece of Government. The extent of his work there depends mainly upon whether as a fellow of the University he is prepared to take an active part in its affairs. As regards collegiate education he is chiefly concerned with the recommendation to Government of grants-in-aid either for maintenance or buildings. All plans and estimates are submitted for his approval. In the case of schools, with the sanction of Government he prescribes curricula, approves the use of text books, draws up inter-school rules and regulations, fixes fees, and lays down schemes of public examinations. His routine work consists chiefly in checking and directing the work of inspectors, examining the schemes for which a grant has been applied for and which involve an expenditure exceeding Rs. 1,000, making recommendations to Boards for the appointment, transfer, or promotion of teachers whose pay is not less than Rs. 80 a month, preparing and issuing lists of applicants approved for appointment as district inspecting officers, keeping up character rolls of such officers, and making specific recommendations to Boards for their promotion and transfer. Cases of disagreement between inspectors and Boards are sent up to him, and he is constantly consulted by Chairmen of Boards, Commissioners, and School Committees on educational questions affecting all classes of schools. During the cold weather he is regularly on tour and again for six weeks in the rainy season, visiting educational institutions of all kinds, discussing with Chairmen and Commissioners the state of education in their respective districts or divisions, receiving deputations of bodies interested in education, seeing the subordinate officers of the department, and meeting gentlemen, both European and Indian, who wish to talk over educational matters with him. The correspondence with Government, both official and demi-official, has grown a great deal of late years owing to the greater complexity of educational problems, and to the closer interest in education now taken by the Government of India since the appointment of a Director-General of Education. Indeed, a great deal of the Director's time is taken up in dealing with such references. Finally, there are annual and quinquennial reports on public instruction, and report on vernacular publications, and the tables of educational statistics which have to be periodically submitted.

The general lines of policy laid down in the Government of India's Resolution on Indian Educational

Policy issued on the 11th March 1904 are perfectly sound, and I have not found any reasons which would lead me into recommending a divergence from them. In the only instance in which we have directly departed from those lines, namely in abolishing a school final examination and accepting the University matriculation as a qualifying test for Government Service, we have since come round to the view that we were in error, and have of our own accord adopted the policy which we rejected. This case illustrates the freedom which Local Governments really enjoy in the application to local conditions of general lines of policy laid down by the Government of India.

Except in cases in which the Government of India has given grants for specific purposes, *e.g.*, the six-lakh grant, recurring, for primary education in 1905, it does not restrict the powers of Local Governments in the application of funds to educational purposes; and the freedom with which this Government introduced a new District Boards Act in 1906 and drew up rules under that Act for the purpose of taking the management of schools and their inspections out of the hands of the Education Department and placing them in the hands of District Boards would seem to argue that Local Governments have quite sufficient liberty in applying general lines of policy to local conditions.

Until lately there has been little tendency on the part of the Government of India to force its views upon Local Governments without consulting them, and to override local considerations. As an example of the right way in which the Government of India should deal with Local Governments, I instance the letters in which important Resolutions passed at the Conference of Directors at Simla in 1901 were commended to the attention of Local Governments. An instance of a less happy method would be the recent letter on making primary education free, in which the Government of India took upon itself, upon abstract grounds and ignoring local conditions, to deliver a judgment upon a complicated question, and after taking the public into its confidence called upon the Local Governments to say how they would propose to give effect to the Government of India's views. Local Governments should first be consulted before a decision upon an important question is arrived at, and before a public statement of policy is delivered.

The Director-General should not in matters of educational policy deal direct with departments administered by Local Governments. This is the view held by the Government of India; for except in regard to the collection of statistics or of information, the Director-General of Education does not correspond with the Director. When the creation of the appointment was in contemplation the Director-General of Education was required for the purpose of giving the Government of India expert advice upon educational questions, and this appears to be the function which he exercises. It is a fair inference perhaps from the nature of letters on educational matters received from the Government of India since the creation of the post that the Director-General of Education has assisted in, if not inspired, a good many of its letters to Local Governments on educational questions.

The appointment of a Director-General of Education has resulted in almost nothing but good; the Government of India has at hand an expert adviser; and the Directors of Public Instruction are now sure that schemes which go up through the Local Government to the Government of India will be scrutinized by an educationist in accordance with well-established educational principles, and the department in general has at headquarters an officer to look after its interests. Much benefit has been derived from the visits of the Director-General to the province. They have enabled me to put before him important aspects of cases which might otherwise have been overlooked when they came to be dealt with in the Government of India, and it is a distinct gain to be able to talk over educational questions with an outside expert with his different points of view. The creation of a Bureau of Education at Simla by the Director-General of Education has been of great assistance in enabling Educational Officers to keep themselves in touch with educational developments in other parts of the world. So long as the Director-General of Education confines himself to advising the Government of India, to collecting and disseminating educational information, and to visiting the provinces with the object of conferring with Local Governments and Directors and bringing himself into closer touch with local conditions, no exception can fairly be taken to the existence of the post; but the Government of India should, before acting upon his advice when this runs counter to the views of Local Governments, give the latter an opportunity of reconsidering the matter in the light of that advice.

As an example of the need for so doing I would instance the Government of India's pronouncement that vernacular secondary schools were waning in popularity and that the standard therein was sinking, so that they ought to be classed as primary. A knowledge of the state of things existing in these provinces would have saved it from so unsafe a generalization. It is the reverse of true, and if acted upon would do harm to a class of schools which are doing very useful work, and which on all grounds it is desirable to encourage.

The initiative in reform has of late years come largely from the Government of India. On going through the reforms of the last five years, when writing the quinquennial report on education, I have been struck by the fact that nearly all those of first rate importance have had their origin in recommendations of the Educational Conference of Directors, called together at Simla in 1901. While the Local Government has since been busy systematizing education along the lines then laid down, or subsequently by the Government of India in connection therewith, it has by no means been idle itself in the matter of educational reform. I would instance its efforts to improve the conditions of service, its more liberal treatment of aided schools and the steps taken to make the teaching more efficient and practical. Without some controlling authority to secure a certain unity of aim and to act as a kind of central intelligence department, provincial Educational Departments might quickly slip into grooves; and the resultant divergences of practice might bring about a deplorable lowering of the standard of attainment, while persistence in the use of antiquated methods both of teaching and organization would be difficult to check.

The Director of Public Instruction might be entrusted with the power to appoint men over twenty-five years of age to teacherships (article 51 of the Civil Service Regulations). Special qualifications are required in a teacher, and a man who has already gained experience is likely to be superior to a raw recruit. Further, many graduates are deterred from joining the training college for teachers by the thought that they will be over twenty-five years of age before they can pass out of it. If the Director of Public Instruction without reference to Government could offer appointments to men over the age of twenty-five, there would be less reluctance upon the part of young men to enter the profession of teaching.

One Director has expressed himself in favour of the delegation to him by Government of the power to prescribe books and to appoint members to the Text-Book Committee. I have had a long experience of the work of the Text-Book Committee as its Secretary and non-official opinion, which is always jealous and suspicious of departmental influence, would not welcome such a change. Government should continue to exercise these powers. In practice no inconvenience results from its so doing. The Director might, however, in the case of a particular school be allowed to sanction the use of an alternative text-book to that prescribed if he were satisfied that it was at least equally suitable and good reasons were shown for discarding the prescribed book. The Text-Book Committee is not omniscient, and many excellent books escape its notice merely because they are not sent to it for review. Further, the experience gained in the particular school of the suitability of the book for class purposes would often be of great value in deciding the question of its fitness for general use.

I am not in favour of the curtailment of the right of appeal, believing that it is in the eyes of the people one of the bulwarks of British justice. The right to appeal to the highest authority has the sanction of immemorial custom, and the curtailment of the right would cause much dissatisfaction.

I have no fault to find with the treatment of educational matters by the Provincial Secretariat since I have been Director. If any objection has been raised in the Secretariat to a proposal, or if a scheme has not been fully understood, I have invariably been consulted or asked for further explanation before orders

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have been passed, and action in an important matter should not be taken before so doing. Important measures have sometimes been initiated in the Secretariat and carried through without consulting the Director, such as the chapter on education in the present District Board Manual. Though my predecessor disagreed *in toto* with the revolutionary changes made therein, they were ultimately embodied in the form of rules without consulting him. The whole subject was regarded solely from the stand-point of the Local Self-Government department, and educational considerations were brushed aside to give full scope to its doctrinaire views.

All grades of schools managed by municipalities in these provinces are notoriously inefficient. In one or two instances the state of municipal schools has been publicly denounced as scandalous. The larger municipalities are in this respect no better than the smaller. So little real interest is taken in the matter by Municipal Commissioners that it has recently been necessary to advise them to make over their schools to the control of District Boards. Municipalities are very reluctant to spend money on education. Sir A. P. MacDonnell expected them to spend 5 per cent. of their income on it, but Government has lately had again to comment upon their failure to do so and to call their attention to the inadequacy of the supply of primary schools within municipal limits, and it has now been ruled that their first duty is to make sufficient provision for primary education, before undertaking to maintain or assist secondary education, and that, unless specially exempted by Government, they must spend 5 per cent. of their income upon education. The provision of primary education in large towns is still very insufficient and in point of efficiency the education given therein is much below the general standard. The two chief causes of the inefficiency of their schools are low scale of pay of teachers and the wretchedness of the buildings and equipment in furniture and apparatus. Municipal Commissioners are said to use their schools for finding places for dependants and relations. I have known such cases; but while they continue to pay teachers at less than a living wage they are not likely to secure qualified men in the open market, so that they may have to take what men they can get. Since municipalities have proved that they cannot be trusted with the management of schools, it would be as well that they should make over their schools to District Boards and pay to the latter a contribution for their upkeep. I am glad to say that many have agreed to do so.

Under the District Boards Act of 1906 each District Board is responsible for the maintenance of all the public schools of its district, and is responsible also for making grants-in-aid to schools in the district. It is also required to entertain inspecting officers for the inspection of its vernacular schools and to direct them in the management and inspection of schools. Even training schools for primary school teachers are now under the complete control and management of Boards. To prevent the interference of the Education Department with the control exercised by Boards, no departmental officer is allowed to correspond direct with a head master, a teacher, or inspecting officer employed by the Board, except upon a few trifling routine matters. Decentralization in education has in these provinces reached its extremest limits.

Occasion was taken upon an important letter from the Government of India on the subject of the improvement of secondary education to call together in June 1907 a committee representing the Educational Department, Chairman of District Boards, Mission schools, and non-official Indian opinion to review the whole subject of secondary education. This Committee resolved unanimously that every District Board high school at headquarters should be converted into a Government high school, and that the control of grants-in-aid to English high schools should be resumed by Government. With the experience gained of the new District Boards Act the committee found that the prospects of the teacher had been adversely effected and discontent, affecting recruitment, had already resulted; that District Boards were inclined to provide only the bare requirements of local needs and paid little or no consideration to the general interests of the province; and that they were not fitted to deal with educational matters in regard to which expert guidance was indispensable. In regard to aided schools they found much the same reasons for recommending the resumption by Government of the control of grants-in-aid as those for its taking back the management of Boards' high schools, but in addition they pointed out that aided schools, particularly those maintained by Missions, strongly objected to being placed at the mercy of the Boards in such a vital matter as that of their financial stability. The decision of Government to give effect to these recommendations has not given rise to a single protest, but has, on the contrary, been universally accepted as wise and necessary by all classes of the people, and by all ranks of the teaching profession.

Each district is, so far as vernacular education is concerned, a water-tight compartment, and teachers do not usually look beyond its borders for promotion. The organization of vernacular education is in fact district-wise and its expansion is a local problem. The question is not who should manage the schools, for that has been decided in favour of the Boards, and as I believe rightly, but what should be the agency employed by the District Board for managing vernacular schools. The Collector of the district, as Chairman of the District Board, cannot give sufficient time to it; the Secretary is usually a Deputy Collector with no educational experience nor training and a multitude of other duties to perform, while the members of the Board are too scattered over the district and as a rule for the most part unequal to dealing with any educational problems but the simplest. Inspecting officers' suggestions remain unheeded for months or sometimes altogether; salaries are paid late, books and furniture are supplied only after repeated requisitions, and the repairs are carried out in a dilatory manner. If the control of vernacular education by the Boards is to become a reality it seems to me that a whole-time paid Secretary of the Board is necessary, to carry on the large amount of office work and to dispose of all recommendations made by the district inspecting staff with regard to those schools.

It was a grave mistake to make over the inspection of vernacular schools to the direction of Boards. There is practically no direction whatever of an expert kind exercised, and the district inspecting staff has ceased to be the eyes and ears of the Educational Department as to the state of education in the district. The department has no means of knowing how the acts and orders of Government and the rules of the Education Code are being observed in regard to vernacular education. Free and independent criticism is impossible when a district inspecting officer knows that by commenting adversely upon the protégé of a member of the Board he may make for himself influential enemies among those whom he serves. The restoration of the control of district inspecting officers to the department is an urgent necessity, and it is certain that the state of vernacular education is deteriorating under the present system. If the school was placed under the village communities the security of the teacher would depend upon his securing the support of the stronger party in the village, and the school would become a question of village politics. We are trying the experiment of village School Committees to report on the building, the furniture, the attendance of the scholars, and generally the externals of school life, but no one who knows the villager would desire to see him associated in the management of the school. In these provinces, at any rate, he certainly is not fit for it.

It needs to be impressed upon the Accounts Department that it exists for the sake of other departments, and that their convenience is to be preferred to its own. For instance:—to save the office of the Accountant-General trouble I have been called upon to submit a consolidated absentee statement monthly for the staffs of all schools of a particular class. Though I have pointed out that more than two-thirds of the teachers concerned are under the inspectors of schools, who dispose of their leave cases without reference to me, I am told that I should submit the statement and that "It should be a simple matter" for my office to undertake the work. To collect the information is a simple matter no doubt, but it will take a good deal of time and employ a clerk who cannot well be spared from his legitimate duties. Moreover, the Accounts Department can collect it just as easily as I can and I do not need the information, while it does apparently. This is typical of the attitude of the Accounts Department. It is from the very nature of its work not a very popular department, but it is apt to go out of its way to offend by the curtness with which, from its

position of independence, it is accustomed to treat argument or remonstrance from its victims.

30378. Have high schools now been made over to Government?—They will come under Government on the 1st April, that is, from the beginning of the new financial year. The high schools at the headquarters of each district will then be maintained by Government and paid for out of provincial revenues; the majority of the rest are aided schools and they will get aid out of provincial instead of local revenues.

30379. In whom is the management of aided schools vested?—It is usually vested in an individual and in a few cases it is in the hands of a committee.

30380. Have District Boards anything to do with high schools?—Yes, at present they aid them. From the 1st April the District Boards will have very little to do with English education.

30381. Will they have anything to do with high schools at all?—They will have one or two of their own schools still, but those will be mainly middle schools.

30382. Are there many middle class schools?—There are not many.

30383. With regard to primary schools you say that departmental inspectors are assisted in the work of general education by assistant inspectors, and later on you refer to the inspector of the District Board; do you mean that primary schools are examined or inspected by two classes of inspectors?—The system is that there is a divisional inspector who is a departmental officer, and he is assisted in the work of control by an assistant inspector, but the actual work of the inspection of vernacular schools is carried out by the staff of the District Boards under the somewhat loose supervision of the divisional inspector and his assistants.

30384. There are no departmental inspectors below the assistant inspector then?—No.

30385. The assistant inspector is engaged in the work of generally supervising district primary schools, but the main work of inspecting them is done by the District Board servants?—Yes, almost wholly.

30386. Who has the right of appointing and dismissing masters in district schools?—The District Board have full power of appointing and dismissing.

30387. What security is there that the masters have had any training fitting them for their work?—Under the Code the District Board are required to give preference to men who have undergone a course of training and who have passed what is called a final vernacular examination. A list is kept of qualified men and the District Board make their own selections from it.

30388. Are all the primary schoolmasters borne on that list?—They are all borne on that list.

30389. But have they all been selected from a list of trained men?—No, a very large number are not trained men, but that is due to the fact that we have not at present sufficient trained men for all the appointments. The District Board usually prefer a trained man if they can get him.

30390. Who decides as to the locality of a school?—The District Board.

30391. Do they also fix the fees?—Yes.

30392. In fact the entire management of the primary schools is under the District Board, subject to the general supervision of the two members of your department?—Yes, that is the system.

30393. What is your opinion of that system as a whole?—My opinion is that the district inspecting staff does not get sufficient expert control; the District Board is not able to exercise an expert control over their work and to guide them as to the best methods of inspections, or to see that they carry out their touring arrangements in a proper way. It would be better that the department should have a more close control over the work of the subordinate inspecting staff.

30394. Who exercises the supervisional powers of the District Board?—Nominally the Chairman.

30395. And really?—In reality, I am afraid, very often nobody.

30396. You speak of one of your duties as being the making of recommendations to the Board for the appointment, transfer, or promotion of teachers whose pay is not less than Rs. 80 a month; are there men drawing so much as that in the employ of the District Boards?—Yes; in the high schools which are to be made over to the department.

30397. Will any English schools remain under the District Boards after the 1st April?—Yes, a few middle schools.

30398. What arrangements will be made for their management?—They will be managed in exactly the same way as the high schools are managed at present; the District Boards will make the appointments of teachers and fix the scale of salaries, and will in every way have complete control.

30399. Is that a good arrangement?—There are so few of those schools that it is not necessary to make any changes in the rules for their sake.

30400. Then you say that there has been little tendency on the part of the Government of India to force its views on the Local Government lately; do you imply that there has been a change of policy recently?—Lately I have noticed that there is a tendency for the Government of India to declare its policy before it has consulted the Lieutenant-Governor. It has done so on one or two occasions.

30401. Do you think that rather forbodes a change of policy?—I do not know, I merely state it as a fact.

30402. Is there such a thing as a conscience clause in Mission schools in the United Provinces?—No.

30403. Have the Government of India ever tried to get you to introduce one?—No.

30404. In European schools is there a conscience clause?—The European schools are at liberty, if they choose, to adopt a conscience clause, but we do not enforce one. A diocesan school might perhaps desire to have a conscience clause, but, as a matter of fact, they admit students of all kinds.

30405. You say that the Director-General should not in the matter of educational policy deal direct with the department administered by the Local Governments; do you mean that they should not communicate with them?—Yes.

30406. Should they not write even demi-officially to the Local Directors?—I do not object to demi-official correspondence on a purely educational question; the Director-General might be allowed to obtain opinions on a point of that kind, but with regard to the administration of the province, it is undesirable he should correspond direct.

30407. You say that municipalities do not show very much interest in the matter of schools, do you mean primary schools?—Yes.

30408. Do they exhibit a tendency to encourage secondary schools at the expense of primary schools?—A few have exhibited that tendency, but the majority of municipalities take very little interest in education at all.

30409. You say that some arrangement has been lately made by which they have made over their schools to the District Boards; do they retain no connection at all with their own schools?—Under the new arrangement they will pay for the schools, but the District Boards will manage them for them. The deputy inspector, who is the inspecting officer of the District Board, will inspect municipal schools and make his recommendations with regard to them to the District Board, who will carry out those recommendations or not, as they please, but the municipality will simply contribute a sum of money for maintenance, and take no further interest in them.

30410. In the existing state of things, does a municipal school have a committee attached to it?—No.

30411. Not even a visiting committee?—No; the member for the part of the city in which the school is situated is supposed to inspect the school and to visit it and report on it, but he seldom does so, in fact almost never.

30412. This new move seems to be an abandonment by the municipalities of one of their chief duties?—Yes, I think it is so.

30413. Is that entirely spontaneous on their part?—I think most of them would be quite willing to make over the charge of their schools to the District

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Boards, who possess an organization for the inspection of schools, because they recognise that the District Board is better able to look after them than they are.

30414. Is that the only reason?—It is the chief reason.

30415. If there was an inspectorate of Government officers at the command of municipalities, would they be quite willing to hand the schools over to them?—I could not say.

30416. At any rate they have practically abandoned their schools, the chief reason being that they are not able to obtain a sufficient inspecting agency?—Yes. I may say that some of them have not abandoned them; for instance, Benares, who has now an inspecting agency of its own.

30417. You are against entrusting villages with any power over village schools on account of the factions, but are there not some villages in which there are no factions?—But there is always a danger of faction.

30418. You admit it is very important to give parents as much direct interest as possible in schools?—Yes.

30419. What would you say to trying an experiment and taking a few selected villages where it would be most likely to succeed?—We already have village school committees in some districts; those committees inspect the schools and make recommendations to inspectors with regard to the state of the buildings and sometimes even with regard to the capacity of the teachers, and they occasionally make useful suggestions, but I would not put any power into their hands; I would keep them simply as advisory committees.

30420. Would you not give them any power even as an experiment?—No.

30421. Do you not recognise that people are not likely to take an interest in such things unless they have some power?—In this province we are very backward with regard to education, and the majority of the villagers are illiterate and not in a position to form a fair judgment with regard to the teachers' work, so that I think the time has not yet arrived for putting any power into their hands.

30422. (*Mr. Hitchens.*) Do the Government of India interfere very little with this provincial Government in matters of educational policy?—Very little.

30423. Is the chief control in regard to financial matters?—We have our educational budget up to which we work; when it is not sufficient we ask for more, and if the Government of India is able to give us more money it does so.

30424. Supposing, for example, you wanted to build a college, would you have to get the consent of the Government of India if the cost exceeded a given sum?—If the maintenance exceeded Rs. 50,000 we should have to go to the Government of India; with regard to building we could build without going to the Government of India, if the sum did not exceed 2½ lakhs.

30425. Then would they enquire into the whole scheme in great detail?—I have had no experience of a case of that kind, but I presume they would do so.

30426. Would it give them an opportunity of interfering with the educational policy?—I do not think they could interfere with the educational policy by that means.

30427. They might say that you had better not spend the money on a college, but preferably on primary education?—If we sent up a definite scheme to them they might throw it out, but I do not think they would suggest in what other way we should use the money.

30428. Does the Government of India give you a certain specific grant each year to be spent on primary education?—They gave us a few years ago a grant of six lakhs to be spent strictly on primary education—that is the only instance in my recollection in which the Government of India have laid down clearly on what the money was to be expended.

30429. Do you still get that?—Yes.

30430. And you may spend it in any way you like on primary education?—Yes.

30431. Do you provide much of the expenditure of the District Boards on primary education?—A good deal of those six lakhs have been already absorbed in District Board expenditure. When distributing it we fixed certain headings of expenditure upon primary education, for which we thought more money was required, and allotted to each District Board a sum to be spent accordingly. In that way the money has been almost entirely absorbed in the recurring expenditure of the District Boards.

30432. Was it allotted rather in accordance with the requirements of each individual Board than in accordance with a fixed principle?—Yes, the scheme was worked out in the office of the Director. I myself was Assistant Director at the time and it fell to me to work it out.

30433. Has the principle never been adopted of making a *per capita* contribution?—As a matter of fact in working it out that principle was adopted to a large extent; but the financial position of the Boards had also to be considered, for some of the Boards were very much worse off than others, and some had more income than they required and therefore they did not want so much money.

30434. Can you say what relation the provincial Government grant bears to the expenditure of the District Boards?—It is difficult to work out. The revenue of certain Boards is insufficient for their purpose, and the deficit is made up by the Government.

30435. Are the Boards required to spend a fixed amount upon education, or can they allot as much or as little, as they like?—Yes; it is left to the Boards to say how much they wish to spend on education; but of course, if they attempt to reduce their expenditure, the department would protest. The budgets of the Boards are submitted to the department.

30436. Do you, broadly speaking, confine yourself in supervising the budget, to seeing that they do not spend less?—As a rule we require them to spend more, and they usually do so.

30437. Are your protests effectual?—I have only made one futile protest, and as a rule they willingly spend money on education.

30438. Do you imply that District Boards take an interest in education but that municipalities do not?—The District Boards do take some interest in vernacular education and, as a whole, an intelligent interest, but in the case of municipalities there is little or no interest taken.

30439. You gave us one reason that the District Boards had more efficient means of control and supervision—are there any other reasons that occur to you?—I cannot answer that question offhand.

30440. You would agree generally that it is a matter of great importance that the municipalities should interest themselves in education and that everything that could be done should be done in order to bring that about?—Yes, certainly; I should be very glad indeed to see the municipalities take more interest than they do.

30441. Therefore do you view with regret to some extent the transfer of the schools to the District Boards?—Not under existing circumstances, because of the extreme inefficiency of vernacular education in the municipalities. The only hope for any improvement is to make the schools over to the District Boards, which have proper organization for control and inspection.

30442. Is one of the reasons why education is not successful possibly because municipalities have not enough money?—I do not think they take any interest in education. The members who are elected on municipalities have so many other interests which absorb their attention that they are unwilling to spend time in studying education; they are mostly business men, probably far more busy than the non-official members of the District Boards.

30443. Did you give them a contribution on the same scale as you did to District Boards?—We did, and they used the money, but the state of their schools is still very unsatisfactory.

30444. (*Mr. Dutt.*) Are officers of the Indian Educational Service generally recruited in England?—They are all recruited in England.

30445. Are officers of the Provincial Service recruited in this country?—They are recruited by the Local Government.

30446. Are all orders with regard to posting, transferring, and promotion passed by the Local Government?—Yes, in the case of the Superior Service.

30447. Do you suggest any change in the rules with regard to that matter?—No, I find no difficulty; I make my recommendations to the Local Government and they are generally accepted.

30448. Then there is the Subordinate Service which includes all other posts paid from provincial funds—what are these posts generally?—They would be for example head-masterships of normal schools and teachers in normal schools.

30449. The inspection of primary schools under the District Boards is now carried on by the staff of the District Boards themselves; of what does that staff consist?—It consists of a deputy inspector and a number of sub-inspectors according to the size of a district; we usually give one inspecting officer for 70 schools.

30450. Has each District Board a deputy inspector and a number of sub-inspectors who are Government subordinates?—No, they are District Board servants.

30451. Are their services pensionable?—Yes.

30452. Do the Local Boards contribute towards the pension fund?—Yes.

30453. Who has the power to appoint, promote and punish them?—That lies with the District Board.

30454. Has the Education Department no power over them?—The Education Department makes recommendations, and the District Board as a rule accepts them.

30455. But still the final power lies with the District Board?—Yes.

30456. What is the pay of the inspectors employed by District Boards?—From Rs. 100 to Rs. 160.

30457. What do the sub-inspectors get?—From Rs. 50 as a probationary grade for two years, and the permanent men from Rs. 60 to Rs. 80.

30458. In the first place there is your departmental staff of inspectors and assistant inspectors and then the staff employed by the District Boards?—Yes.

30459. You say that the Boards themselves take an interest in primary education; what fault have you to find with their system of inspection?—That there is no one who has the time to look after the touring arrangements of the officers, so that they are at liberty to arrange their tours according to their own convenience rather than in the interests of the public service. Then their inspection reports are submitted to a member of the District Board who, although he may take an interest in education, is not an expert and is not able to examine those reports in the way in which they should be examined.

30460. Might not the Collector, as Chairman of the District Board, be trusted to do all these things and see that the staff do inspect in a proper way?—The Collector is too busy.

30461. We have had some evidence that purely departmental control and supervision and management of these primary schools has sometimes the effect of rather strangling them, and that it would be best if they were kept under the management of the District Boards?—That is my opinion too in regard to the management of vernacular schools.

30462. Then you do not object to the management being in the hands of the District Boards?—I think it essential.

30463. You think that something more ought to be done in the way of proper inspection?—I would put it in this way; in England the elementary schools are in charge of the County Council, but the inspection is arranged by the Board of Education by means of His Majesty's inspectors and that, I think, is the right system; the inspecting staff should not be the servants of the District Board, but should be officers of the Education Department, so that it can get expert guidance.

30464. Do not your inspectors and assistant inspectors correspond to His Majesty's inspectors in England to some extent?—Certainly not; they would correspond to the chief inspector, not to the district inspector.

30465. Could you not lay down general instructions for inspection under which servants of the District Board would be able efficiently to inspect these schools which are after all only primary schools?—The point is that there is no one to supervise their work under the present system. It would not be merely sufficient to lay down rules; those are already laid down in the Code; what we want to see is that the rules are carried out in practice and that inspections are conducted carefully and thoroughly and according to the best methods.

30466. Is your opinion formed on your own personal observations, or on the reports of your officers?—Both.

30467. Some evidence has been given that in some municipalities there is a sub-committee whose duty it is mainly to inspect the schools within the municipality; are you aware of the existence of these sub-committees?—Yes.

30468. Do you find that such a sub-committee, where it exists, does take some interest in the primary schools?—It takes no steady interest in them; its interest is rather spasmodic and the method of inspection is rather perfunctory. The inspection of an ordinary Municipal Commissioner is not of the right kind.

30469. So far as primary education is concerned is a very technical inspection necessary, or even desirable?—A primary school inspection is quite as technical as that of a higher school.

30470. And an ordinary inspection by a layman would not be sufficient?—It would not be sufficient because the technique for teaching small children is probably more developed than that for teaching in higher classes, so that it is quite as difficult, if not more difficult, to estimate the efficiency of the teaching of small children as to judge the work in higher classes.

30471. Then would it come to this, that in all schools, high or low, primary or secondary, the inspecting staff must be a trained educational staff and that you cannot trust the work to laymen at all?—Yes, that is my point. It is highly expert work.

30472. Are not District Officers the Chairmen of municipalities?—Usually they are.

30473. Might they not be entrusted to see that the primary schools in a town are properly managed?—They have not the time to do it.

30474. (*Sir Steyning Edgerley.*) Where do you obtain your information from to make your recommendations relating to teachers and district inspecting officers?—From the inspector of schools, and also from the confidential reports sent to me by Chairmen.

30475. Does not the promotion of District Board inspectors depend upon your recommendations?—Yes, we certainly in all instances make the recommendations ourselves.

30476. Supposing their reports came either through your assistant or divisional inspector to the Board, would not that considerably improve the position, because it then would go on with your expert remarks?—The inspector of the division does not report direct to me in the case of vernacular schools.

30477.—Is not the deputy inspector the head of the Local Board establishment?—Yes.

30478. He and his subordinates when they inspect report direct to the District Board?—Yes.

30479. Supposing they sent their report through your inspecting establishment, would not that supply the element of expert criticism which you want?—To a certain extent it would. It is certainly important that we should bring the higher officers of the department into closer relation with the subordinate officers, but I do not think it would be sufficient for proper control.

30480. Have you training schools for primary school masters?—Yes.

30481. Are they departmental?—No, they belong to the District Boards. We have normal schools for training secondary vernacular teachers; those are departmental schools.

30482. Because the masters are departmental?—No, the masters are deputed from the schools by the

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different District Boards who send them there; after they are trained, they return to the Board which sent them.

30483. How many primary training schools are there in the province?—There are one or two training classes in each district and there are in addition six normal school for secondary teachers.

30484. Is that an efficient arrangement?—It is certainly better than nothing.

30485. But could not the Boards agree to co-operate and have one or two central institutions?—In the case of the training of primary teachers the theory is not so important as the practice, and in order that they may get plenty of practice it is necessary that they should have two or three hours a day actual teaching so as to acquire a good technique, and to get that is difficult at a central institution with its large numbers because there can only be a very few practising lessons going on in any one school at a time.

30486. With regard to the proper functions of the Director-General, would you suggest helping local officers with advice?—I think that the Director-General of Education should not interfere, but he might discuss matters with them.

30487. But they would learn from him as much as he would learn from them?—Probably.

30488. In cases where in advising the Government of India he differed at all seriously from the Local Government should the Local Government see a case again, as a matter of course, before it is disposed of?—I think so.

30489. Was this statement made by the Government of India that vernacular schools "were waning in popularity" made subsequent to the appointment of the Director-General?—Yes.

30490. After the Director-General had time to make himself acquainted with the province?—The Director-General is hardly in a position to make himself acquainted with the details of the province.

30491. Had he been on tour before that statement was made?—He had.

30492. Do you look upon that statement as quite an accurate description of the position of affairs in the province?—I merely quote it as an instance to illustrate my point.

30493. Would you like to be able to appoint men of over 25 years of age to teacherships without any further limit, or within any further limit?—I have not considered that point, but perhaps the limit might be raised to 35.

30494. Is the Manual of Government Orders in regard to which you suggest certain alterations within the discretion and control of the Local Government?—Yes.

30495. So that you can go to the Local Government yourself about it?—Quite so.

30496. With regard to the matter of the chapter on education in the present District Board Manual, was that written when the new Local Board Act was passed?—Yes.

30497. In order to enable a District Board to do the educational work should they have a paid Secretary?—Yes, that is very important.

30498. As to your allusion to the Accounts Department, do you find that the audit is very vexatious?—No, as a principle whenever the Accounts Department requires information which it can as easily collect itself as the Head of a Department, and for which it has use and for which he has none, the Accounts Department might relieve him of the trouble of collecting it for it.

30499. Subject to the question of returns is the audit excessive?—No, not in my department.

30500. (*Mr. Meyer.*) In the particular matter as to accounts to which you have drawn attention, did you go up to the Local Government?—I have not done so. I may, hereafter; as a matter of fact the discussion of the point is still proceeding.

30501. Speaking generally, in a matter which is not regulated by any Imperial Code or any Imperial Order, is it not always open to the Head of a Department to go to the Local Government as against an order of the Accountant-General?—It is.

30502. As regards the Director-General of Education, you say when he advises counter to the views of a Local Government his opinion should be communicated to the Local Government, but would it not be better for the Local Government to consult him in the first instance?—It would all depend upon the question.

30503. Supposing you were sending up some educational scheme which required the sanction of the Government of India, would you, by reason either of its financial importance or of its involving some new principle, consider that it would be advisable to ask the Director-General of Education what he thought of the matter?—No, I think not. The Local Government having, in consultation with its Director, decided that a certain matter is important sends it up to the Government of India, not in the expectation that it will be criticised adversely, and I think it is right for the Local Government to form its judgment on local grounds in consultation with its Director of Public Instruction and leave it to the Government of India afterwards if it thinks necessary, on the advice of its expert advisers, to make its criticisms; it would hamper business a very great deal if, in every instance of that kind correspondence took place with the Government of India before anything was done.

30504. I do not say that it should be a regular practice, but in the case of some important scheme which involved a new departure on educational matters would you say that the Director of Public Instruction is to be regarded as final in the province?—I think so; in regard to the Local Government the Director of Public Instruction is their adviser, the Director of Education is the officer of the Government of India and he represents their views.

30505. Has he nothing to do with the Local Government?—He has nothing to do with local questions until they come up to the Government of India. The Director of Public Instruction should be regarded as the servant of the Local Government to assist in drawing up its schemes, and the Director-General of Education should advise the Government of India in regard to those schemes in so far as they required the sanction of the Government of India.

30506. Then why do you want a scheme sent back when the Director-General has advised?—Because it may be that there is a point on which local knowledge is important, and the Director-General, if he had possessed that knowledge, might have taken another view.

30507. Is it not possible in this province that it might be advisable to borrow the experience of your neighbours?—Yes, we do; as a matter of fact we have the circulars of all the other provinces; all important circulars are sent to us and we borrow largely from the experience of other provinces.

30508. On paper?—Yes.

30509. Would you not regard it as an advantage to have an officer going round who has been able to see how the thing is worked with his own eyes?—I think that would be an advantage.

30510. That being so, might the Director-General not be able to advise the Local Government and say "This is the sort of thing which was done in Madras and it failed for this reason," or "What you propose seems to me very good"?—I think there would be a danger in that; the Director-General of Education cannot know the different circumstances of each province so intimately as to be able to say because a scheme has failed in Madras it would therefore fail in the United Provinces.

30511. Until lately was not the whole system of education run by the Public Instruction Department here?—No, that it is not quite so. In regard to English schools at headquarters, the Department used to have the control of them largely, not entirely, but in regard to vernacular and primary education the District Boards have always had the administration in their hands.

30512. Had they the control always?—Yes, they have had; inspectors merely advised the Board and made recommendations.

30513. So that what you advocate is a return to the *status quo ante* of three years ago?—No, it is not quite that; what I advocate is something different; the district high schools should be handed over to the charge of the department and the inspecting staff

should consist entirely of Educational Officers, but the Board should continue to have charge of vernacular education.

30514. Do you mean the *zilla* English schools?—Yes.

30515. Then you desire, as far as the department is concerned, to centralize more than was the case some years ago because you want to take over the inspecting department?—Yes, but in that direction only.

30516. How is the Board to run all these schools scattered about a district if it has not some officers to tell it what the state of things is?—We shall tell them.

30517. That is to say the Board will simply have to do what your officers tell them to do?—Not necessarily. We shall advise them; we shall inspect the schools, report on their condition and advise whatever may be necessary in the way of buildings, or staff and improvement, and it will rest with the Board if it has funds and is willing to do so, to carry out those recommendations.

30518. If they do not carry them out, will you not be a little vexed?—It will depend on whether the Board is in a position to carry them out, but it is as well that the Board should know what is necessary for efficient education.

30519. Generally speaking, does not a large amount of the proposals to a Board in the matter of education relate to the details of filling up of the staff of a school, appointing A rather than B?—There is also the equipment of a school, there is no doubt a great deal of personal patronage involved.

30520. Will not that gradually fall into the hands of the deputy inspectors?—No, the Board will still have the administrative charge of the schools.

30521. But how will they get to know about the merits or demerits of A and B, except on the advice of the deputy inspector?—They will, as at present, know about the work of A and B upon the advice of the inspecting staff.

30522. But the inspecting staff will no longer be under their orders, and if they give bad advice they will not be able to punish them?—No.

30523. You gave the analogy of an English County Council—have they no establishment by which they can get statistics and information about the schools they aid from the rates?—In speaking of the County Council I restricted my remarks to the work of inspection of schools.

30524. How does the County Council manage to get information about the schools which are to be aided or supported by the rates?—They have two things to go upon; they have their own County Director of Education, who has a staff and who gets his statistics direct from the schools themselves, and they have also the information which comes from the Board of Education and which is collected by the inspectors.

30525. Has the County Council a local peripatetic staff?—Not for inspection; the statistics to which you refer are sent by the schools to the office of the County Council on the education side.

30526. How would a County Council, for instance, discover whether a school was conforming to the conditions of the Cowper Temple clause, or any other conditions laid down?—It would probably learn it from the inspector.

30527. You say that District Boards would have considerable latitude in the management of their schools, but at the same time through your provincial Codes you regulate the course of study, the time table, the promotion of scholars, the grants-in-aid, the examinations and text-books—is there much left?—There is the important point of promotion of teachers, their pay, their prospects, and their recruitment—everything which has to do with the personal aspect of the teacher is still in the hands of the District Board.

30528. But everything else is under a cast-iron provincial Code?—No, for instance the buildings and equipment are not.

30529. Can they depart from the curriculum without your consent?—No, they cannot.

30530. Can they depart from the school hours without your consent?—Yes, all they have to do in the case of school hours is to arrange a time-table with their own deputy inspector under the Code; I do not lay down definitely what school hours should be kept.

30531. You have time tables?—Yes, those are arranged for vernacular schools by the deputy inspector for the district but are not submitted to the inspector for approval. But as a matter of fact the deputy inspector and his staff are perfectly free in the matter of time tables.

30532. But they are not in the matter of courses of study?—No. They are laid down definitely.

30533. Suppose a Board thought it would be better for the pupils to learn a little more of agriculture and a little less of the geography of Great Britain—would that be acceded to?—Certainly if it was reasonable, but no such application has, as far as I know, ever been made by a Board.

30534. The Local Government deplores the backward condition of these provinces in educational matters; has not that failure been possibly due to excessive departmentalization and to the fact that you have not given a sufficiently free hand to local enterprise?—I should say that it had nothing to do with departmentalization.

30535. Is it due to a fundamental vice of the people and not to the Education Department?—It is certainly not due to the Education Department because we cannot bind boards down by hard and fast rules, and there are certainly no complaints that the children are kept away from school owing to the unpopularity of the control.

30536. How do you account for the fact, then, that you are so very much behind Madras and Bombay?—That is a very large question.

30537. Speaking generally, do you attribute it to a difference in the character of the people?—And also largely to the fact that we are unable to expend on education so much as other provinces are; our educational expenditure is lower per head than that of any other province.

30538. Has the change in regard to municipalities depriving them of the control of education been carried out?—No municipality has been deprived of the control of education; they are allowed, if they wish, to make over their schools to District Boards.

30539. It is purely a matter of option, and they have not been ordered to do it?—Quite so.

30540. Have they largely availed themselves of the option?—Yes.

30541. Have cities like Cawnpore and Lucknow?—I cannot tell you what has happened in Lucknow, but the majority of municipalities have availed themselves of it; but a few of the larger municipalities, like Benares, are establishing their own system of inspection and are appointing their own inspectors.

30542. Surely a great city like Lucknow, or Allahabad, or Agra ought to be able to have its own staff of inspectors?—Unfortunately in large municipalities it does not follow that education is more forward than in small; in the large municipalities education is neglected quite as much as in the smaller ones.

30543. And yet some persons who are members of a committee of a municipality are often members of the District Board too?—I should say in the larger municipalities that is very seldom so.

30544. The Collector is Chairman of both as a rule?—Yes.

30545. And yet you say they fail in one case and succeed in the other?—Yes.

30546. Have you ever attended municipal meetings as an inspector of schools?—Yes.

30547. Did you find that they regarded education with apathy?—I have already stated clearly that I consider municipalities take very little interest in education.

30548. What do they take an interest in?—I have so little knowledge of municipal work that I could not tell you that.

30549. Speaking generally, may I take it your position is that the larger the jurisdiction the more efficient the control; that you disapprove of village schools; you

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disapprove of municipal schools, but you think the District Board could manage its schools under certain restrictions; and that the best plan of all is management by a single department for a whole province?—I do not think that a fair inference from my evidence.

30550. Will you correct me where I am wrong?—My point is that the District Board has a better organisation for the management of schools than a municipality, as a rule, and therefore the management is more efficient.

30551. And to apply that train of reasoning, the department has naturally a better establishment than any District Board?—On the contrary, the District Board has a better establishment for the management of the vernacular schools than the department has; it would be quite impossible for a department to undertake the management of all primary schools because it has not sufficient local knowledge.

30552. But you wish, I understand, to annex them to your own department?—Certainly not; I have not said so.

30553. Do you not desire to make deputy-inspectors provincial officers and under the Director of Public Instruction?—Yes.

30554. When you have made that change, would not the next step be to get the control of the schools?—No, the very opposite; the next step would be the appointment of a paid Secretary to the District Board and an improvement of the organisation of the District Board for the management of its own schools; there is no suggestion, either in my written evidence or in what I have said, that it is the desire of the department to take over the management of the primary schools.

30555. Who is your paid Secretary to be?—He would be an officer of the District Board.

(*The witness withdrew.*)

Mr. A. L. SAUNDERS, I.C.S., was called and examined.

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30556. (*Sir Frederic Lely.*) You are a Commissioner of Lucknow?—Yes.

I have seen much advocacy in the press and in public speeches of a return to what is described as a parental and patriarchal form of administration, free from vexatious and unnecessary supervision. Idyllic pictures are drawn of the efficiency of, and confidence of the people in, this method of government. It is alleged that District Officers have "lost touch" with the people; that this is largely the cause of political unrest: further, that it is mainly due to increase of work, and that increase of work is mainly the result of multiplication of rules and regulations, which again is caused by a desire on the part of Secretaries and other members of the controlling agency to usurp the functions of Executive Officers. Every one of those propositions is altogether unsound. The Central Provinces have undergone changes within the last few years perhaps more extensive than in any other parts of India. But from the early sixties to the late eighties those districts were administered by officers who, owing to the inaccessibility of their charges, to the amount of judicial work imposed on Commissioners, and to other reasons, were as completely uncontrolled as officers could well be under an organised Government. I have seen that system in working, and people who recommend its restoration do not know what they are talking about. It is, of course, necessary at a certain stage of development, and it has occasionally given wonderful results in the hands of very exceptional men. But it is not compatible with advancing civilization, and deliberately to attempt a return to it would be reactionary and disastrous. Therefore, speaking generally and subject to numerous exceptions, I am not in favour of a policy of decentralization in the sense of a slackening of control over officers who are, after all, aliens, who wield very great powers, who have little, if any, public opinion to reckon with, and who are often subject to great physical and mental strain. I should prefer a fuller and closer control by the Government of India over Local Governments and Administrations, and by these latter over their subordinates.

From the point of view of a provincial Secretariat, which is all I have to go upon, it seems that a Local Government lacks firm ground as to financial resources, but I recognize that the Government of India can hardly grant a certainty that it does not possess itself. The fractional division of taxes between the Supreme and provincial Governments is based on the mistaken view that a provincial Government cannot be trusted to administer a tax efficiently unless it has a financial interest in the result. In framing provincial contracts undue stress is sometimes laid on this financial interest, the view being taken that a Local Government can, if it takes trouble, improve the yield of the taxes it collects, and this improvement being reckoned as a definite asset. A Local Government could work better with a fixed grant, the Supreme Government receiving, as it has to meet possible increases on either side of the account.

As to granting Local Governments borrowing powers, there is much that can be said for it, but, on the whole, I am against the proposal. It would, it seems to me, involve too great a degree of financial independence.

The Government of India's rules regarding appeals seem to work well. The Local Government might with advantage adopt the rules of the Government of India and the Secretary of State in regard to the admissibility of appeals. There should be no appeal in a case in which an action may be brought unless the appellant agrees not to sue. The suggestion to require a certificate as to the admissibility of an appeal from the officer whose decision is appealed against is not, I think, practicable.

I think there should be no appeal by an officer of Government unless he be directly injured by the order appealed against. I would differentiate the right of appeal according to the length of a man's service and restrict it very largely in the case of men of less than, say, two years' service. I think applications for appointment should only be made to the officer in whose gift they are.

I would grant extended powers to Sub-Divisional Officers chiefly in executive matters. They have fairly wide revenue and judicial powers already. There is not much room for the grant of further powers as regards the other authorities named. Commissioners might perhaps exercise further powers in regard to passing budgets and control of litigation.

As to knowledge of the vernacular, one can never have too much of it. An obvious shortcoming is that, with rare exceptions, we do not read or write the vernacular, only speak it. Colloquial knowledge of the vernacular is much better in these provinces than in most other parts of India, because, firstly, we have only one language to learn; secondly, comparatively few of our subordinates and the non-officials we see most of know English.

Transfers are a serious weakening of the efficiency of the administration, but there is a constant pressure on Government to make them. The Government of India have more than once discountenanced unnecessary transfers. It would be a good thing to give officers of the necessary seniority a lien on their posts as Civil Surgeons have. Next to not being transferred, it is important that an officer, his subordinates, and his public, should know he is not likely to be transferred.

Tahsildars should have limited authority over subordinates in their *tahsils*. Their control is often defective for this reason.

As far as municipalities are concerned, I venture to advocate a larger measure of self-government being extended to them, or rather that they should be conceded in fact what they are allowed in name. The Municipal Acts of the Central Provinces and United Provinces grant extensive statutory powers to Municipal Boards, and restrict closely the powers of control possessed by District Magistrates and Commissioners. But this is little more than nominal while the District Magistrate is Chairman, or where, as in the Central Provinces, he is required to control and hold himself responsible personally for all details of work. There is, again, an apparent insincerity in making the official Chairmanship of the District Magistrate elective There can be no equal election with him as candidate In 1882 to 1885 Lord Ripon's Government laid it down as an axiom that local self-government should be real, even at the cost of some deterioration in the quality

of administration. But Local Governments have never reconciled themselves to such deterioration, and the policy then enunciated has never been fairly carried out. We are less advanced in this matter now than we were 20 years ago.

As to District Boards, I do not advise any further delegation to them. They have not taken hold to the same extent as Municipal Boards. Apart from their official executive, they show very little vitality.

It will be time enough to talk about Advisory or Administrative Councils when some reality has been given to the local bodies we possess. As for Advisory Councils, I think Indian public feeling is rather tired of Councils which have no independent life, owing to a standing official majority or an official executive. One way and another I think public opinion is consulted as much as is necessary. The question is whether it might not be trusted with some share of direct power.

I have known village committees do good work in supervising schools, but I should hesitate to trust such communities to any great extent.

It might be considered whether more extensive powers might not be given to large landlords on their own estates. Many of them are Honorary Magistrates, and I would not recommend their exercising police functions, but many of the duties devolving on District Boards would often be better performed by landowners within their own estates.

30557. You think that it is possible to go very much too far in freeing the District Officer from control?—Yes, decidedly.

30558. Would your ideal be to give him a rule for everything that he does?—I am inclined to think that the more regulation the better; I am not in favour of unlimited discretion.

30559. But would you go so far as to say that he should be regulated by rule in all his actions?—I would not go so far as that. In the case of appointments, for instance, I would allow him a free hand in the matter of smaller appointments. It is better that you should give him limited powers and a freer hand in regard to those. The better principle is, instead of giving him a wider sphere subject to appeals or confirmations, to give him a more limited sphere within which his orders should be final. At present, for instance, he can make appointments up to Rs. 50, subject to the control of the Commissioner, to whom he has to report for sanction. I should prefer to see it limited in amount, and to let his order be final.

30560. Would you not raise the scale of appointments which he might make?—Yes, he should have the power of appointment of all his clerical subordinates.

30561. Including his head clerk?—Yes, I would not give him power to appoint subordinate Civil Servants, because they are necessarily borne on a provincial list; they have to be exchanged.

30562. There is a class of cases which go up for sanction, but in which his recommendation is in fact accepted as a matter of course; do you see any objection to giving him the final power in cases of that sort?—I should in every case give him the full power where he now has the virtual power.

30563. Such a case, for instance, as calling upon a man to retire at the age of fifty-five; that is in the hands of the Local Government, but it must of necessity act upon the opinion which the local officer forms of the man, would you see any objection in giving the local officer power in matters of that sort?—No, I would certainly give him the power.

30564 Then there are other cases that are so trivial as to make very little difference one way or the other; would you give all cases of a certain degree of triviality into the hands of the District Officer provided they did not involve any large principle?—I think so as a rule.

30565. Would you as a general principle agree that it was not right to fetter all good men for the sake of avoiding the mistakes of a few weak men?—It is not so much weakness that is the difficulty as temper.

30566. Unfitness of any sort?—Yes; the very best man is apt to get out of hand; I mean to lose his self-control under the strain that is often put on a District Officer.

30567. You do not think that that would be sufficiently met by the general supervision of a superior authority?—I think not; rules are preferable.

30568. To forestall mistakes like that rather than deal with them afterwards when once they are made?—Yes. Dealing with mistakes after they are made means appeals.

30569. You would allow that personal influence is an asset?—Decidedly.

30570. And could it not be thoroughly obtained if a man has to report instead of doing?—I would not say that. Our tahsildars, for instance, on the executive side in theory have very little power but their personal influence is considerable.

30571. Does not there personal influence rest on other grounds, grounds which are not available to the European officer?—That is partly so.

30572. You say that there should be no appeal in cases in which an action may be brought unless the appellant agrees not to sue. Is it not desirable that a second inquiry should take place, to avoid the Government going into court with a weak case?—I was referring to instances in which a man appeals through every authority that he can possibly appeal to, even up to the Government, and having had his petition negatived by them the man sues for redress in a Civil Court.

30573. But you say "There should be no appeal in a case in which an action may be brought, unless the appellant agrees not to sue." Is not that rather too broad a statement?—If a man appeals he should accept the appellate authority. Suppose a man objects to some action of the District Officer. He says "I will appeal to the Commissioner"; the Commissioner says "All right, I will deal with this case if you like as an arbitrator; do you accept my decision as final?" What happens is that the man appeals from the decision; if he is dissatisfied with the Commissioner's decision he appeals to the Government; and having exhausted everybody on the executive side, he then goes to law. I think there is a waste of power and a loss of prestige.

30574. But is it not to the interests of Government that the Commissioner, at any rate, should enquire into a case, even if a man afterwards brings a civil suit?—I think the Commissioner's enquiry is wasted.

30575. The Commissioner may find that the Collector is wrong and so save the Government from going into court?—If the Collector is found to be wrong the decision is final on the Government side; while the Government is bound by the decision of its officials against it, the other man is not bound and can appeal.

30576. But suppose the man refuses to enter into any agreement of any sort, would you have the Commissioner then say "I refuse to enquire into the case"?—Yes, I should say "If you want to go to law, go to law."

30577. Suppose the case that is decided by the Collector is a weak case, it goes into court and the Government gets cast?—I should think there is very little chance of that.

30578. Would it not be better to limit the appeal so as to ensure that one presumably strong authority at any rate should decide on the case before it went into court?—Yes, I should have no objection to one appeal; at present there are so many. A man who has a monetary claim against Government, a contractor or anything of that sort, can claim through three executive authorities, and then go to law afterwards. It is a great advantage in dealing with the *wasika* pension cases in Lucknow, which are very numerous, that the man cannot go to law unless he receives special permission; it saves a great deal of money in litigation.

30579. Your general view is that the municipalities should have more freedom from control than they have at present; as a matter of fact is an efficient non-official Chairman available in many of the municipalities of the United Provinces?—I am quite prepared to admit that if you gave them a larger measure of self-government there would be a considerable decrease in efficiency, but it is of considerable political importance that it should be tried.

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30580. You say that "Many of the duties devolving on District Boards would often be better preformed by landowners within their own estates"; what particular duties are you referring to?—Control of hospitals, schools, and roads and sanitation. In the Central Provinces in some places they made large landowners nominal members of the Board, with the object of their doing the work within their own zamindaris. That is a very good arrangement.

30581. Would you go so far as to hand over the estimated cost of the repairs of a road for instance to the landowner for him to expend?—Yes, in some cases.

30582. Without any control at all?—I would not say that; I would ask him to send in a return; I would not bother him with two many rules; I would ask the landowner to say "I have seen the money spent on this road, and am satisfied that it has been properly spent."

30583. Would it not be extremely important that all interference on the part of overseers and so on should be excluded?—Yes, that is what they object to now. At present the large landowners do not join our Boards; they say they object to our petty subordinate officials interfering in their estates.

30584. (*Mr. Meyer.*) Does the Lucknow Division correspond roughly with the old Kingdom of Oudh?—About half of it. The other half is Fyzabad.

30585. You speak, as a matter special to Lucknow, of the relations with the *talukdars* and so on; would that not apply to the Fyzabad division?—Yes, but not quite so much; many of the *talukdars* even belonging to the Fyzabad Division who wish to refer matters to Government often happen to be in here, and they refer to the Commissioner.

30586. Are your relations with *talukdars* to a certain extent personal relations do they come to you for advice, say, about their estates or family quarrels?—Yes.

30587. You have served for several years in the Central Provinces, is not the system of administration there a good deal like that in these provinces?—Yes; there are some important variations; at the time I was serving there the District Officer had a far freer hand than would be allowed District Officers here. One cannot so much give specific instances, but the difficulties of communication made him very independent; even if it takes a week to get near the Commissioner it is very often not worth while for people to appeal.

30588. The tendency there, so far as one can judge, will be in the way of diminishing that latitude?—Decidedly. It became a sort of reversion to the regulation type; it began under Sir Alexander Mackenzie in 1887–8, and things were very much tightened up then.

30589. As far as regards appeals and the financial and administrative powers of District Officers and Commissioners, is there much difference between the two provinces?—No, I do not think there is much difference now.

30590. You say "The fractional division of taxes between the Supreme and provincial Governments seems illogical" and you think that a Local Government would work better with a fixed grant. Do you mean that the Local Government should have a fixed lump sum given to it every five years or so with which to meet its expenditure?—It would probably find it easier to work in that way.

30591. All the developing revenues, the increase caused by land revenue and excise and so on, going to the Government of India?—Yes; there is very little; it does not amount to much in a settled province; there is comparatively little increase to be got. And, after all, the Government of India has to meet any sudden demand—anything in the way of famine or war comes upon the Government of India—and the Government of India must take the other variation.

30592. In these provinces are not excise receipts now a good deal larger then they were, say, ten years ago?—Yes, there may be a variation of that kind owing to a change of policy.

30593. You would debar the Local Government from any share in such increase?—Under the head of excise the increases of revenue are not looked upon with favour. A Local Government if it had an opportunity of improving the revenue would not be debarred from considering that improvement because of the consideration that the Government of India would profit by it.

30594. Are not the needs of the Local Government constantly increasing?—Yes; but it is a more steady demand; it is not like the Government of India, where we have to meet a famine or a war; you cannot imagine a Local Government being called upon to find a sudden unexpected demand. Of course it might, if you gave it the whole of its famine expenditure.

30595. At this very moment the Local Government has to meet a certain amount of famine expenditure?—I do not think so. The bulk of the demand is made on the Government of India; the Local Government cannot impose taxes, it cannot alter its land revenue assessment, it has no means of increasing its revenue.

30596. There is a constant clamour for increase of salaries and for additional establishment in all directions, also for increased expenditure on public works, education, and so forth. Would not the Local Government be seriously hampered, having only the same fixed grant, if it got these demands coming in in increasing proportions?—Not more hampered than it is now. At present its revenues are not elastic in any way. You mention excise; excise is one-half provincial; that does not give much facility for meeting any demand such as famine. If the Local Government now suddenly finds itself confronted with a famine it cannot double its excise revenue to meet it.

30597. I am speaking of the normal increase of expenditure, quite apart from famine. As civilisation advances expenditure advances?—That is true, but then you have your five years settlement to meet that; you adjust it at the end of the five years.

30598. You would have the same squabbles between the Local Government and the Government of India as went on under the previous temporary settlement, as to what was a fair sum to give a province?—Yes, you would.

30599. Are you satisfied, generally speaking, with your position as a Commissioner?—Yes.

30600. I have been told by some officers in this province that the position of the Commissioner is rather like that of a post office; you would not agree with that?—No; it is a very small fraction of his work to which that would apply. You could not call him a post office in respect of his judicial work, or of his inspection work; you could only apply it to his correspondence work, and only to a portion of that.

30601. It has been suggested that the Commissioner might be more of a Sub-Governor, for example that he should have a budget out of which he should allot money for Public Works; would you be in favour of that?—No, I do not think I would; the present shape that the division of powers takes has grown up by degrees, and it more or less answers to the requirements of the country; it would be unwise to alter it on theoretical grounds. If it had been found in practice that a Commissioner could administer a Public Works budget he would probably have had the powers by now. There is just as much a tendency towards decentralization in Government matters as towards centralization; or rather they vary one with another. The things adjusts themselves by degrees; and they cannot be altered very well on theoretical grounds.

30602. In your experience of these provinces, which has prevailed most of late years, the centralization or the decentralization tendency?—Perhaps decentralization as a tendency has prevailed more than the other; it is not so much in the way of actually taking power to the Local Government as of a dealing with things more by general rule; it is more convenient for the Secretariat to apply the same rule to 48 districts than to consider each district separately. I was for some time in the Secretariat in the Central Provinces and I think it is the same case here. I do not believe that any Secretariat officer ever desires more work for its own sake.

30603. But he thinks, quite naturally, that he can run things better than the man below?—He may think that, but there is the other tendency also very frequently found. I remember when Sir Alexander Mackenzie revised the administration of the Central Provinces, the rule there was that every officer should be entrusted with the fullest powers that he was fitted

to exercise, and many functions then exercised by the Chief Commissioner were delegated to Commissioners or Deputy-Commissioners.

30604. You would approve of the principle that the lower down you go the better ; that if a tahsildar can be trusted to exercise some particular function he should be allowed to exercise it and it should not go up to the Sub-Divisional Officer, and so on all up the line ?—Certainly.

30605. Would you give Commissioners the power of appointing tahsildars ?—I think not ; they are a Provincial Service.

30606. But is there any necessity to keep them as a Provincial Service ; might they not be localised in the divisions ?—It would reduce the status of the service a good deal in the eyes of the public and of the men themselves.

30607. Would you say the same with regard to the naib-tahsildar ?—Yes.

30608. Would you vest the control of municipalities and District Boards in the Commissioner except when it came to a matter of suspending or constituting a local body ?—You might vest that power in the Commissioner. The theoretical control given at present is so very much smaller than that which is exercised in practice, that the Commissioner might well have more control.

30609. Would you allow him to invest officers with magisterial powers subject to conditions of fitness prescribed by the Local Government in consultation with the Judges ?— That might be done because it is a very formal thing at present ; it is all done by rule ; an officer of three years' service gets such and such powers.

30610. In the matter of pensions and travelling allowances, and so forth, are there not various matters which the Commissioner might be allowed to deal with ?—I would go very gently there ; in any matter of that sort the Secretary of State's control is made very close. We want close looking after in financial matters, because a very small sum may involve a very considerable principle.

30611. Would you approve of this principle, that the authority that appoints an officer in this country might also grant his pension, subject to a certificate from the Accountant General that it was all *en régle* ?—Yes, I see no objection to that rule.

30612. If you had a non-official Chairman of the municipality, would you have paid Secretaries ?—Yes, I think paid Secretaries are necessary.

30613. It has been suggested that District Boards might have full-time paid Secretaries ; is that required ? —Yes, if they could afford it. The District Boards of course stand on a very different footing from the municipalities ; there is far less independence and self-governing power.

30614. Would you be prepared to give the District Boards more independence in the matter of roads, for instance, allowing them to have their own road establishment ?—I am not in favour of extending the powers of District Boards very much ; they do not work nearly as well as the municipalities work.

30615. Because there is less power and interest ?—Yes.

30616. From that point of view, was it a wise step to abolish your *tahsil* Boards ?—Yes, the *tahsil* Boards were very inefficient.

30617. They had very little to do ?—Yes.

30618. Suppose you decentralize the powers of the District Board and gave them to *tahsil* Boards, might not the latter have become very popular institutions ? —There is not enough work for the two Boards together ; if you introduce the Local Board, the District Board becomes a farce. I have seen that in the case of District Boards. I have been at a meeting where the only business has consisted in the reading through and passing of twenty resolutions, and the members have complained that they have been brought forty or fifty miles for that simple purpose.

30619. Would it not be possible to have *tahsil* Boards, and a sort of District Council to effect the necessary co-ordination ? — I prefer the present arrangement ; we practically tried the other in the Central Provinces and the *tahsil* Boards there were decidedly not a success.

30620. You say that there should be no appeal by an officer of Government unless he be directly injured by the order appealed against. Do you mean that he has been reduced or dismissed ?—Yes.

30621. Suppose he has not received the promotion which he thinks himself entitled to, would you put that into the category of cases in which he might appeal ?—If he was passed over for an appointment which he had claims upon in the direct line of seniority, he should have a right of appeal, but not otherwise. I had in my mind the case of a man having no claim in the line of seniority and who appealed two or three times because he did not get promotion.

30622. You mean that a Collector should have no grievance because he was not made Chief Secretary ?—Yes.

30623. If he is not made a Commissioner you would allow him an appeal ?—Yes, on the ground of seniority.

30624. (*Sir Steyning Edgerley.*) Placing power with a local officer does not necessarily mean the slackening of control ?—Not necessarily.

30625. It gives the junior officer more time for inspection and more time for getting himself into touch with the whole of the work ?—Yes ; we do a good deal now, especially with the Indian officials in the way of requiring them to report anything for approval and sanction. As a matter of fact, one must be entirely guided by what they report, and therefore it would be just as well to give them the direct power, and the responsibility would do them good in the case of a tahsildar in his own *tahsil*, for instance, or a Sub-Divisional Officer in his own sub-division.

30626. Would you carry the extension of powers to Sub-Divisional Officers so far as to make the Sub-Divisional Officer practically a little Collector in his own particular charge ?—With very limited powers ; it is rather the executive that I was thinking of. You will observe that I say "fairly wide revenue and judicial powers." In revenue matters they can appoint *lambardars*, and can deal with patwaris, and in judicial powers they can inflict up to two years' imprisonment. Those are fairly ample powers ; but in the case of the executive if they wish to deal with a sub-divisional official or anything of that sort they have to report to the Collector for sanction : it would do them good to give them a direct executive power.

30627. They have nothing to do at present with the collection of revenue ; why is that ?—It is so laid down in the Land Revenue Act.

30628. Is that a good thing ?—It would be a good thing to give them such powers.

30629. You say that Commissioners might have further powers in regard to the control of litigation ; that is simply Court of Wards litigation ?—Yes.

30630. When you come to a question where litigation is threatened you must go to such legal adviser as you can afford to pay ?—Yes, but there are cases in which a legal opinion is hardly necessary sometimes, when there is no question of law involved.

30631. Anyway, you think that the Commissioners might practically control the litigation in regard to those estates ?—Yes.

30632. Have they access to any legal advice, or would they simply consult *ad hoc* some advocate of their own choice ?—They would consult, *ad hoc*, the Government Pleader or someone at the expense of the estate.

30633. You do not think that on the whole Governments ought to be allowed to borrow ?—We have been told in different parts that people think that for small works, five or ten lakhs, and works of that class which interest the locality, Local Governments could find a market which is not touched by the Government of India ; do you agree with that ?—I very much doubt if they would ; there is not much market locally.

30634. The Secretary of the Cawnpore Chamber of Commerce gives us that as the view of his Chamber ; you are inclined personally to differ ?—Yes.

30635. You say you think it is a mistaken view that the provincial Government cannot be trusted to administer a tax efficiently unless it has a financial interest in the result. That is practically a plea for greater solidarity between the Local Government and the Government of India ?—Yes. Financially the

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Government of India seems sometimes to evince a certain amount of distrust of the Local Governments. That should not be so.

30636. You say that the District Local Boards have not caught on as much as the municipalities; can you give the reason for that difference?—One thing is the physical nature of the work. In the first place our districts are largely artificial areas. Lucknow city involves a certain amount of patriotism in its residents, but nobody cares about the district; it is an area carved out by the British Government, and nothing more. In the one case a man sees the results of his own work under his own hand, whereas in the case of a District Board a man at one end of the district is not affected in any way by the state of the roads or schools at the other end of the district. Then, the large landowners rather dislike the District Boards; they consider that they usurp functions that belong to them, and also they do not care about sitting on equal terms with men they regard as socially their inferiors. Also you may say that for municipalities you get hold of men of more education and enlightenment, non-officials like pleaders and others, who have more education and more administrative capacity than rural landlords.

30637. All those reasons except the last two would go to build up an argument for endeavouring to develop some sort of village autonomy?—Yes. I am very much in favour of encouraging the power of the landowners themselves. For the most part they exercise it with discrimination and fairness, and they can be trusted to exercise more powers in their own estates than are at present given to them.

30638. How far would that cover the province?—Chiefly Oudh; I have very little experience of Agra, but I daresay there are cases there where it would apply.

30639. It has been suggested that the best unit for the development of local self-government would be a market town to which the people resort for their weekly supplies, and to try to form some kind of body there?—I have not considered that at all, but it seems a suggestion worth considering.

30640. You might make some sort of union or panchayat for that area under the District Board?—Yes; it is certainly common in Oudh to find that the smaller towns are regarded as small capitals for areas round them, what they call the *kasbas*.

30641. Whatever the scheme may be, a great many people—officials and non-officials—have told us, that they consider the urgent thing to do is to try to develop some sort of village local public spirit?—I am a little doubtful about it in villages.

30642. Do you think it is not desirable, or do you think it cannot be done?—I do not think you can trust them sufficiently.

30643. But you cannot trust them until you *have* trusted them, can you?—Not to the same extent, I mean, as you can with a larger constituency as in the case of a town where you get a larger public opinion brought to bear. Many villages are rent asunder by fierce feuds of which we never hear anything. If you gave them power, it might be used seriously for oppression. I have known good work done in supervising schools in villages, but there is little opportunity of doing any harm. I would not trust a village panchayat with judicial functions. I have known cases where the people themselves did not seem to trust the village panchayats.

30644. Is the Commissioner's establishment an efficient one?—You mean my own personal office? Yes, it is reasonably efficient.

30645. Have you got modern conveniences, such as typewriting and shorthand writers?—Typewriting is largely spreading; shorthand has not yet come into favour.

30646. Have you any personal assistant?—The Head of my office is called head assistant. He is an Eurasian on the clerical establishmeut.

30647. Have you any Deputy-Collectors as assistants?—No, they do not follow that system in these provinces; the whole of the Commissioner's staff is entirely clerical.

30648. If you had a really high-class assistant of that sort your office would be very much more competent for their duties than at present?—Yes. Sir John Woodburn tried to introduce it in the Central Provinces, but the Government disallowed it.

30649. What do you think of the system yourself?—I think there is a great deal to be said for it. When the Commissioner is away it is often inconvenient to have nobody of any executive experience; also, of course, clerks are apt to get out of touch with the district work; they have no experience of district work.

30650. With regard to the Collector's establishment, are they sufficiently efficient?—As to the local clerical establishments I cannot honestly say that I consider them efficient; they are less efficient in these provinces than in many others. Our standard of education is very low; we are very inferior to Bombay and Madras, and inferior sometimes to the Central Provinces.

30651. (*Mr. Dutt.*) You have told us that owing to difficulty of communication the District Officers in the Central Provinces in the old days used to exercise a great deal of power. Was their administration something like personal government within their own districts?—Yes.

30652. In your own opinion that state of things is not compatible with the advance of civilization, and any attempt to revert to it would be both reactionary and disastrous?—Yes.

30653. At the present time the members of the Provincial Service are appointed by the Local Government both in the Executive and in the Judicial and Educational lines. Orders about their transfer are also passed by the Local Government; would you like to delegate that power to Heads of Departments or to Divisional Commissioners?—I think not. In practice a Commissioner is supposed to exercise a certain amount of power in connection with transfers, and so on; the final order rests with the Local Government, but I am supposed to make suggestions by way of assisting the Local Government as to how vacancies should be met. The Local Government accepts my recommendations as a rule.

30654. In this province there are practically no sub-divisions outside the *tahsils*. You are probably familiar with the arrangement in other provinces, in Madras for instance, where a sub-division generally consists of two or three *tahsils*, and the district consists of two or three sub-divisions. Would that arrangement be more convenient if gradually introduced into this province?—I have no experience of the arrangement. I do not think it is necessary, having regard to the improvement in communications. I cannot imagine any of the districts of my own division in which the *tahsils* could be better grouped than by districts.

30655. You said that there should be no appeal by an officer of Government unless he is directly injured by the order appealed against; in cases where he is injured, would you restrict his right of appeal, or are you in favour of keeping the right as it exists at present?—I would keep it as at present. I have known a man appeal against a transfer; I do not think he should have a right to do that, assuming that the authority had the power to make the transfer; he should only appeal against a direct injury.

30656. With regard to municipalities, you say, "There is an apparent insincerity in making the official Chairmanship of the District Magistrate elective"; will you explain exactly what you mean?—You say, "Have a free election, but one of the candidates should be the District Magistrate." Practically it is not a free election, because the District Magistrate's influence is so great that no other candidate would be likely to come forward against him. It would be more straightforward to appoint him Chairman direct, instead of nominally leaving it to election, when in practice there is only one candidate.

30657. Is there a rule that in the case of certain first-class municipalities the District Officer must be Chairman?—Yes. Personally I am in favour of trying non-official Chairmen. I would begin with the smaller towns. Not the very small towns or the very big towns, but the intermediate ones; places where there is not so much European population, and not so much strain on the Chairman; the very small towns perhaps could not be trusted with these powers, but in many of the intermediate towns they can be trusted, and ought to have that concession.

30658. What is your idea about the Chairmanship of the District Board?—You could leave that official. The District Boards at present are practically Advisory Councils to all intents and purposes.

30659. Are the whole proceeds of the district cess made over to the District Board?—Yes, and in addition it receives a grant from Government. District Boards are not able to meet all their work from their own finances, and their income is made up partly from cess and partly from the Government grant.

30660. Does the Government make any deduction for collection charges?—No, there practically is no collection charge.

30661. There is a proposal that some District Boards might employ their own Engineers, qualified men, when they can afford to do so, and they should be allowed to do the roads themselves; would you be in favour of that?—I think not. For one thing, there might be a waste of power between the district Board's Engineer and the Government District Engineer; their work would overlap; and as long as the District Board's work remains largely Government work, the appointment of two Engineers would be wasteful and a loss of power.

30662. So far as primary education is concerned are the District Boards quite competent to manage and inspect their own schools?—I think so; in fact I would go further and say that I am very much in favour of making over the municipal schools to the municipalities.

30663. With regard to the different branches of District Board's work, such as education, roads, and hospitals, would it be a good plan to appoint sub-committees, each taking charge of one department of work?—Yes, that is largely done now.

30664. So far as your experience goes, is the budget of the District Boards, made up by a Finance Sub-Committee?—No, it is made up by the Secretary and the Chairman.

30665. Could it be left to a small sub-committee?—A sub-committee is not necessary; the work is not sufficiently elaborate.

30666. Would you agree that it is desirable to try to educate the District Board, so that one day they should be able to run their own affairs independently?—Yes, that is the policy to be aimed at.

30667. Are there any steps that you can suggest to create that independent feeling, or at present is all one can do to possess one's soul in patience and wait?—One step that might be taken is to make the Secretaryship non-official; the Secretary is generally an official at present.

30668. There are two alternatives in that connection; you can either have a paid Secretary and a non-official Chairman or you can have an official Chairman and an unpaid Secretary; which is the better of those two alternatives?—The official Chairman and the unpaid Secretary.

30669. Would you get a man to do the somewhat humble work as unpaid Secretary?—I think some gentlemen would be willing to undertake it. I would prefer to keep the official power more in the background. It used to be the Central Provinces idea to have the Chairmanship non-official and to have the officials doing the humble work, as you put it; but the arrangement did not work well; it deprived the non-official Chairman of all sense of responsibility, and it practically meant that the work was done by the official; the Chairmanship became nominal.

30670. Can a municipality, within certain limits, increase or reduce taxation?—Yes, with the sanction of Government.

30671. Might they have a free hand?—The powers that the municipality possess at present are quite extensive enough, but they are not allowed to exercise them.

30672. It was suggested to us that the cess might be of a varying amount; that is to say that the District Board should have power to levy the local cess between a maximum and minimum; is that possible?—I doubt if that would be wise and there is no particular use for it, because, as a matter of fact, as the cess is not enough to meet the District Board's wants, it would become necessary in all cases to levy the maximum; the Local Government if it was asked for a grant would naturally reply, "You are not levying the maximum cess; you must do that before you come and ask us."

30673. Would there be any objection in the way of land settlement to imposing a varying cess?—I think there would.

30674. Possibly the amount of the cess is prescribed, is it?—The amount of the cess is prescribed; it is a certain percentage of the land revenue.

30675. Could you suggest any other direction in which you could improve the finances of the Board?—I think there are some local sources of income that might be made available, the taxation of bazaars which is very common in India and well understood; the levying of a duty on pilgrimages to some large fair, that is also common. That involves the District Boards in a great deal of expenditure and I do not see why they should not have the result of tax; further, such taxes would be in accord with the feeling of the country.

30676. Speaking very generally, have the District Boards adequate funds to carry out the works for which they are responsible?—I should say not. The state of most of our District Board schools and District Board communications is very poor.

30677. That again is a reason why the people are not particularly interested in the work—that they have not the funds to do any real work?—That is so.

90678. Would that also apply to municipalities?—Of course Local Boards would like more money than they have, but the municipalities are proportionately better equipped than the District Boards are. The people are more willing to tax themselves in a municipality; you get a direct return for your money; if a man pays a tax he sees the result in improved roads or drains or water supply, whereas in a district he very often does not see the return.

30679. From your experience as a Commissioner would you say that the District Officer, when he is Chairman of the municipality and of the District Board, tries to promote the progress of the Boards and municipalities, and to push schemes through where he can to promote sanitation, and so on?—Yes for the most part. It is the branch of their work in which perhaps they are most interested.

30680. To some extent do they get recognised at headquarters by their success in doing that?—No doubt.

30681. Is not the result that the temptation to a District Officer would always be to do things regardless of the opinion of the rest of the Council?—That is quite true.

30682. Therefore really there is no inducement to a District Officer to be sympathetic to the wishes of the people on the Board?—No, there is not, really.

30683. If we were to write up to headquarters and say, "I have not succeeded in getting this thing through because the people do not want it" he might be thought rather a weak person?—Quite so; they would think he was rather slack. If he makes a new road the result is obvious; if he consults the wishes of the Board no one knows anything about it.

30684. That is rather an objection to the District Officer being Chairmen longer than it can be helped?—Yes.

30685. You do not seem to think that there is very much hope at the moment with regard to village councils?—No.

30686. Do you lay a great deal of stress on the development of local public feeling in the villages?—There is a good deal of local public feeling in the villages now, but the difficulty is that it confines itself to the village—the village is not in sympathy with other villages. You can get a village to put down crime within its own borders, but it does not discourage its members from committing crime within other village borders. As a matter of fact, every village does exercise a great deal of power over its own members, but I do not think you can trust them to look after public order outside their own borders.

30687. Has one got to try and develop them up to that stage; is that the goal to be arrived at?—Certainly, but I think that political development for the present would have to confine itself more to the higher

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region where you get large towns and educated classes. You cannot expect at present to develop political aspirations amongst the masses of the peasantry.

30688. Your point is that they must be educated first of all?—Certainly, and also they must get a training in local self-government such as the citizens of our larger towns have had to a certain extent.

30689. Can one get first of all one or two typical places where they could put into practice some of the more rudimentary forms of village life?—I introduced school committees myself in this district, and I found that many leading villagers were very keen on having a say in the management of the school in which their children were to be taught, and they even did very useful work and effected a great deal of improvement. There are other things that they might look after—pounds and things of that sort. On the other hand, there is the question of water supply; water supply is a thing in which every village practically has rules of its own, and sometimes those rules are not at all in accord with modern ideas, such for instance as the rule that a low-caste man may not drink at a particular well. Still, they have their rules and they administer them; there is not much scope for development of that; it has already attained the development that suits them.

(*The witness withdrew.*)

Adjourned.

FORTY-EIGHTH DAY.

LUCKNOW, *Saturday, the 15th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, ESQ., M.P., Under-Secretary of State for India, *Chairman.*

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, ESQ., C.I.E.
W. S. MEYER, ESQ., C.I.E., I.C.S.
W. L. HICHENS, ESQ.

Raja MUHAMMAD TASADDUQ RASUL KHAN, C.S.I., of Jahangirabad, was called and examined (through an interpreter).

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30690. (*Chairman.*) You are a *talukdar* of Oudh?—Yes. I live at Bara Banki. I was formerly a member of the District Board there.

The share of revenue allotted to these provinces is too small to enable the Local Government to carry out many important schemes beneficial to the province. At least 50 per cent. of the revenue from all the sources should be given back to the provincial funds.

The Local Government should be empowered to borrow up to 20 lakhs to carry out important projects of the province. Loans should be negotiated on the same plan as that of the Government of India, the Local Government being responsible for their repayment.

There should be no curtailment of, or modification in, the right of appeal to the Government of India. In appeals the production of a certificate from the authority appealed against should not be made compulsory. Such a restriction would be very prejudicial to the interests of the appellant.

Commissioners should be authorized to remit and suspend revenue and to appoint tahsildars in their own divisions. Collectors or Deputy Commissioners should also be empowered to partially remit and suspend revenue and to appoint at least naib-tahsildars in their own districts. At present Sub-Divisional Officers have got no control whatever over the staff in the sub-divisions in their charge. They should be given a reasonable command over the staff of their sub-division who are Non-Gazetted Officers.

In cases of emergency Deputy Commissioners should have the power to transfer the expenditure granted under the head of one item to a different head. In waiting for sanction much delay is caused and sometimes the sanction sought for comes when it is too late.

The press of work on the Executive Officers is one of the reasons why they do not generally come into personal contact with the people. There should be an Assistant Commissioner in every district to lighten the work of the Collector or Deputy Commissioner. Courtesy, politeness and sympathy generally shown to the people would improve the relations between the rulers and the ruled.

Officials should possess a complete knowledge of the vernaculars so that they may have no difficulty in generally mixing with the people.

The number of Deputy Collectors should be increased in every district.

Deputy Commissioners or Collectors should remain in one district for at least five years. There should also be an Assistant Commissioner, who may take charge of the district whenever any vacancy occurs. Thus the evils of frequent transfers will be obviated.

I am in favour of the creation of Advisory Councils for Divisional and District Officers with this reservation, that the members should have the right of introducing important measures touching the interests of the division or district, and the selection of the members should be made from among the educated and respectable community.

30691. You think the Local Government should be empowered to borrow up to 20 lakhs, but is there a local market in which they could borrow apart from any market which subscribes to imperial loans?—There is ample opportunity for the Local Government to borrow any amount of money, and there is a market; when municipalities can borrow money, there is no reason why the Local Government cannot borrow money.

30692. Is there a class of lenders of money, apart from the people who apply for shares in the Government of India loans?—There are many men who can lend money to the Local Government, apart from those people who subscribe for the loans of the Government of India. There are men who are anxious to help this province, and when they see that the Government, in working for the benefit of the province, is wanting to raise money, they will come forward and gladly help. At present the Government has no funds, and in consequence there are several important schemes left in the background, but when people come to know that what is proposed is for the good of the country, and this province in particular, they will come forward and help. There are now three lakhs of rupees wanted for female primary education, but as there were no funds forthcoming locally the Government of India refused to come forward and help the scheme.

30693. Was that for the building of schools?—For the building of schools and maintenance of the staff. Then there are also wants for industrial education. There is no opening for the students of the colleges except Government Service or medical employ; and there is no room for improvement in the way of technical education, so that I think the aristocracy of the province would surely come forward to aid in

anything that would benefit and educate the community. The share the Imperial Government allots to the Local Government is hardly enough for the wants of the province.

30694. When you were a member of the District Board, did you take an active part in the work, or were you content to let the Chairman do all the work?—I think that a non-official Chairman should be appointed, but it is rather difficult to find suitable men in every district to appoint as Chairmen of the District Boards. In districts where such a man could be found he should be appointed Chairman. I think the people are desirous of showing that they have ability enough to perform such duties, and Government should give them opportunities.

30695. Would a non-official Chairman have time to go round a big district?—If men considered themselves responsible they would surely devote the necessary time.

30696. You say that you are in favour of Advisory Councils for District and Divisional Officers; do you wish to see such Councils formed in addition to the existing District Boards?—Yes; the present informants of District Officers are the police, or the *girdawar kanungos*, and these Advisory Councils should be given power to express their opinions on various points so as to inform the District Officer. The District Officer should then take action. The Council should have a voice in all matters connected with administration.

?0697. You say the District Officer only gets his information from the police; but as a matter of fact does he not know many respectable gentlemen from whom he can obtain information apart from the police?—Generally the District Officers, when a gentleman comes to see them, simply says, "How are you?" and do not care to ask any questions about administration, or anything happening in the district. If all Collectors take interest and ask questions, of course they will get information.

30698. Are you not yourself a friend of the Collector?—I am when he is there, but if a Collector was discourteous to me I would not go very willingly to see him.

30699. Do the people, generally speaking, really wish for education?—They are most eager for education; they are starting educational institutions out of their private funds, and if the Local Government can get the money from the Imperial Government, the first thing it should apply it to is education in general. There should be a reduction in fees, and competent masters should be appointed.

30700. Is not the question of fees and the appointment of masters within the power of District Boards now?—The District Boards cannot keep up their hospitals and roads, and therefore have no funds for education.

30701. If they had funds, would one of their first steps be to reduce the fees?—Probably.

30702. Are you satisfied with the present system of management of primary schools?—No, it is defective. The teaching staff is not efficient; and there are no boarding-houses or play-grounds for the boys.

30703. Is the system satisfactory by which the inspectors who inspect and the masters are servants of the District Board, and the Educational Department itself exercises only a very general supervision?—The District Board should have full powers as it has at present.

30704. Would you wish for the assistance of the Education Department as it is given now?—I think that must continue.

30705. Generally is the sum and substance of your complaint that the District Board have not enough funds?—Yes.

30706. (*Mr. Dutt.*) Is it desirable that there should be a primary school in every village, or in every group of small villages?—There are schools in a big village to which the children from neighbouring villages go, but in some places the schools are only small rooms big enough to accommodate perhaps ten students, and it is necessary that larger buildings should be provided where a larger number of students could be accommodated.

30707. Are there not many villages where there are no schools at all at present?—Yes, there are.

30708. Supposing a District Board gave a small sum per month of Rs. 3, Rs. 4 or Rs. 5, would the *talukdars* or the villagers undertake to maintain a school by providing the building and paying all other expenses?—I personally would help towards it, but I cannot say what other gentlemen will do.

30709. Would the other *talukdars* be inclined to help a District Board in that way?—I hope so.

30710. Is it desirable to extend primary education under such a system of aiding primary schools?—An extension in the way of education must be made.

30711. Do you recognise the fact that the funds of the District Boards are limited, and that some sort of assistance from the villagers themselves or from the *talukdars* is necessary before education can be very much extended?—Yes.

30712. (*Mr. Hichens.*) Was it a good thing that the *tahsil* Board was abolished?—I am not in favour of that, because the local necessities were known to the local residents, and now that the work is being done by the District Boards the members will not be in touch so much with the necessities of a place.

30713. Would it be a good thing to have a Local Board if it had powers to carry out certain definite works?—It is necessary that the Local Board should come in, but they should remain under the District Boards.

30714. (*Mr. Meyer.*) Would you like Commissioners to be able to appoint tahsildars in their own divisions?—Yes.

30715. It has been said that a tahsildar's prestige would be diminished by that. Would it affect a tahsildar if he was appointed by the Commissioner rather than by the Local Government?—This prestige would be increased because the Commissioner nominates a man for a *tahsil* to the Board and a poor man is not selected for years. The Commissioner has no powers in the way of recommendation. Recommendations are made by the District Officer and go through the Commissioner and then to the Board; the Commissioner is simply like a post office.

30716. Would you like to see the Commissioner less of a post office and more like an Assistant Governor in a province?—Yes; as Commissioners they have no powers with regard to suspending revenue. In October an effort was made to suspend the revenue, but the orders were not received until December, and it was such an important thing that if the Commissioner had had power to do it, it would have taken only a week.

30717. Is it necessary to have the Board of Revenue and Commissioners too, or would you like to see the Board of Revenue done away with and the Commissioners invested with the powers of the Board of Revenue?—The Commissioner is enough for the wants, and we do not want a Board of Revenue.

30718. (*Sir Steyning Edgerley.*) Do you also think that there are not sufficient Assistant Commissioners and Deputy Collectors to permit the work being got through punctually enough for the wants of the people?—Yes. The reason is that officers now have to do both judicial and revenue work. In Bara Banki jail there are men who have been waiting for six months for trial, and partition work takes years and years before it is completed.

30719. Are the *tahsils* too big for the tahsildars to manage?—Tahsildars should have enlarged powers; they have no second class powers, they only try third class cases, and they have so much revenue work to do that they cannot devote much time to the judicial work.

30720. Should their charges be reduced?—It is not necessary to reduce the charges, but the naib tahsildars should have power to help the tahsildars to try such cases.

30721. Would you give naib tahsildars magisterial powers?—I think so.

30722. Is the class of men who are appointed as tahsildars improving?—Yes, I think so.

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30723. Might tahsildars now be appointed Second Class Magistrates?—Generally I do not think so, but those who prove themselves efficient should have those powers.

30724. (*Chairman.*) Is there any other matter you would like to mention to the Commission?—As regards the Court of Wards, estates are at present under a manager under the supervision of the District Officer, the Commissioner and the Board, and it is rather a pity that District Officers have no power to spend anything on education of wards or the welfare of a widow. They should have power to look after the interests of the wards as well as of the estate. Any proposal sent up by the manager is ignored by the Board, and any proposal sent up by the District Officer for the education of a ward is set aside by the Board and the Commissioner says nothing, as he is under the Board of Revenue.

(*The witness withdrew.*)

The Hon. Mr. R. W. GILLAN, I.C.S., was called and examined.

The Hon. Mr. R. W. Gillan.

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30725. (*Chairman.*) You are Financial Secretary to the Government of the United Provinces?—Yes. I am also a member of the Legislative Council.

The matters with which I have to deal in my present appointment are — Financial; Municipal; District Boards; and Forests.

In matters of general principle the Government of India is not too centralized nor does it interfere unnecessarily with Local Governments. The financial codes are out of date; but in large matters the Imperial Government has given us as much independence as the circumstances of the case admit. In administrative questions examples can be quoted of what appeared to be an unnecessary striving after uniformity. It was my duty as Secretary to the Board of Revenue, for example, to draft the rules on remissions and suspensions of revenue, but cases of this kind are exceptional.

The relation between the Local Government and its subordinates depends in these provinces on the personality of the Lieutenant-Governor, and policy in most matters of administration in this country is a pendulum. It may be desirable to take steps to prevent it from swinging some day too far towards centralization, but it is difficult.

As for officers subordinate to Local Governments, we can do a good deal to strengthen their position and relieve them of work by revising the codes and increasing their financial powers—in particular in the matter of budget transfers and of pensions.

The whole of the machinery of Government is overworked. I have known many Secretaries and they were all overworked men. There are some subjects—revenue for example—which we learn in the course of district work, and which we could learn in no other way. There are others—finance for instamce, or taxation, or sanitation—which one must learn otherwise. I do not know who has leisure for an adequate study of such subjects. It is the same with Commissioners—they are absorbed in case work; with Collectors, who are taken up with reports and appeals; with Joint-Magistrates and Deputy-Collectors. It is the custom to blame centralization too much for this condition of affairs. We have to reckon also with the inevitable growth of business in every department. But the rapidity of expansion has not been fully allowed for in our establishments. From time to time there are special commissions on special branches of the administration, those branches receive recognition and are brought up to date. But the general administrative staff, though the most important of all, is no man's child and has been starved in consequence. A Secretary to Government ought not to work on Sundays. A Deputy-Collector ought not to have a vernacular clerk in each corner of his room taking down evidence in the cases which have been put down for "hearing." The first essential of decentralization is leisure.

If we are to do any substantial good, we shall be faced with the necessity of a root and branch revision of the present staff and a large expenditure. At the same time there are possibilities of diminishing the work as well as of increasing the staff. Thus in the matter of rules and circulars, there are certain matters in respect of which rules can scarcely be too detailed, such as accounts procedure. But there is a tendency for all rules to be cast in the same mould, whatever their subject matter may be, alike for subordinates and for responsible officers. There is a great scope for the revision of our numerous manuals and codes, and we could do much to minimize the paralyzing effects of rules, and show officers that rules are meant to assist, not to hamper, by altering their form even if we did not change their substance. Another direction in which we can reduce work is by the extension of informal correspondence, free exchange of files and so on, between offices.

There is a great deal of reduplication of work in all offices, I do not know that we recognize sufficiently the influence in the administration of the *offices* as distinct from officers. The influence of the clerk is insidious and extensive. The codes are the coral reefs that bear witness to his activity. A clerk has a rooted belief in the efficacy of having a thing done over and over by as many men as possible. For instance, a fair copy of a letter is compared by the clerk who types it and another, but this is not sufficient; the fair copy must go to the superintendent before it is submitted for signature. The manuscript to be printed in the proceedings of Government is edited by a junior clerk, by the superintendent of the department, by the Registrar of the branch, by the Under-Secretary. It goes to press. The proof comes back and in the Secretariat goes the round again from junior clerk to Under-Secretary.

It is possible that the same principle of duplicating work has operated largely in our audit system. There certainly is a great deal of copying out of accounts and sending them to different offices—departmental and audit—and comparing the copies, and finding out variations and sending down "discrepancy memoranda." There is a great deal of signing and countersigning in two or three places on duplicate bills of various kinds. I do not pretend to say how far all this is necessary. But there is a very strong and general feeling that the Audit Department needs overhauling. I am not aware that any revision has ever taken place. And it is the fact that it is in the Audit Department that the clerk finds the greatest scope for his activities.

The village community is no longer a factor in practical politics. With the disappearance of pressure from without it has lost coherence and unity of purpose. We are bound to deal more and more with the individual and less with the community, and it is the absence of real representatives of important classes that is one of the great difficulties in the way of communication between Government and the people. I do not think that any advantage would be gained by the creation of District or Divisional Councils. New aggregations may form themselves. It does not seem to me that we can take much share in the reconstitution of society, but we can associate more individuals with the Government. The question is of great importance, both administratively as a relief to the regular courts and politically. We should strive also to work into our system men from the lower levels of society—village representatives of the tenants and petty landlords. The *lambardar* was an intermediary between Government and the people, but an intermediary whose position rests on the joint responsibility for revenue cannot much longer retain his influence. The disappearance of the *lambardar* is to be regretted; the question is, how can we provide a substitute?

The new aggregations for which we are responsible are the Municipal and District Board. Personally I agree that the outlook is hopeful, and I would not on any account diminish the share in the administration which local self-government has given to the people. But improvement is a slow process, and there is need of patience. I think we have done as much in these provinces as circumstances permit to increase the power and responsibility of Local Boards. To do more at present would be to outrun the capacities of the Boards, and an artificial hastening of the process of development could only end in disaster.

30726. You say that the Financial Codes are out of date ; will you explain what you mean ?—The codes were made at a time when the financial arrangements of the provincial and Imperial Government were much stricter than they are at present.

30727. At what date were the Financial Codes framed ?—It has been a gradual thing ; there have been many additions to them ; I do not know exactly when they were started.

30728. You are not referring to one particular document, but to an aggregation of rules which govern you ?—That is what the codes are ; I refer to the Civil Service Regulations and the Civil Account Code.

30729. Is your provincial budget made up by the Heads of Departments ? — Yes ; the miscellaneous estimates do not come into any departmental budget.

30730. The budget is not made up by the Commissioner or the District Officer ?—No, except as to miscellaneous estimates ; the miscellaneous estimates are compiled by the Accountant-General from the materials supplied to him from the various districts.

30731. Is that part of the duties of a District Officer ?—As far as these heads go.

30732. Do the Heads of Departments make up their estimates from details supplied to them by District Officers ? — Yes ; they send consolidated statements to the Accountant-General.

30733. Do the rules give any latitude at all to Commissioners or District Officers to remit or suspend revenue ?—They can only postpone it, but that has not the legal effect of a suspension ; in that matter we are rather tied down by the provisions of the Tenancy Act which we are thinking of amending. It is a provision of the Act that rent can only be suspended or remitted when revenue has been suspended or remitted by the Local Government, so that we have to get an order for suspension and remission of revenue by the Local Government before anything can be done with the rent. We suspend the revenue first, and in proportion to the suspension of the revenue, so the rent is suspended ; we do not start with the rent, we start with the revenue.

30734. You say you could do a great deal to strengthen the position of subordinate officers by reducing the codes ; can you do that yourselves ?—No, not the Account Codes. They are entirely under the Government of India.

30735. Have you no power at all in your own hands ?—There may be a few small things in which we have power, but they are only minor points. I think there are some sections for instance which empower us to delegate powers with regard to travelling allowances.

30736. In that particular have you made any beginning ?—Yes, something has been done. For instance, Commissioners have power to appoint temporary establishments and assistants of various kinds, and various other Heads of Departments have similar powers to sanction payment of travelling allowances to inferior servants, and to sanction permanent advances to subordinate officers.

30737. Were these concessions made quite recently ? —I am not sure.

30738. How long have you been Financial Secretary ?—Only five months, and it was done before my time.

30739. You say there is a good deal of reduplication of work in the office ; does not that lie entirely with the Head of the Department to remedy ?—Yes, entirely.

30740. Who is reponsible for the conduct of a department ?—The head of it.

30741. Why do they not do these things themselves instead of bringing them before us ?—They are things that gradually grow up, and are difficult to deal with.

30742. Then, again, you say that the influence of the clerk is insidious and extensive ; has the Head of the Department no control over the clerk ?—Undoubtedly, but it is because things happen without being noticed at the time. It is not what happens all at once, but it is a gradual process.

30743. Would it be a good thing if from time to time the Local Government appointed a Committee to see what was going on in the way of centralization and multiplication of work ?—That what has been done here. Mr. Impey was put on special duty four or five years ago and went through all the various returns and reports that were required from different officers, and he cut down a great many of them. That was in connection with the general enquiry which was made by the Government of India with regard to the reduction of official reports.

30744. And it would appear that something remains to be done still ?—Yes, I should say so, certainly.

30745. Have you been a District Officer lately ?—No, I have not been a District Officer for a long time ; I have had very little district experience.

30746. Have you been employed mostly in the Secretariat ?—No, I was Settlement Officer for five or six years, and then I was Secretary of the Board of Revenue.

30747. How long is it since you have done actual district work ?—I was in a district for a few months in 1902. I first of all went to settlement work in 1905, and I was engaged in district work up to that time.

30748. A geat deal of evidence has been given to the effect that it would be well in the general interests of a province that the Collector of a district should cease to occupy, as an official, the position of Chairman of the District Board or the municipality ; what have you to say as to that suggestion ?—There are a great many places where a private person would not be obtainable as a Chairman in the first place, and secondly we have not much experience in these provinces ; there is only one municipality where there is a non-official, and we cannot say from that experience that we are encouraged to go further into the matter at present.

30749. In that case is it not a success ?—No, it is not. Things are generally not well looked after, there is a slackness in the administration, and great delay takes place in carrying out necessary works. They have a drainage scheme there which has taken a very long time to carry out, and with regard to which there are constant delays still occurring.

30750. Do not most drainage schemes of any magnitude take a considerable amount of time to carry out ?—Yes, they do.

30751. Has there been a greater amount of time taken up with regard to the drainage scheme in this particular municipality to which you refer than in other places ?—The delay has been very marked, three or four years.

30752. Then does this particular example which you have quoted lead to infer, speaking generally, that it would not be desirable in the interests of good government to take away from the Collector the Chairmanship of a municipality or District Board ?—Yes.

30753. Would you make any exception to that general rule ; would not large towns be capable of supplying non-official Chairmen ?—That is the point which we had recently to consider in the cases of Allahabad and Cawnpore. Both the municipal and district work there is too heavy to be done by one man, and the Lieutenant-Governor has been considering what he ought to do in the matter. He was of opinion that he would not be able to get a sufficiently good man in Allahabad or in Cawnpore to be the Chairman of such an important municipality, and he proposes to put an official as Chairman of the Municipal Board.

30754. So that even in larger towns is it your view that capable non-official Chairmen are not to be found ?—I think that is the Lieutenant-Governor's view certainly. That is my view too.

30755. With regard to the budgets of municipalities and District Boards, do they come up to the Financial Department ? —The budgets of District Boards, first class municipalities, and of municipalities indebted to Government, are submitted to Government ; the budgets of other municipalities are disposed of by the Commissioner.

30756. Could a Commissioner dispose of the budget of a first class municipality provided it was not in debt ?—I think it would be better in that case that the budgets we wished to see should be specified.

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30757. And that the rest should be left to the Commissioner?—A great many could be left to the Collector and need not go to the Commissioner at all, very few of them really.

30758. Would that apply to District Boards as well as to municipalities?—The Commissioner ought to see the budgets of the District Boards. They look after very important matters of administration, education and Public Works, and so forth, and it is a much larger business, but there are a number of small municipalities as to which it seems unnecessary to me that the figures should go beyond the District Officer.

30759. Are there more grants made to municipalities for sanitary and kindred purposes than to District Boards?—No, we give hardly any money to municipalities.

30760. Do you not give them money for special purposes?—Very few indeed—that is a matter for which we are anxious to get money from the Government of India.

30761. Can you make grants without raising loans, or do you want to make them out of revenue?—They get large sums from us in loans. To the District Boards we give direct contributions which are not loans.

30762. Is all this growth of self-government in the shape of District Boards and municipalities of modern development?—Yes, it is all within the last thirty years.

30763. It is not the revival of an indigenous system of government?—Not at all; it is a new thing.

30764. With regard to panchayats which it has been stated it would be desirable to revive if possible, or to create for the purpose of developing village autonomy, —what have you to say?—The village community has lost its coherence; it is no longer a real power, and it is rather useless trying to strengthen it.

30765. Would it be a waste of time to try and revive it?—I am afraid it has gone.

30766. Is there a spirit of disintegration existing which it would be impossible to stop?—That is my view.

30767. Does any of the work of the Sanitary Board come before you?—Yes, the schemes that they pass come to us in the Municipal Department.

30768. Have they any power of sanctioning schemes definitely?—They sanction them on the technical side; they always require the sanction of Government.

20769. After they have left the Sanitary Board do these schemes go on to the Public Works Department for further criticism there?—No, they are sent to us administratively.

30770. Do you send them to the Financial Department for criticism?—No, they are in the same branch of the Secretariat, and are disposed of in the Municipal Department.

30771. Is that simply because you also happen to be the Financial Secretary?—It does not affect province finance at all except so far as a loan is concerned; we have to find the loans.

30772. And therefore being both Financial and Municipal Secretary you settle the matter at the same time?—Yes, that is so.

30773. But the Sanitary Board has no power of sanctioning details on purely technical issues?—Exactly.

30774. Is that a satisfactory system?—I think it is necessary for the Government to look at the work proposed, or the project.

30775. Could you suggest any simplification of the present system?—I do not think so; it is necessary to have the technical advice of the Sanitary Board, and it is necessary to have the administrative decision of the Government in these large schemes.

30776. Does the Sanitary Board move about?—No. I think that was contemplated in the rules which were originally made for it, but it has never been carried out in practice.

30777. Are you satisfied with the present system and the relations between the District Officer and the forest officer?—Yes. I have never heard of any complaint in these provinces.

30778. Is it necessary that the working plans of every forest should go up to the Government of India?—I do not know about the technical side, which is looked at by the Inspector-General of Forests. They send us the working-plans here, and it always strikes me as rather unnecessary that they should do so because they are sanctioned as a matter of course, but I do not know what is done with them by the Government of India—there might occasionally be some administrative question.

30779. Is the reference to you of these working plans unnecessary and might be dispensed with?—I have never seen any case yet in which it was necessary to interfere or on which any point arose for our decision.

30780. (*Sir Steyning Edgerley.*) You represent that the twenty years' rule for repayment of loans is rather too rigid?—That was stated in the Government letter. Personally I do not agree with that, as the twenty years' rule is laid down simply because it is not economical to have a longer time fixed.

30781. Do you know what was in the mind of Government in the way of substitution?—There are cases in which municipalities are not able to repay in twenty years, and in which we recommend to the Government that they should be allowed to repay within thirty years; possibly the Local Government meant that an option in the matter might be left to them.

30782. Has Government any power with regard to taxation by District Boards for the construction of light railways?—No.

30783. Suppose a feeder railway extended over more than one district, are there any means of co-operation between two or three Boards in whose districts the railway might happen to be?—In a case of that kind each of the Boards would be authorised to levy a cess, and on the basis of that cess they would be able to guarantee the interest on the whole railway jointly.

30784. Can they co-operate for such a purpose?—I do not know whether there would be any legal difficulty.

30785. Is there any idea here that Government should have the power of imposing such a cess for such a purpose?—I have not heard it raised.

30786. The Government letter suggests that the Government might possibly borrow for industrial or commercial purposes—what does that refer to?—There is a case at present of a glass factory which has been started.

30787. Do you mean that they might be able to furnish money to support new industries in a province so that they might get a foothold?—Yes.

30788. But not to develop things which are already running concerns?—In this case the factory is a running concern, but it is the first of its kind. There have been several attempts to start glass factories which have all failed hitherto, but this is a promising concern, although it has not enough capital, and we think it would be a very good thing if we could make that concern a loan in order to develop the industry.

30789. And you would not lend money except in cases of that character?—No, it is only to meet cases of that character.

30790. Supposing a radical change in principle is made, and, that whereas the principle hitherto has been that every power which is not expressly given is withheld, the principle should be laid down that everything which is not expressly withheld belongs to Local Government; would you advocate a revision of the codes on that basis?—Yes.

30791. You also advocate that any power which the Local Government possesses they should also have power to delegate as they chose?—Yes.

30792. They would be responsible to the Government of India for its exercise, in fact, either by themselves or by their subordinates?—Yes.

30793. It is also suggested that there should be a thorough examination of the methods of the Audit Department. You say that you do not know if anything of the sort has been done, but is it quite possible it may have been done without your being aware of it?—Yes, I do not mean to say that it has not been done.

30794. Another witness has suggested that there is inconvenience in the rule requiring sanction in cases where the cost of a scheme is over Rs. 25,000 a year: that limit is apparently applied to any revision of district establishments simply because it extends over more than one district, with the result that you cannot revise establishments gradually as the funds accrue without going up to the Secretary of State, because the province and not the district is regarded as the unit of the scheme—have you anything to say with regard to that?—That is when the cost of one scheme amounts to more than Rs. 25,000.

30795. The scheme quoted was for revising the pay of the village officers — the patwari establishments throughout the various districts of the province?—But you must look at the scheme as a whole; otherwise you could split up any scheme into items smaller than the maximum allowed.

30796. But is not each district establishment self-contained?—I think it is right when one goes up with a general scheme, which in the aggregate amounts to more than a certain sum, that it should have the sanction of the superior authority.

30797. You think you ought to put all the districts together in a scheme of that sort and treat them as a whole?—In the case of the patwari establishment I think it was done gradually.

30798. It was apparently done gradually, but was stopped, and the Local Governments were told they would have to go up to the Secretary of State—have you anything to say about that?—No, I have nothing to say on that point.

30799. You suggest that the policy on most matters of administration in this country is pendulum-like—does that mean that there is an undesirable want of continuity in the administration of the provinces?—I think that effect can be clearly traced in the discussions on most large questions.

30800. Are all the requirements as to proposition statements in effecting a revision of establishment necessary?—I cannot say about that. It is an audit requirement.

30801. Does it give you any considerable amount of trouble?—Yes, it does frequently, because they have to set out the whole of the present establishment even if they require to make only one minor addition.

30802. Have you ever sent anybody to other provinces to see how the larger municipalities are managed there?—I do not think so.

30803. Would it surprise you to learn that there are municipalities with populations of 150,000 to 200,000, such as Ahmadabad and Karachi, managed by non-official Chairmen in other provinces?—I do not know, of course, who the non-official Chairmen are in those places. I can only say that we have tried in the large cities of this province, and we have not been able to find them.

30804. Would it not be a good thing to send people to other places to see what is being done there?—Yes, it might be enquired into, certainly.

30805. You are not in favour of making any attempt to resuscitate village administration?—I do not think it would be successful.

30806. Could you do something with rather large villages, or groups of villages such, for instance, as the villages which frequent one market town? Might they form a small local area and be allowed to manage their own ordinary affairs to some extent?—We have local management in small towns now, but I do not know that anything would be gained by adding to them surrounding villages.

30807. (*Mr. Meyer.*) Have not the Government of India issued instructions within the last few years that when you send up proposals to increase an establishment, you can send them in abstract when you are not making any very large additions, and that you need only put in the section of your office or establishment which you are revising?—No, I have not seen it.

30808. Is not the rule with regard to the Rs. 25,000 limit intended, rightly or wrongly, to give the Government of India and the Secretary of State some contol over large provincial expenditure?—Yes.

30809. Are not the largest amounts of expenditure those which are incurred on establishments scattered about through various districts, such as police, patwaris, &c.?—Yes.

30810. Therefore if you adopt the suggestion of treating each district as a compartment, would not the entire intention as to control be evaded?—Yes.

30811. Are you in favour of borrowing by a Local Government?—No, I do not see any advantage in it.

30812. Or that a Local Government should have powers to guarantee interest on loans for light railways or other works undertaken by private enterprise?—We have suggested that the District Boards should give that guarantee.

30813. But there is also the alternative that the Local Government might do it?—It falls more properly within the province of a District Board.

30814. Even when a railway runs through two or three districts?—In that case those districts ought more properly to give the guarantee.

30815. Are you in favour of District Boards being empowered to raise a railway cess?—Yes.

30816. Have any proposals been made in that direction?—No, not as far as I know.

30817. Is not that a sort of platonic affection for a railway cess?—At present we have not enough power under the Act.

30818. But you could always amend your Act?—It has only recently been amended.

30819. Referring to the case of the glass factory you mentioned, is it your idea that the Government should take shares or debentures, or make a loan, or what?—Make a loan.

30820. To be paid within a certain time?—Yes.

30821. Is not every new enterprise always painted in the most glowing colours by its promoters?—It is a question which would be enquired into; in this particular case we might give the money on a mortgage of the property and see that the repayment is secured; we should not be giving it simply in order to help the company, but what we want is for them to train glass experts for us, and that is one of the things which we propose they should give us in return for the loan.

30822. Will it not be rather difficult to draw the line; when once you begin to aid one gentleman in his meritorious private enterprise you will have a lot of other claimants?—It is a question for Government to examine into each case and see whether it is worth while to do it from the general view of the industrial interests of the country.

30823. Are you prepared to make a plunge and to risk half a dozen people coming to you for every one man you assist?—Certainly.

30824. And you do not think there will be any howling from other people whom you have not assisted, and complaint that Government is interfering with private enterprise?—There will be difficulties, certainly.

30825. With regard to the accounts restrictions, are the complaints generally in such matters as accounts being required in duplicate and triplicate, and signatures being required here and there, and the countersignature of the Commissioner being required to the Collector's travelling allowance bills, and so forth?—Yes.

30826. Do not all those matters practically rest with the Local Government?—I do not think the countersignature does.

30827. Does the Government of India require that the Commissioner shall countersign the Collector's travelling bill?—The Local Government can say who is to be the countersigning officer.

30828. Therefore if the Commissioner is the countersigning officer the responsibility lies with the Local Government?—We could only put some other officer in the place of the Commissioner.

30829. But you could let the Collector countersign his own travelling allowance bill?—No, I do not understand that.

30830. Would you be surprised to learn that I, as a Collector in Madras, have habitually countersigned my own travelling allowance bill? With regard to the accounts being in duplicate or triplicate, that means that one set is required for the Accounts Office and

another set for another office, and so on, but cannot the Local Government step in there?—In what way? One is required by the Accountant General.

30831. And the other two are required by some other people outside—cannot you say they are not wanted?—That I cannot say.

30832. As far as you are concerned, the complaint is without due weight because you have not gone into the matter?—It is a complaint generally made.

30833. But it is mere hearsay as far as you are concerned?—It is.

30834. You speak as if you agreed entirely with the suggestion that it would be a very good thing if accounts were habitually inspected; are you aware that they are habitually inspected, and that there are two Deputy Auditors-General of Accounts?—Yes, that is on the audit side.

30835. They go round and look into matters?—Yes.

30836. It is also alleged that the tone of the Accounts Officers' objections and communications is discourteous—do you hold that opinion?—I have never had any such experience.

30837. Are not the grounds of objection, and so forth, stereotyped in about twenty-five or thirty cases?—Yes.

30838. You mention the Government of India remission orders of 1905 as a matter in which the Government of India interfered unduly, but was not the intervention, such as it was, entirely in the direction of liberality?—What we objected to was that they went too far in the matter of laying down detailed rules which we found it very difficult to carry out.

30839. As regards remissions, did they not merely say that a loss of so much of the crop should be considered as entitling the owner to full remission, and that loss of a smaller proportion entitled him to half remission, and so on?—They went into very great detail.

30840. But did they not leave each province liberty to make its own detailed rules?—We made the rules, but we had to send them up to the Government of India.

30841. Did they not introduce a more liberal system with regard to various items of remissions and suspensions that you had hitherto had in this province?—No, I do not think it was more liberal, but it was not on a question of principle that we objected to those orders at all; it was simply that besides laying down principles to be followed they also laid down directions on a lot of minor points on which we found it ultimately difficult to make rules—especially on matters of procedure.

30842. Here nobody except the Lieutenant-Governor can remit a single rupee?—Yes.

30843. That is not the fault of the Government of India?—No, it is the fault of our Act.

30844. Would you be prepared to give considerable powers of remission to Commissioners?—I should, certainly.

30845. Would you be prepared to give Commissioners budgets of their own, especially in regard to Public Works matters?—I have not considered it properly with regard to Public Works, but I do not see how they could have a divisional budget very well.

30846. Do not all provincial works go up to headquarters now?—All major works—anything costing above Rs. 2,500.

30847. Is there a general scramble on the part of all the districts?—Yes, that is about it.

30848. You must keep a certain amount at headquarters for reserve, but the proposal is that the rest should be left to the discretion of the Commissioner by whom it should be allotted—do you see any objection to that?—It would be better for the whole Public Works budget to be gone through at headquarters to start with.

30849. It has also been suggested that the Commissioner should have a certain budget allotment within which he might create temporary, or possibly permanent, appointments to cope with pressing work—would you be in favour of that?—Yes, I would give him allotments for that purpose, certainly; he has allotments for various purposes at present with regard to temporary establishment.

30850. What is the amount?—It is not fixed; the Board get an allotment in the first place which they distribute over divisions according to their necessities.

30851. Is the practice that the Board hands over a certain amount which the Commissioner passes on to the Collector, or does he keep it in his own hands?—The Commissioner keeps it in his own hands.

30852. What do you give the Board?—About a lakh and a quarter next year.

30853. For temporary establishments?—Yes, but the amount will be exceptionally heavy next year because we want additional establishments for collecting the enormous amount which is outstanding. Normally the allotment is about Rs. 75,000.

30854. So that normally there would be about Rs. 8,000 for each division?—But the Board keep a reserve.

30855. Then Rs. 5,000 for each division?—Yes.

30856. Is that sufficient, or would you increase it?—It is sufficient for the temporary establishment which at present they have power to maintain, but we hope to give them further powers with regard to temporary establishments.

30857. Do District Boards or municipalities have to come up to the Commissioner for any re-appropriations after the budget is passed which they desire to make?—No, they re-appropriate within minor heads themselves.

30858. Do you mean with regard to a sub-head under education?—They have their own budget heads.

30859. But they follow the provincial budget heads to some extent?—No.

30860. Can you give an example of what would be a minor head?—In the municipal budget you would have office establishment, collection of taxes, conservancy, Public Works—those are major heads.

30861. What would a minor head be?—Taking Public Works, for instance, you would have maintenance and repair of roads, and so on.

30862. Then within a major head they can re-appropriate from one minor head to another, but when it comes to re-appropriation from one major head to another major head they have to go to the Commissioner?—Yes.

30863. Is that always necessary?—In the case of District Boards it is necessary because they are dealing with such very different things. It should not be necessary in the case of a municipality.

30864. (*Mr. Hichens.*) It has been suggested that it would be better to give District Boards a fixed annual contribution instead of the present indefinite amount which they get from the Government—what would you say with regard to that?—We have done that here. We have given them a three years' contract.

30865. But at the end of that time has the matter to come up again for revision?—This is the first time it has been done; I have no doubt a further contract will be given at the end of that time if necessary.

30866. Is the contract for a sum which represents their requirements in each individual case, or is it based on any principle?—It was calculated so as to cover their necessary expenditure.

30867. So that one District Board may get very much more *pro rata* than another?—Exactly; there are two or three Boards which get no contribution at all, because they have already sufficient funds of their own—those are the larger and richer Boards.

30868. The suggestion rather was that there should be some definite principle laid down on which the Government should contribute, so that each Local Board should not be dependent so much on the charity or goodwill of the Government—what do you think of that?—At present the main revenue of District Boards is derived from the rates, and we appropriate from that for Government purposes at present merely the amount paid for the rural police, but we are hoping that some day we may be able to do away with that re-appropriation, and that each Board will stand on its own footing and enjoy its own income.

30869. You mean that each Board will get the cess collected within its own area?—Yes; it does to a certain extent get that now minus the appropriation; if the appropriation was done away with, it would be absolutely independent, except that a very few of the Boards would still require something from Government to keep them going.

30870. If the Boards got the total amount of cess collected in the area, would it not be necessary to make a contribution?—It would not except in two or three districts.

30871. A general complaint made to us is that the incomes of the Boards in many places, even with the contributions they have from Government, are inadequate—do you agree with that?—I do not think that is the case now.

30872. For example, in the matter of primary education have they sufficient resources? — There they have almost unlimited scope and I do not think we could give them money enough for that. They certainly have not enough money themselves at present to give the fullest scope to that or indeed a full scope.

30873. Is it your idea to try and do away with the Government contribution altogether? — With the appropriation from local rates.

30874. Another point which has been made is that a District Board at the present time has no powers of taxation; do you think that it should have powers? —I have not considered that point.

30875. Should steps be taken in order to develop some sort of public spirit in villages, or do you think they should be left alone?—We want more to get hold of individuals with whom we can keep in touch. I do not know whether it would be possible to have anything in the way of village officers as they have in Madras, but that is the only thing which has ever suggested itself to me.

30876. You would admit that it would be sound for villages to manage their own affairs?—It would be very desirable, but I do not know that it has really existed in any very large part of this province.

30877. Is it a thing which should be aimed at?—It is a thing we have done our best to maintain under the Revenue Law by strengthening the position of the *lambardar* or the village headman, but it has not met with much success.

30878. Are there no steps which you can suggest for developing a feeling of responsibility in villages? —I am afraid not.

30879. Who is responsible for framing the expenditure of the provincial budget generally or for compiling it?—The Heads of Departments.

30880. Whom do they send their estimates to?—To the Accountant-General, who passes them on to us.

30881. But in the initial stage in almost all cases the expenditure would be very much larger than the revenue side of the account. Who does the cutting down?—The Local Government.

30882. Are you responsible for putting before the Lieutenant-Governor some general policy with regard to expenditure, for instance, that it is desirable to have at least a given sum each year to spend on Public Works and a given sum to spend on education, and so forth?—I do not know that it is looked at in that way; we get the demands of the different departments, and we see how far we can carry them out. We do not start by saying that we are going to give so much to education—we do not determine that before the budgets come up to us.

30883. But when they come up the relative claims of Public Works and education must be considered from the point of view of policy; do you make the recommendations?—The Public Works budget is in practice left till the last, and that takes what it can get.

30884. Is much left over by the time you get down to the Public Works?—It varies very much from year to year. For the present the bottom of provincial finance has been knocked out altogether by the famine.

30885. We were told by one witness that the revenues which have been allotted to this province were not expansive—would you endorse that statement?—I do not think that is correct. It is estimated that there will be a considerable increase of about eight lakhs a year under the new settlement; the last settlement has just been revised.

30886. Will it progress automatically from year to year?—Yes, undoubtedly.

30887. Can you impose a railway cess without violating the terms of the revenue settlement?—I do not think it would conflict with that at all.

30888. Would it conflict if you increased the ordinary cess?—I do not think there would be any objection to that at all. These rates have been decreased during the last few years—they were very much higher at one time.

30889. In the settlement is there any definite agreement that the cess should be a fixed amount?—No.

30890. A witness said that if District Boards were given powers to levy a cess according to their own wishes within certain limits that would be against the terms of the settlement—would you endorse that statement?—No; that is not correct.

30891. Would it be a good thing to give a District Board power to vary a cess from year to year in accordance with their requirements?—It is better to have the same rule throughout the province. It would not be a wise thing to have one rate in one district and another in another, and it would be the poorest district as a matter of fact which would have to pay the heaviest cess.

30892. Would it not give them more financial responsibility if they were made responsible for making both ends meet?—Yes; that is the direction in which things are tending; they are being made more independent; their funds are about to be excluded from the public accounts for instance, and they will be able to deal with their budgets much more freely now.

30893. Is not it a very important thing if you are giving people administrative responsibility to combine financial responsibility with it?—Yes, certainly, and they are getting that.

30894. Would you advocate giving them powers to collect cess of varying amounts within certain definite limits, somewhat on the analogy of the municipal assessment rate?—I do not think so. One objection would be that it would fall heaviest on the poor districts, and in the richer districts they could really do with perhaps a smaller cess than they are levying now.

30895. How do you obviate that difficulty as between a rich and a poor town with regard to municipal finance?—The municiple incidence works out very much higher in richer towns like Cawnpore than in a smaller municipality.

30896. But you go on the principle that a town, rich or poor, must stand on its own resources?—Yes.

30897. Do you not think the same rule should be applicable with regard to the districts?—I should not like a heavier rate.

30898. You say that the codes require amendment; do the suggestions which are made in these schedules cover all that is required in order to give complete satisfaction to the Local Government?—They are not exhaustive, but they are as many as we could get together—they indicate the general lines on which we would work.

30899. For example, in matters such as travelling allowance, does the Government desire to have more freedom?—In the matter of travelling allowances what the code should do is to lay down general principles and to impose any restrictions that are found to be necessary, leaving the carrying out of the general principles to the Local Government.

30900. The Government letter states that the powers of the Local Government are entirely restricted in matters of detail, but it does not lay down any principles. Is it intended to convey that matters of principle only should be deal with by the Government of India and that the details should be left to the provincial Government?—Yes, that is so.

30901. In the case of travelling allowance, for example, is the general principle one that might be laid down by the Government of India without difficulty while the Local Government might be entrusted to carry out the details?—Yes.

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30902. In the matter of expenditure under provincial heads it is necessary that the Government of India should approve any extra expenditure you desire to undertake?—You must have a limit.

30903. (*Mr. Dutt.*) Is the deduction on account of the rural police made under any section of the new Local Self-Government Act?—It is made under the Local Rates Act.

30904. Has not a new District Boards Act been recently passed?—Yes.

30905. Does the deduction cover a large proportion to the whole proceeds of the cess?—It is about a third. It comes to a very considerable amount, about 22 lakhs.

30906. Is it proposed to stop that in the future?—That is what we hope to do. I think a proposal was sent to the Government.

30907. Does the Government deduct any portion of the proceeds for the trouble of collecting the cess?—No.

30908. You suggest empowering District Boards to impose a cess when railway lines are undertaken by them; do you propose that that cess should also be added to the land revenue in proportion to the revenue?—It would be probably collected as some percentage of the land revenue.

30909. That is to say, it would fall entirely on the zamindars and cultivators?—Yes.

30910. And other parties, money-lenders and professional men, would go scot free?—I do not know that they would; they are all interested in it, most of them have some land, and they would not probably escape altogether.

30911. But there are many money-lenders and professional men who are not landowners at all, and they would not be taxed at all for a thing which would benefit the whole population; would that be fair?—I do not see how else one can do it. I understand that is already in force in Madras.

30912. My question was whether you thought it was fair?—As a matter of fact, I do not suppose any cost would fall on anybody because it is extremely unlikely that the Board would have to levy the cess.

30913. But supposing it had to be levied, would you make only those two sections of the population responsible, and if so, would it be fair?—In the last resort it is not quite fair.

30914. You have spoken of some drainage work in a certain town—waa that a large work?—Yes, a very large work, involving an expenditure of many lakhs of rupees.

30915. Do not such drainage works generally take a large number of years to complete?—They do.

30916. Therefore is the delay in this particular case due to the fact that the Chairman of the municipality is a non-official?—I only gave that as an example of the general delay which does occur in the administration of that particular municipality; the drainage scheme there is not nearly finished yet; it is not a matter of computing how much time it has taken.

30917. I understood you to say that there was delay because the Chairman was a non-official?—It is an instance of the general delay that takes place in disposing of the business there.

30918. Do you attribute it to the particular fact that the Chairman happens to be a non-official?—What I said was that it is the only experience we have in this province of the condition of affairs where the Chairman was a non-official.

30919. But you recognize the fact that in most towns where large drainage works are undertaken they must necessarily take a large number of years to complete?—Undoubtedly.

30920. And the finances of the town might not suffice to bring such a large work to completion in one or two years?—That is undoubtedly the case.

30921. At present do your Deputy Collectors try all rent cases and revenue cases and also criminal cases?—Yes.

30922. It was said that rent cases might be transferred to the Civil Courts as in Bengal—what is your opinion with regard to that?—You do not want the whole machinery of the Civil Procedure Code applied to these cases; we have gone too far in that direction already. I would suggest Revenue Courts as we have at present.

30923. Would you leave the present system undisturbed?—I should leave them to the Deputy Collectors as they are now.

30924. You say that Deputy Collectors are overworked and that the present way of conducting the work is not satisfactory?—It is extremely unsatisfactory.

30925. Have you any suggestion to make in remedy of that state of things?—We want a larger staff.

30926. Was it part of your duty as a Settlement Officer to ascertain the existing rental of each estate?—Yes, it is entirely on the rental that we assess.

30927. Did you take the existing rental as the basis of assessment in every case, or did you revise it for the purpose of assessment to land revenue?—We revised it in the case of what are known as occupancy tenants, because with practically no exception their rents had remained unchanged for thirty years, while the rents of the competition tenants had been increased enormously.

30928. So that your revision had the effect of raising the rents before making the assessments?—Yes.

30929. Is that according to the Land Revenue Code of this province?—Yes; the occupancy tenants of course are always liable to enhancement under certain rules, but they are particularly liable to it at settlement.

30930. In ordinary times when the zamindar wants to enhance his rents has he to go to a Rent Court?—Yes.

30931. And when he has not done that, and the time of the settlement has arrived, do you take it upon yourself to enhance the rent before making the assessment?—No, he has to sue his tenants.

30932. Supposing he does not bring a suit to you, do you then take it upon yourself?—No, we cannot enhance the rent merely by an order, unless he sues his tenants.

30933. You say that you are bound to deal more and more with the individual and less with the community. Do you not recognize that one of the objects of the administration is to teach communities to help themselves and to raise themselves and learn communal work?—Yes, but I meant that we are doing that on different lines, not on the lines of village communities, but in the shape of municipalities and towns.

30934. But it is teaching people communal action?—Yes, undoubtedly that is our object.

30935. So that you recognize that as one of the main objects of administration?—Yes, I am entirely with that.

30936. Have you any suggestion to make towards furthering that object at present either with regard to municipalities, District Boards, or village communities?—No, there are only some very minor points as to increasing the powers of District Boards and municipalities.

30937. (*Sir Frederic Lely.*) Does an administration report go up from each and every municipality to Government?—It does at present.

30938. It goes to the Collector, then to the Commissioner, and then to the Board of Revenue and so to the Secretariat?—It does not go to the Board of Revenue.

30939. Is each officer it passes expected to review it and make a memorandum upon it?—No, the Commissioner reviews these reports received by him, or rather he issues orders on the points which he thinks require orders; it is not a formal review, and when it comes to the Secretariat we issue no orders except supplementing those of the Commissioner.

30940. What about the Collector?—The Collector is the Chairman of the Board and he practically writes the report himself.

30941. Does he endorse it with any memorandum of his own?—No.

30942. In the case of smaller municipalities does not the Commissioner often find it difficut to find something to say?—Then he need not say anything.

30943. And, as a matter of fact, he does not?—It is not a formal review in which he has to say something; he only issues orders with regard to points which he thinks require attention.

30944. If he passes the report on without comment is he considered to have neglected his duty?—No.

30945. Would it not be advisable to send up the reports of the larger municipalities for Government to deal with, and let the Commissioner deal with the smaller municipalities in a single resolution which will have done with them for the year?—Yes, I agree with that entirely. We do not require to see their reports every year.

30946. Would it not rather vitalise the Commissioner's work if you made him feel that he was the final authority responsible for fostering these small municipalities?—Yes, I would leave them all to him, I think; he might keep the reports by him and simply go into them when going round the district in the cold weather.

30947. Do you see any objection to the Commissioner taking the place of Government in respect to all the smaller municipalities?—It would not be necessary for him to combine their reports all in one review and it would be better to deal with them individually.

30948. You would approve of making the Commissioner the final authority for the supervision of these small municipalities?—I would entirely.

30949. Does not the Commissioner sanction all municipal budgets?—Yes.

30950. With regard to the three years' contracts with the Local Boards, under which the Government makes them a fixed assignment, is that a lump assignment which covers everything?—Yes, it covers everything.

30951. There is no special grant for roads?—No, we make a condition that they spend a certain amount of it on Public Works.

30952. Is there no special grant for medical work?—No.

30953. Or for education?—There is for what is call the six-lakhs grant for primary education.

30954. Is that distinct?—No, it is lumped up, but so much of it as comes into the contract contribution of each Board, the Board are bound to spend on primary education.

30955. Do you agree with many of the witnesses who have been called before us in saying that the community is practically extinct?—I do.

30956. Are you referring to the old village community which was a sort of family on a large scale?—Yes.

30957. Do you mean that a village is not capable of common action at all, in the same way that any number of people living side by side with common local interest would be able to act together?—I do not think they have got far enough for that yet.

30958. But any number of people living together in the same locality must necessarily have common objects and interests?—They are very often much divided in interests—the zamindar and his tenants, for instance.

30959. But they would have a common interest, in a village well, or in supplying drinking water?—Yes, we are only just beginning with that, in the matter of village sanitation we have got a very little distance.

30960. Even assuming a village in the sense only of a modern constituency, is it not still the body which is most familiar with the people as a basis of common action?—I do not know to what object the common action would be directed. *The Hon. Mr. R. W. Gillan.* 15 *Feb.*, 1908.

30961. They all have a certain number of elementary common wants—the desire for water, the desire to have roads, and the desire to educate their children. You recognise a town as having common interests and being able to co-operate to obtain those objects—in the same way would you not recognise a village?—I do not think they have got far enough yet for that.

30962. Does not a man describe himself as of a particular village; he never describes himself as of a particular district or *tahsil*. Is not the village the familiar division of the community?—Undoubtedly, but I do not quite understand what the village community is going to do; do you mean it is going to look after its own school or its own sanitation, for instance?

30963. Yes, my point is that you expect a town, or a *tahsil*, or a District Board to combine for those purposes, but is it not much more natural to begin with a village?—There is nothing small enough which you could leave to a village to look after except sanitation, and that generally has to be forced on them.

30964. (*Chairman.*) You are very anxious to obtain powers to make loans to develop local industry. Is there any reason why, as it is for the advantage of the locality, you should not go to the local market and obtain a local loan for the purpose of assisting an industry?—Do you mean that this Government itself should raise a loan?

30965. Yes. You say you are against local borrowings, but you want the Imperial Government to raise loans for a local object?—I think that we should be able to draw on a central supply for anything we require.

30966. You do not think then for an object which would be of great use to a particular locality that the Local Government should tap a purely local market?—I do not.

30967. Is there any proposal to amend the Tenancy Act?—Yes, it is being worked at now.

30968. You said that the Municipal and District Board budgets are going to be excluded from the public accounts; would that reduce in any way the correspondence in the Secretariat upon those subjects?—Considerably; that is the District Board budgets; the municipal budgets are already excluded.

30969. Will it make much difference?—It will make a good deal of difference, because in the first place they send us their budgets now, and during the year they have to come to us every now and then when they want funds.

30970. Whom does that correspondence take place between?—Between the Commissioners, the District Boards, and the Government.

30971. Are not the Conservators of Forests all equal?—Yes, there are only two.

30972. Have they equal circles?—Yes.

30973. Is there any drawback in that?—No, it works all right. As a matter of fact, if any question arises on which both the Conservators' opinions are required, the senior Conservator consults the other and sends up his opinion with his own.

30974. Is that how you get the expert advice to Government on forest matters?—Yes.

(*The witness withdrew.*)

Mr. F. E. Taylor, I.C.S., was called and examined.

30975. (*Chairman.*) You are Secretary to the Government of the United Provinces in the Judicial Department?—Yes. I deal with civil and criminal matters, and also police, medical, sanitation, and education. *Mr. F. E. Taylor.* 15 *Feb.*, 1908.

The Government of India are ready to give due consideration to any representation that their orders are not entirely suited to the conditions of a particular province or locality; this neutralizes any tendency to excessive rigidity or uniformity, but often entails a good deal of troublesome correspondence. The letter of the Government of India on the subject of making primary education free throughout India may be referred to. In this letter, which was widely published, the Government of India made a public pronouncement on a question of policy for the application of which these provinces at any rate are not ready: and it is possible that the non-carrying out of that policy will cause disappointment among a considerable section of the public. The Government of India should take

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Local Goverment into its confidence before publicly declaring its views on a large and complicated question.

There is no complaint regarding interference by Directors-General in the administration of the departments with which I am concerned. The recent orders, however, regarding fees to Medical Officers for attendance on Indian Chiefs, noblemen, and gentlemen of high position involve centralization and increase correspondence, besides taking from the Local Government the authority which it should possess over Medical Officers under its orders. The Administrative Medical Officer of the province has to consult the Local Government as to the propriety of the proposed fee, and to forward the views of the Government with his recommendation to the Director-General of the Indian Medical Service. That officer finally decides the fee to be allowed, but has to consult the Government of India if he disagrees with the Local Government. Under the former orders, which applied to Chiefs and gentlemen in Native States, the Local Government had authority to dispose of cases where the fee did not exceed Rs. 2,000; for fees above that amount a reference had to be made to the Government of India. The Local Government's authority should be restored, especially as the orders now extend to native gentlemen in British India. It may be added that the change in the procedure was effected without the Local Government being consulted.

The right of appeal to Government in respect of administrative action does not need curtailment. It would be most undesirable to require a certificate that reasonable grounds of appeal exist.

Executive Officers have sufficient opportunities for contact with the people, and have sufficient knowledge of the vernacular. There is practically only one vernacular in the province, and, though the village dialect varies in different districts, an officer soon gets an acquaintance with it.

An increase in the administrative staff is required to enable it to adequately cope with the increased volume of work. Districts are, generally speaking, not too large, but I can quote one exception. I was in charge of the Gorakhpur district, the population of which is nearly three millions, for about two years, and found the volume of work excessive, though it did not present special intricacy or difficulty. The best solution, if feasible, would be a redistribution of districts, but this probably presents practical difficulties.

I am not in favour of the creation of Advisory or Administrative Councils, and consider that District and Divisional Officers have ample opportunities of discovering the real needs of the people better than if they were "assisted" by such Councils, for which the time is not ripe nor likely to be for several years.

Village communities here cannot be safely entrusted with administrative functions. There is a considerable non-official agency for settlement of criminal and civil disputes—special magistrates and honorary and village munsifs. The further extension of this agency is the best way of relieving the official staff.

30976. You were Under-Secretary to Government in the Judicial Department one month, in the Financial Department one month and twenty-four days, and then you became Revenue Under-Secretary. Was that constant transferring from department to department advantageous to Government?—The reason for it was that the Under-Secretary in the Judicial Department happened to go on one month's leave and I was appointed to officiate for him; on another occasion the Under-Secretary in the Financial Department happened to go away for a short time and I officiated for him. I was not moved from one department to the other, but simply came in for a short time from my post of Assistant Magistrate to act in their absence.

30977. Which department of the Government of India issued the letter to which you refer on the subject of primary education?—The Home Department.

30978. What department issued orders on the question of fees for Medical Officers?—That came also from the Home Department.

30979. In each case you would represent that the letter and the orders respectively were issued without consultation with the Local Government?—That was so.

30980. (*Mr. Hichens.*) It has been stated that recently secondary education has been removed from the control of the District Board and returned to the control of the Government; is that so?—The change is about to be made; the proposal is to introduce the change as from the 1st April next.

30981. Has that change been made on the ground that the Boards were inefficient as regards the control of secondary education?—The change has been made in consequence of a letter which came from the Government of India in which it was represented that it was in the interests of secondary education that there should be in every district a Government high school which would serve to set a standard to which the other English schools in the district would conform.

30982. Is it due to the representations then of the Government of India that the change is being made?—Yes, it originated from the Government of India, but the educational Department and the Government also are in favour of the change.

30983. It has been said in some provinces that the District Boards are much more likely to take an interest in secondary education than they are in primary education, and one reason given is that it affects the members more closely, and that their own children attend the secondary schools; what would you say to that?—In speaking of secondary education we have to draw a distinction between English schools and vernacular schools. In these provinces we do not consider all vernacular schools as primary schools and the knowledge of English is not so widespread here as it is in other parts, the result being that there is a considerable amount of secondary education in the vernacular, and the children of a great many of the people who sit on the District Boards go to the vernacular schools.

30984. Another change that was suggested by the Director of Public Instruction was that the Government should resume the inspection of primary schools: would you be in favour of that?—The department should have more control over the inspecting staff; at present they are the servants of the District Boards and the department is not sufficiently in touch with them.

30985. Have the District Boards had too free a hand?—I would not put it exactly in that way. The inspecting staff has been under their control more, and it is very difficult for the Director of Public instruction to communicate with them; the correspondence has to go through the Chairman of the Boards, and to meet the requirements of education it is advisible the department should be more in touch with the subordinates inspecting the schools.

30986. Does the Government contribute to education on any definite basis, or is their contribution variable from year to year?—I think it varies from year to year.

30987. They do not pay anything like the whole of the cost of primary education?—No, a portion of it comes from the funds of the District Boards, but as a large portion of the funds of District Boards are supplied by Government it is impossible to say how much is contributed by Government.

30988. (*Mr. Dutt.*) It has been stated that the number of village schools is exceedingly small compared with the number of villages and that in 1,000 villages there are probably only 150 schools; are any endeavours being made to increase schools, so that there might be a school in every large village or in a group of small villages, so as to bring a school near the door of every villager?—It is the aim of the Government to extend the number of schools as far as possible.

30989. But that, I suppose, can only be done gradually and as funds are available?—The reason why there have been so few schools is that the Boards have been starved for funds and have not been able to do anything.

30990. Have the recommendations of the recent Police Commission been given effect to in these provinces?—They have to some extent.

30991. Have those recommendations to any extent lessened the control of the District Magistrate over the police in his district?—I am not aware that his control has been lessened in any way.

30992. Has the control or power of the Commissioner over the working of the police in any way been affected by the new rules framed under the suggestions

of the Commission?—The power of the Commissioner in the case of punishment of sub-inspectors is about to be taken away.

30993. Generally, have the Deputy Commissioner and Commissioner that amount of control which is necessary for the proper administration of criminal justice and the repression of crime?—Yes.

30994. Even when the power is taken away of which you spoke just now?—That is a power of conferring orders of dismissal and of hearing appeals. It is not necessary, I think, to retain that power in the hands of Commissioners.

30995. (*Sir Frederic Lely.*) Can you give a rough estimate of the amount of time on an average which a Collector has to spend in a day on purely routine work?—It is rather difficult to give an estimate.

30996. Is a large amount of his time occupied in having to sign papers?—It does not take such a very long time to sign papers, but a great deal of time is taken up in hearing vernacular papers read over and passing orders upon them, but that is not exactly routine work.

30997. Is it appropriate work for a man drawing Rs. 2,000 a month?—No, not a great part of it, at any rate.

30998. Is there in most districts a man on the spot to whom the Collector can turn over work of that sort when he is pressed for time?—A Collector, of course, has a certain number of Assistants, and he could make over part of that sort of work to a senior Assistant, but in a great many districts he is rather short of Assistants also.

30999. Is there, in most of the districts in these provinces, a man at the right hand of the Collector, who is reliable and can be trusted with work for which the Collector cannot find time?—I think in most of the important districts which have large towns in them there is a Joint-Magistrate, but in a great many of the smaller districts there are not, and he might not be able to make over such work.

31000. Generally, is the number of Joint-Magistrates sufficient?—I think it should be increased.

31001. You mention that in your department of the Secretariat you have to deal with the work of examination of junior officers; where are the examinations conducted?—They are conducted in one centre for the province.

31002. Do the rules need any change; are they sufficient now to ensure that a man who has passad an examination in the colloquial is able to go out and carry on a conversation with ease and fluency with an ordinary native?—A man who passes his examination would be able to converse with an educated man, but he might not be able to converse in every district with a cultivator, because there are so many village dialects in the different colloquial parts, and he would have to know the dialect of each place.

31003. Is sufficient stress laid on the knowledge of the language as compared with a literary knowledge of the language, in the examinations?—I think the examination is fairly satisfactory.

31004. What means do you take to ascertain whether a man is colloquially efficient or not?—He has to carry on a conversation with some native gentleman or an official.

31005. A member of the Examination Committee?—He might be a member of the committee, but he might not always.

31006. Are you satisfied that the test is sufficient?—I do not say that a man who passes his examination will necessarily have a high standard of knowledge of the vernacular, but he will have sufficient to carry him on.

31007. Is the committee generally strict enough in the examinations?—I really have not had much experience.

31008. You are not a member of the committee yourself?—No; I merely deal with these matters in the Secretariat.

31008. (*Sir Steyning Edgerley.*) Some of the proposals for giving extended powers to Commissioners involve legislation; are you in favour of doing that by a general Act of delegation?—A general Act of delegation would enable the Local Government to pass on its powers to other officers. I am not quite prepared to say that I would recommend it.

31010. Would you give general powers to delegate subject to prior notification?—I would give the Government authority to delegate its powers under particular sections of an Act to such an officer as it might designate for the purpose.

31011. After notification of intention or absolutely?—It would be as well to issue a previous notification.

31012. Having been a District Judge for some six years and Legal Remembrancer, do you see no objection to an Act of that sort?—I do not at present see any objection.

31013. We have been told by a witness that the influence of the Commissioner is not very strong in police matters, and he also said that a Commissioner who was a busy official would, in many cases, prefer not to have to devote time to matters for which he is not responsible; so that the tendency would be to snap the last links of connection which bind the Commissioner to these matters?—Yes, I think so.

31014. Does that mean that you are deliberately willing to throw away the interest and guidance in districts of nine of the men who were until recently your very best District Magistrates?—Yes, that would be the effect.

31015. Is that a wise thing to do?—I do not see any harm in it.

31016. Could you not keep that interest entirely by retaining their appellate powers and showing that they were still responsible in their divisions for the work of the police?—Some interest might be maintained if their appellate powers were retained.

31017. The Lieutenant-Governor says that there have been several occasions in the past year in which there has been interference by the Director of Criminal Intelligence,—what sort of matters does that refer to?—That probably refers to matters connected with the Criminal Investigation Department. That is under the Chief Secretary.

31018. Have your inspectors of police any clerical assistance at all under the reorganisation scheme?—I do not think so.

31019. Do you not give them any help at all in their clerical work?—I do not think they have any special clerks.

31020. How do you provide clerical assistance for the police generally—are their clerks members of the force, or is there a separate clerical establishment?—There is a clerical establishment.

31021. Are they members of the force?—The Superintendent generally has a sub-inspector as a writer, but the clerical establishment of the office is separate. In the police station the work is done by a constable or a head constable.

31022. Are you sure that there are any constables who do that work as a matter of regular procedure?—I cannot say what the exact procedure is.

31023. Have the Government of India agreed to their doing it?—I cannot answer that question.

31024. Have you heard anything about the provision of a general Police Manual for India?—Yes, I have heard of it.

31025. Is that still under consideration?—I cannot say.

31026. Have they prescribed a general police uniform for India?—A uniform has been prescribed for the Gazetted Officers throughout India.

31027. Generally speaking, what is the impression in these provinces as regards the police reorganisation scheme? Is it felt that you have been left full freedom with regard to introducing it or that it has been pressed unduly by orders from the Government of India?—I have not seen sufficient since I have been Secretary to give a definite reply.

31028. The deputy inspectors of schools are servants of the District Boards, and their reports at present go entirely to those Boards; would it sufficiently strengthen the connection of the Department with the inspection of schools if those inspection reports passed

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through either the assistant inspector or the divisional inspector for remarks, on their way to the Boards?—No, I do not think that would be quite sufficient.

31029. (*Mr. Meyer.*) Have not the Government of India in the course of the last few years made special grants to these provinces for various matters, such as primary education, general education, police, District Boards, and so forth?—Yes.

31030. They have now been largely merged in the provincial settlement?—I believe they have.

31031. Do you have to render any special accounts with regard to the way in which you have spent those grants?—We have to render an account as to the way in which the six-lakhs grant for primary education has been spent.

31032 Is that the only one?—That is the only one within my knowledge.

31033. What is the charac'er of that account; is it a very elaborate one?—No, it is not very elaborate.

31034. You have simply to certify that you are spending six lakhs a year more now than you used to before that grant was made?—No, not exactly that; we send to the Government of India a statement showing the main heads of the distribution of the six-lakhs grant.

31035. Does it cause very much trouble in your office?—Not a very great deal. The statement is prepared by the Director of Public Instruction, and after checking it and giving any explanations which are needed, it is sent on.

31036. Do you propose to have a Delegation Act with schedules attached containing certain sections of Acts, with regard to which the Local Government might delegate, or would you adopt what might be described as a blank cheque plan and say that "with the sanction of the Government of India" or subject to any other restriction the Local Government may delegate any powers conferred on it by any Act to anybody it pleases?—Something like the first suggestion was the plan I thought of. It had not occurred to me that powers should be delegated to officers under Local Governments by a general Act.

31037. You would not make any limitation in the laws or sections of laws under which you may delegate, but you would practically say whenever the words "Local Government" occur read "Commissioner," "Collector," or "Board of Revenue" or any other authority you might select?—Yes, I think there should be limitations; the sections under which power may be delegated should be specified.

31038. Were not a number of these provisions as to reference by the Local Government to the Government of India specially inserted at the desire of the non-official members of the Legislative Council?—That I cannot say.

31039. You do not think they would mind if the Local Government was allowed, after notification of its intention, to delegate its powers to anybody they pleased, or would the educated public resent it at all?—I really cannot say; I have not thought of it from that point of view.

31040. To dismiss or punish a sub-inspector of police must the District Magistrate concur?—Yes.

31041. Or if he does not concur the matter must go to the Commissioner?—Yes.

31042. Now the proposal is that the Commissioner should be eliminated?—Yes.

31043. Would the District Superintendent of Police still send the case to the District Magistrate?—Yes.

31044. What would happen if the District Magistrate did not concur?—The proposal is that the case should go to the Inspector-General.

31045. Not to the Deputy Inspector-General?—No.

31046. Would he take the place of the Commissioner as arbitrator between the District Magistrate and the Superintendent?—Yes.

31047. Supposing the District Magistrate concurs with the Superintendent, is he to be the final authority?—If he concurs, the order for punishment is passed, subject of course to any appeal to a higher authority.

31048. But appeals do not lie to the Commissioner at all; they lie to the Inspector-General?—In the case of sub-inspectors of the civil police the appeal at present lies to the Commissioner, but the proposal is that it should lie to the Inspector-General.

31049. Eliminating again the Deputy Inspector-General?—Yes.

31050. It has been stated that there is a system proposed under which a municipality shall surrender the management of their schools into the hands of District Boards; do you approve of that system?—Yes, I think it may be an improvement.

31051. Ought not municipalities to be competent to look after their own schools?—They ought to be, but the result of experience shows that their schools are not as well managed as those of District Boards.

31052. Is that because the District Boards have an establishment to look after them and the municipalities have not?—The deputy inspector of schools inspects the municipal schools.

31053. Did he do so formerly?—I think so.

31054. So that the Municipal Councils of Lucknow and Cawnpore are less fit to look after their schools than the District Board, say, of Bara Banki?—I think they ought to be able to look after the schools quite well.

31055. In regard to medical relief the District Boards pay for dispensaries, but have no control over them; they are all managed by Civil Surgeons?—Yes.

31056. Does that promote local self-government?—Not in that particular branch.

31057. Might the District Board have more share in their management?—I do not quite see what share in the management could be given to them.

31058. In Bengal, for instance, they have the right to appoint their own Medical Officers in charge of dispensaries, subject of course to their being certified as fit by the Inspector-General of Civil Hospitals. Have you anything to say with regard to the appointment of Hospital Assistants here?—Hospital Assistants here are appointed by the Inspector-General of Civil Hospitals.

31059. Practically the whole thing is run as a Government department?—Yes.

31060. Would it not be better to exempt the District Board from paying any contribution and run the thing straightway as a provincial matter?—I do not see why it should not be done.

31061. Do you believe in payment without control?—I did not say that; I said I did not see why it should not be run as a Government institution.

31062. Is the same principle carried out with regard to municipalities; have they any share in the management of their hospitals, or do they also simply contribute?—They contribute; I do not know that they have any more power as to management.

(*The witness withdrew.*)

Mr. L. A. S. Porter, C.S.I., I.C.S., was called and examined.

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31063. (*Chairman.*) You are the Junior Member of the Board of Revenue?—Yes.

Larger financial powers should be given to provincial Governments. The following two instances illustrate the inconvenience of the existing system. When I was Commissioner of Lucknow the British Indian Association (a body composed of the *talukdars* of Oudh) presented an official request that the Superintendent of the Government Horticultural Gardens, Lucknow, should be placed in charge of the Kaisar Bagh garden (Lucknow), which belongs to the Association; and that the Association should be allowed to pay the Superintendent a small sum (Rs. 25) monthly for his trouble. The proposal was an eminently desirable one, as the Kaisar Bagh was an old royal palace and is one of the sights of Lucknow, and owing to want of skilled supervision the garden had fallen into a very bad state. This proposal had to be referred to

the Government of India for sanction, as the Superintendent was a Government servant.

The Director of Land Records and Agriculture represented to Government that in some districts the pay of certain village accountants was too low to attract competent men ; and he sent up a scheme for utilizing the surplus of the patwari fund (a local fund) in raising the pay to a living wage. The extra expenditure involved in each of these districts was comparatively small. For purposes of administrative convenience each district was taken up separately. The Director's proposals for the first one or two districts were passed by the Accountant-General and sanctioned by the Local Government. In a later case, however, the Accountant-General ruled that as these proposals formed part of a general scheme for improving the position of the Land Records Department, the total cost of which would exceed Rs. 25,000, all the proposals required the sanction of the Secretary of State. In both these cases the only authority competent to form an opinion on the merits of the question was the Local Government. Neither case involved any demand on the imperial exchequer. All that the Government of India (in the first case) or the Secretary of State (in the second case) could do when the proposals came before them was either to sanction the proposals as a matter of course or to give an arbitrary refusal. Neither of these authorities was in a position to come to an independent opinion on the merits.

Provincial Governments should have power to raise money on loans to meet expenditure properly classed as capital ; whether the loans should be obtained from the Government of India or direct from the market is a question for financial experts. All Governments ought to draw a distinction between capital and revenue expenditure ; but the United Provinces Government has to meet all the demands on it out of current income. The result is that progress even in such an urgent matter as providing our police force with decent and sanitary barracks and buildings is lamentably slow. At the present rate it will take at least a generation before our police are suitably housed. This difficulty and similar difficulties of the same nature could, I think, be met by raising a special loan.

In enhancing the salaries of clerical, &c., establishments, and of subordinate executive officers, the Local Government should have a freer hand. Recently the Board desired, in order to improve the grading of its office clerks, to increase the pay of one clerk by Rs. 25 per mensem, half of which sum could be met by saving. But the proposal would have required the sanction of the Government of India, and it was therefore dropped. A matter like this should be within the competence of the Local Government.

Every Government servant drawing Rs. 100 per mensem and over has a right of appeal against an order of dismissal, removal, reduction, or other punishment. I think this right should be restricted. A distinction should be drawn between orders of dismissal or removal, and orders of reduction or other punishment. The Local Government's order of reduction or other punishment should be final in the case of all officers appointed by the Local Government, and in the case of orders of dismissal or removal no appeal should be allowed unless the officer concerned is of gazetted rank. I have had experience as Collector and as Commissioner of appeals from my orders, but I have never considered such appeals as a grievance. No officer decides a question of any importance without having good reasons for his decision ; and it is no hardship to explain those reasons to higher authority. The real remedy against frivolous appeals, or appeals in petty matters, lies in the hands of the appellate authority, and that remedy consists in summarily rejecting appeals in cases in which it is on general grounds undesirable to interfere with the discretion of the local authorities, and in cases in which the petition of appeal does not disclose *primâ facie* grounds for interfering.

The Board have considerable experience of appeals of this nature. In certain classes of cases no appeal is allowed by law ; but parties are constantly trying to evade this law by means of petitions for revision. The Board, like a High Court, has certain powers of revision, but these powers can only be exercised on grounds prescribed by law. The vast majority of petitions for revision, however, make no attempt even to show that any of these grounds exist. Such petitions should be summarily rejected. It is not possible to prevent people from appealing. But it is quite possible to prevent appellants from wasting the time of the appellate authority.

But the powers of Commissioners and Collectors might with advantage be increased in several respects. They pass the annual budgets and the annual administration reports of the less important municipalities. These reports are submitted by the Municipal Boards through the Magistrate to the Commissioner by a fixed date. The Commissioner reviews the reports and sends on the reports, with copies of his reviews, to Government—again by a fixed date. The appendices to these reports are very elaborate and the checking of the figures in the Commissioner's office takes time. The result frequently is that the reports do not reach the Commissioner until they are due to Government, and the Commissioner has to content himself with a very hasty review. The reports of the few large municipalities must of course be dealt with by Government ; but in the case of petty towns it would be enough if the appendices only were submitted to Government for incorporation in the provincial Resolution. The Commissioner would thus have full time to study the reports ; and, if necessary, he could postpone passing orders on them until he had had an opportunity of discussing matters with the Magistrate or with the Board on the occasion of his next visit to the district. Incidentally this system would save much correspondence, such as pointing out errors, calling for further information, &c. It would likewise relieve the Secretariat to some extent.

This method of dealing with municipal reports should be extended to the Court of Wards Department. In this Department also there are two classes of reports—those which are passed by the Board and those which are disposed of by Commissioners. At present reports of both classes, with copies of the Commissioner's orders thereon, are submitted to and reviewed by the Board. Under the system which I propose the Board would receive in the case of estates of the second class the appendices only for incorporation in the annual departmental report. The Commissioner should deal with the reports of this class in an inspection note at the time when he inspects the district offices during his tour. A copy of this note would be sent to the Board for information.

The influence of the Local Government is not now in the direction of excessive rigidity or uniformity, nor is the tendency of the Secretariat now to regard matters too much from a purely departmental standpoint. Government is not now too impersonal or too dominated by considerations of revenue. Twenty years ago it was almost impossible to obtain a reduction of revenue in the case of a deteriorated village. Of recent years there has been no difficulty whatever where a reasonable case is made out.

The influence of the Commissioner is not strong in police or in excise matters, but it is difficult to make it stronger by rule. The position is a delicate one. The Commissioner of Excise, with whom (subject to the Board) the final decision rests, is a comparatively junior officer, and no Commissioner of a division would like to be overruled by him. The same is true to a certain extent in police matters. The Inspector-General himself may or may not be of Commissioner's standing, but the Deputy Inspectors-General are not.

I believe adequate weight is always given to the Commissioner's views when the Commissioner cares to express any. But a Commissioner is a busy official, and in many cases would prefer not to devote time to matters for which he is not responsible.

I question whether Executive Officers have sufficient opportunities for personal contact with the people. Many officers find the time, but at considerable personal sacrifice. The obstacle of course is pressure of work, including clerical work. There has been some reduction of clerical work in recent years. Statistical work has been cut down and reports are not so long as they used to be. I still think, however, that there is too much writing and too little real supervision.

Executive Officers possess a fair knowledge of the vernaculars, but only constant practice in speaking can keep up the knowledge of a foreign tongue.

At present the administrative staff of the Revenue Department (*i.e.*, the District Officer and his assistants)

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have to work at very high pressure, and owing to this some work suffers in quality. Unless a reduction of work can be effected, some increase in the district staff will be necessary.

No general reduction in the area of districts or charges is necessary. But one particular district certainly, and possibly one other, is too heavy for one officer.

Commissionerships are selection appointments. In the case of districts some charges are much lighter than others. Care will always be required in the selection of Collectors for certain districts. I do not think it would be possible to keep any officer permanently in the grade of Joint-Magistrate; or to relegate to the judicial line men pronounced unfit for promotion in the executive line. If a rigid system of selection for Collectorships or Judgeships is adopted, a scheme of retirement for unfit officers must be introduced.

Transfers are undesirably frequent, but they are kept down as much as possible. The only method of reduction that I can suggest is that (with the possible exception of the Collector) all vacancies in a district of three months or less, down to and including naib-tahsildars, should be filled up within the district or sub-division as the case may be. Thus (whether they were approved for promotion or not) a *tahsil* subordinate would act for a naib-tahsildar, and the naib-tahsildar for the tahsildar; while a local tahsildar should be appointed temporarily to replace a Deputy Collector. I would make an exception in the case of a Collector where the vacancy exceeds six weeks and no Joint-Magistrate is available locally. Experience of different districts is useful to a young Civilian.

I have never found Local Boards to be of any assistance. Municipal Boards have considerable powers and fairly wide functions, and I have no extension of powers or of functions to suggest. They raise their own taxes and spend their own money.

District Boards have no powers of taxation, and are as a rule less efficient bodies than Municipal Boards; the reason is that most of the members know only the part of the district in which they live.

I am not in favour of the creation of either Advisory or Administrative Councils to assist Divisional or District Officers. In municipal matters the District Officer has the Municipal Board to consult, and in District Board matters the District Board. In other matters he can always consult unofficially the leading men of the district. I think the District Officer and the Commissioner can ascertain local opinion much better in this way than through any Council. The best men in a division or district would not, I think, give their opinions freely in such a Council.

It would not be expedient to invest District Boards with power of supervision and control over the smaller municipalities in their districts. No District Board in these provinces is competent to exercise such power.

I know of no district in which it would be possible to give village communities powers of disposal of local affairs.

31064. Does the Board as a rule sit often?—It practically never sits together; in my time I have never sat with the Senior Member. The papers are circulated from one member to another; they do not sit together, not even to hear appeals.

31065. Even in that case it is all done by the circulation of papers?—Yes; one member hears the appeal, and if he sees no reason for interference he dismisses the appeal; if he wishes to interfere, he has to get the concurrence of his colleague and he obtains that by circulating his judgment or order in the case, along with the records.

31066. Are the questions which come up under the general head of "revenue" distributed between the two members of the Board on a fixed manner, or according to the wish of the Government?—No, the Members divide the work by departments themselves and simply inform Government. I think on one occasion when we suggested a change the proposals were sent to Government for approval, and we were told in reply that Government simply wished to be informed as to what member was in charge of each department.

31067. Is the present method of doing your business by the circulation of papers preferable to that of meeting and discussing things as a Board?—I think in most cases it is. In certain cases, that is, the selection of persons for appointment as naib-tahsildars or tahsildars or Deputy Collectors, the Board have to sit together; that is the only case that I know of; they see candidates together and then decide on their selection.

31068. Then in respect of those particular matters they will sit together?—Yes; I have not sat yet, but we shall sit together next month.

31069. Is that a new system?—No; they sit once a year and I was either on leave or deputation last year when the sitting took place.

31070. Have you offices?—Yes, at Allahabad and there is also a court room in Lucknow; there are no clerks connected with it except those that accompany members on tour.

31071. Do you do the business of the Board at the Secretariat in Allahabad?—No, there is a separate block of buildings where the Secretaries remain during the cold weather; in the hot weather the Secretaries and part of the office go to Naini Tal.

31072. Wherever the buildings are located do you transact your business at those offices or at your own house?—Personally, I always go to the office.

31073. And the other member of the Board?—I cannot speak for him because he is so much on tour.

31074. You have separate rooms assigned?—Yes, there is a separate room for him and a separate room for me, and I always go to my room for a certain number of hours in the day.

31075. Do you find that that assists much in connection with business?—Very much, because I can send for the Secretary of any department and dispose of a thing in five minutes which would otherwise involve writing notes.

31076. You say you go on tour during the cold weather; are you required by regulation to go on tour, or is the limit of your tour left entirely to your own discretion?—I believe it is the desire of Government that we should be on tour a certain time. Speaking for myself, I could not get through my work unless I was constantly on the move.

31077. Are you bound by rule to go on tour?—As far as I am aware there is no rule; we understand it is the wish of Government and as a matter of fact our work requires it, but it is not laid down in black and white.

31078. Do you practically get over the whole of the two provinces in the course of each year?—I have five divisions out of nine. I find that I shall probably have to visit the headquarters of every division twice every cold weather and once in the rains if I am to keep the number of appeals down. On each occasion when I go to headquarters I generally visit one or two or three districts from that headquarters; so that practically, as far as my divisions are concerned, I get over most of them in one year, certainly over the whole of them in two years.

31079. You dispose of your work then by subjects, not by territorial areas?—Appeals go by territorial area; other work—file work—goes by subjects.

31080. Would it be any improvement on the existing system to have the whole of the work taken by territorial areas?—It would be quite impossible.

31081. A good deal of your work comes up to you through the Commissioners?—Excise matters would come through the Commissioner of Excise; everything connected with revenue practically comes through the Commissioners.

31082. Is there a considerable portion of the work which comes to you which could be delegated?—I think that Commissioners might dispose of a good deal of work.

31083. What sort of proportion to the whole volume of work that comes to you would they be able to deal with?—That I could not say; I think a great many Court of Wards reports ought never to come up to the Board; the other questions that ought not to come to the Board are generally petty references in the various departments which the Commissioners might deal with; I cannot say what the proportion would be.

31084. Is a considerable portion of your work disposed of by the Secretary to the Board?—Practically nothing; everything comes to the member.

31085. It is the merest routine work, and only a very small portion of that, which is done by the Secretary?—The Secretary would, for example, write a letter if he thought the case was not complete, asking for further information before he placed the case before me; but I cannot remember any class of case which he practically disposes of himself.

31086. How many Court of Wards estates are there?—The Court of Wards work is not under me; it is under the Senior Member; the number would be probably between one hundred and two hundred—nearer two hundred than one hundred.

31087. What is the size of the estates which generally might very well be managed by the Commissioner?—It does not always depend on size; sometimes some estates are very indebted and involve ticklish questions of law and things like that; it would be better to select cases.

31088. In the case of a small estate, but one involving complicated legal questions, you would refer that to one or other of the legal advisers of the Government?—Yes.

31089. You would not settle the legal questions on your own responsibility?—No, we always consult the Legal Remembrancer.

31090. Might not the Commissioner, therefore, just as well consult the Legal Remembrancer as you?—I think he does so.

31091. Then in the case of these small estates you could probably, in spite of the complication of the questions involved, leave them to the Commissioner?—Yes, I think so.

31092. That being so, could you give no limit of value?—Not being in charge of the department I would rather not offer an opinion.

31093. You say that there are a very considerable number of appendices to the annual administrative reports of municipalities; are appendices necessary at all whether sent to you or to the Commissioner?—These do not come to the Board at all; they go up from the Commissioner to the Government. I am speaking of my knowledge as a Commissioner. I rather think that they have been prescribed by the Government of India.

31094. By whoever prescribed, you are of opinion that they could be dispensed with?—No; I think they might be sent direct to Government simply for amalgamation in the municipal returns.

31095. To the Secretary in the Municipal Department?—Yes; I do not suggest they they should be dispensed with—my suggestion was that the report and appendices should come to the Commissioner as at present; in the case of the less important municipalities the Commissioner would pass orders on the report and that would be an end of it; these orders would go to the district for compliance, but the appendices would go up to Government for amalgamation in the provincial returns.

31096. You say the position of the Commissioner is not strong in regard to police and excise, but that it is difficult to make it stronger. If the Commissioner is senior to the Commissioner of Excise, what is the difficulty in making the position of the Commissioner more authoritative than that of the Commissioner of Excise?—The whole question of the administration of excise is under consideration in correspondence with the Government of India, and I think probably the direction will be to remove the duties entirely from the Commissioner and make them over to the Commissioner of Excise acting under a chief revenue authority, who may be either a member of the Board of Revenue or not.

31097. Do you have a great deal of correspondence with the Commissioner and through him with the Collectors?—Yes.

31098. Is there no reduction of clerical work possible, quite apart from going to the Local Government for powers?—You would have to get the executive order of the Local Government.

31099. You have considerable executive control over Commissioners and Collectors; have you not therefore executive powers to enable you to cut down correspondence?—Yes, and as a matter of fact we are frequently doing it. There have been one or two cases recently in my own experience; they were very unimportant routine cases; one was sanction to a mutation in the case of perpetual pensions. When a pensioner dies a report comes up to us that so-and-so are the heirs, and that is sanctioned as routine; we wrote down the other day and said that the Commissioner might decide such cases himself and not refer them to the Board. I rather think the approval of Government was obtained before that order was issued.

31100. In your office is there not something to be done by the better handling of correspondence inside the office itself?—I do not know enough of the office to speak as to that.

31101. Not of your own office?—I only took over charge last November and I have been on tour most of the time since then. I know the tendency is to reduce correspondence very much, and orders have been issued recently in one or two mattrrs which will still further reduce the size of statements which come up.

31102. Orders issued by whom?—Those particular proposals were sent to Government for approval, and if approved in the case of such a question as the appropriation of land for a public purpose, the statement that will come up to the Board will be very much curtailed in size.

31103. You have not yet got the approval of Government?—The orders have not yet been received.

31104. Therefore you do not know whether the Local Government will give you the freedom you want?—I think any reasonable case that is sent up is sanctioned without any difficulty.

31105. Do you know how officers are selected for the post of Commissioners?—No, that is done entirely in the Appointment Department.

31106. I take it that the present system which necessitates selection at the grade of Commissioner is necessary; would you put the point of sanction lower down at Collector's rank?—I think it would be advisable, but that would involve the discharge on pension of men who had been passed over; it would be impossible to retain them always as Joint-Magistrates.

31107. It would not be possible to retain them for a more or less short period?—I think in the case of a man who had been definitely passed over you would get practically no good work out of him; you would have to do as you do in the Army, that is to say, retire him if he is not promoted.

31108. (*Mr. Meyer.*) The Board's members are not consulted in regard to the appointment of a Commissioner?—No.

31109. The Commissioner of course is a promoted Collector?—Yes.

31110. Do not the Board's members know more of the work of the Collector as a Collector than anybody else at headquarters?—They know a good deal, but I should hesitate to say that they know more than a Chief Secretary or even a Lieutenant-Governor; especially nowadays when the Lieutenant-Governor tours so much and sees so much of his men.

31111. Is it desirable that the Board should be consulted?—It is quite possible without my knowledge that unofficial advice is asked; I have never been asked.

31112. Any consultation would be unofficial?—Yes.

31113. The touring in the divisions is distributed between you and your colleague; do you always take the same divisions or are they altered from year to year?—They are not altered from year to year; when I joined the Board a certain distribution was in existence, and we have adhered to that. When Mr. Cruickshank retires there will be a slight alteration.

31114. You are responsible for touring in five divisions out of the nine?—I am responsible for the appeals in those five divisions, and to enable me to dispose of them I have to go to those divisions for the convenience of the parties, but at the same time I have frequently to go outside my own divisions to enquire into matters concerning one of my special departments.

31115. You are in charge of the excise work all over the province?—Yes.

31116. Does that not mean touring occasionally?—Yes, in case any question arose I would have to go.

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31117. Then the whole province is open to you for touring?—Yes.

31118. But you hear cases in a few selected divisions?—In certain divisions only.

31119. As regards the position of the Commissioner in excise matters, has it not been laid down by the Government of India that he should be consulted as regards any change in excise policy?—I believe so.

31120. Would that meet with your approval?—Yes, I am not prepared to suggest anything more than that.

31121. The technical details might be left to the Excise Commissioner?—I think so certainly.

31122. You mention here, as an instance of undesirable centralisation, that reference had to be made in the case of an officer who was to get some small sum for work in the Lucknow gardens; however that accrued, is it not an addition to salary?—I suppose so. I do not know what the technical definition of "salary" is, but it was an increase in his emoluments.

31123. Therefore, if it is desirable to restrict the power of sanction in regard to an officer's emoluments, you must also apply it to these allowances?—I think that in the case of a man like this particular person, a Superintendent in the Government Horticultural Gardens, the Local Government might be allowed a free hand.

31124. Suppose a Public Works Officer does work for a District Board, would you allow the Local Government to add to his emoluments in that way?—It is a matter that might very safely be left in the hands of the Local Government. Practically the Local Governments have power to give what is called a gratuity or an honorarium for certain work.

31125. That is non-recurring?—But it comes to the same thing whether you vote something once a year or once in five years, or whether you vote so much a month; a definite line would have to be drawn somewhere undoubtedly.

31126. Similarly you say the cost of patwari establishment did not fall on imperial or Government funds at all; as a matter of fact, have not the patwari establishments been taken over by the Government?—That is since this case happened.

31127. Therefore, if there has been any large increase the Government has now to bear it?—Yes, but I still think those are cases in which the loyalty of the Local Government might safely be trusted.

31128. The object of the Rs. 25,000 rule is to require the sanction of the Secretary of State and of the Government of India to any large increase of expenditure which a Local Government embarks upon?—I suppose that is the object.

31129. And the largest increases are those which affect establishments scattered over a number of districts?—I presume they would be.

31130. Therefore, if you start the system of district compartments and say, we can work it in this district because it is under Rs. 25,000, and then go on to another, you are practically defeating the intention of the rule?—It was the rule itself that required amendment, not the Accountant-General's interpretation of it.

31131. You do not quarrel with that, but you say the Rs. 25,000 rule is too small?—I think it is much too small.

31132. Would you be in favour of increasing it to Rs. 50,000 as has been proposed?—I think it depends very much on what is the income at the disposal of the Local Government. After all the Financial Secretary and the Lieutenant-Governor are men with consciences and reputations, and they may be safely trusted more than they are at present; I think Rs. 25,000 is too low in a province like this.

31133. But there should be some limit?—Of course; the annual budget always goes up to the Government of India.

31134. The Government of India do not criticise these things on the budget, they have not the time; they simply look at the total figures?—Provided the total figures are not exceeded, I do not see the necessity for any limit. My position is that neither the Secretary of State nor the Government of India is in a position to criticise such proposals; as these must either say no or yes, and they can give no reasons for the faith that is in them, if they have any; therefore I think a reference is absurd.

31135. In those particular cases?—In cases where they are not competent to say "This is desirable" or "undesirable." If large financial interests are involved they might be consulted, but I do not think Rs. 25,000 a year is a large financial interest.

31136. You say that all Governments ought to draw a distinction between capital and revenue expenditure; how would you define the two?—Expenditure on buildings I should call capital expenditure—I mean buildings that are likely to be permanently required, that is required for a generation or twenty-five years or something like that; there is some such line drawn sometimes at home; I think there was a special loan for the building of barracks or something of that kind.

31137. That would apply in the case of a municipality or some small authority; but in the case of Government, who are always having to make buildings?—My position is that the present state of many police buildings is almost a scandal; Government is doing its best to remedy it, but progress has to be slow as long as money has to be found out of income.

31138. Your point is that in certain cases the Local Government might have to embark on a large scheme, the expenditure upon which it could not meet all at once, and that it might borrow money for a short period?—Yes, they would have to provide a sinking fund for paying it off.

31139. The Lieutenant-Governor has told us that he desires to bring the Board into closer unofficial touch with Government; have you thought over that matter at all?—As a matter of fact, the Lieutenant-Governor has on several occasions unofficially consulted the Board.

31140. In Bengal they have a system under which the Board's office and the Government office are practically telescoped into one for noting purposes; when matters have to go up to Government, first of all the Secretary of the Board notes, then the Secretary to Government, and then the member of the Board. You are not in favour of a system of that sort in these provinces?—I do not think so.

31141. Why?—Occasionally notes do come over from the Secretariat unofficially, showing His Honour's views on some subject; that is simply to facilitate the work, but I think the joining of notes together would simply add to the length of the notes.

31142. It has been represented to us as an advantage of the system that it gives the member of the Board who is the Senior officer the opportunity of speaking last before the matter comes to His Honour, and of replying to any arguments that may have been brought forward against what is proposed in the Secretariat; is there not something in that?—There may be something in that.

31143. Still, you are not in favour of that sort?—No, not as far as the information at my disposal goes; I do not know how it would work.

31144. It has also been suggested to us that if you gave the Commissioners larger powers, making them more Sub-Governors, there is not so very much room for a Board of Revenue; what have you to say in regard to that?—There will still be big questions to be dealt with. My chief complaint against the present system is that a good deal of our time is taken up with petty matters that need not come up. Two members can get through the current work, but when a large question does come up it means either that they have to work at pressure or that the thing has to stand over.

31145. You are overburdened with appeals?—Yes, the appellate work could be reduced and the routine work could be reduced. In that case the two members would have abundance of time for all questions that come up.

31146. You think that two members are desirable, in order to co-ordinate matters of land revenue, and so forth?—I think they are required.

31147. It has also been suggested that the two members might become *quasi*-colleagues of the Lieutenant-Governor, dealing with other matters besides revenue,

such as important questions relating to the general administration of the province and disposing of some of them independently of the Lieutenant-Governor and referring to him in others?—That would practically be the same system in a slightly modified form; it depends upon whether the Lieutenant-Governor would like that system or not; the Board are perfectly prepared to undertake it.

31148. Do you think it would work?—I have no doubt it would work; the Board would be quite prepared to undertake it.

31149. Would you go further and convert the Board into regular colleagues of the Head of the province, following the system of Madras and Bombay?— I am not prepared to advocate that at present; I see no great argument for or against it.

31150. It has been put to us that in a one-man Government there may be rather violent oscillations of policy; a Council Government would abate that?—Yes, there is that point of view.

31151. From that point of view would you be in favour of it?—Yes, speaking generally, but I have no great arguments to adduce in support of it; I think probably in some matters it would work better.

31152. Though you are in favour of it in the abstract, you do not think the time has yet come for its application to these provinces?—Certainly its necessity has not been demonstrated.

31153. (*Sir Steyning Edgerley.*) You say that the Commissioner has very little influence in the matter of the police; another witness has told us that the links of the Commissioner's connection with the police are being snapped; is that a wise change?—I do not think so.

31154. The administration of the police is a matter that touches the everyday life of the people?—Yes.

31155. And the loss of the experience and guidance of the nine or ten most experienced District Officers in a province is a serious matter?—I think so.

31156. Would it not be possible to let appeals go as may be deemed appropriate either to the District Magistrate or to the Commissioner?—I do not quite know how appeals now go; I have not been doing any Commissioner's work for eighteen months, and there may have been a change in that time.

31157. I understand they are all going to the Deputy Inspector-General?—It is since my time that the change has been introduced.

31158. If the appeals from, say, subordinate police officers went to the District Magistrate and from the higher grades to the Commissioner, would that suffice to keep alive the connection with the District officers?—That is what I think it ought to be.

31159. And the Inspector-General would also be much freer to advise the Government?—Yes I do not think the Inspector-General is a man who is so well qualified to decide appeals as a Commissioner.

31160. Do you think that this amendment of the Revenue Court Law, if carried out in the sense that may be expected, will greatly reduce the appeal work?—To which amendment do you refer.

31161. I cannot refer you to any written description, but there is some scheme of amendment in prospect?—I know that the Revenue Law is under consideration and the opinions of the Board have gone up, but other amendments of the law are also under consideration.

31162. Is it not true that there has been since these Acts were passed in 1901 an abnormal increase in the number of appeals under these two Acts?—Yes, and in litigation generally.

31163. In your opinion is the *morale* of the Provincial and Subordinate Services improving?—I think so.

31164. Is that all recognised by any increase of powers to them?—They have very considerable powers. Assistant Commissioners of the first class have very considerable powers.

31165. Take the tahsildars and the naib-tahsildars?—The naib-tahsildars are practically only Executive Officers; very few of them are entrusted with case work and that very petty; similarly the tahsildar tries only very petty revenue, rent, and criminal cases.

31166. Could not the tahsildar be made a Second Class Magistrate?—I do not think so.

31167. Could a naib-tahsildar be made a Third Class Magistrate?—Very seldom. He has his executive work to attend to.

31168. I am not talking of the work, but as regards honesty and capacity?—With regard to their honesty and capacity, I think they could be trusted.

31169. Could a naib-tahsildar be trusted also on those grounds?—No, he has had no legal training.

31170. Everybody has to begin?—At any rate, I am strongly against giving naib-tahsildars criminal powers.

31171. Would it not be a great convenience to the people to have a tahsildar or naib-tahsildar to dispose of all their disputes up to second class cases?—I am not so certain; there is nobody to represent the people, and the case work is probably only enough to employ one pleader or *mukhtar* of a lower grade, so that one side would very frequently not be represented at all.

31172. Have not complainants and witnesses to come a long way in these petty cases?—Our districts are compact, and parties and witnesses do not have to come very far; petty cases are disposed of by the tahsildar already.

31173. In non-bailable cases are not untried persons kept a long time?—No, the list of under-trial prisoners is carefully scrutinised by every District Magistrate.

31174. If a system of compulsory pensions had to be introduced, would that affect the recruitment of the service?—I have not thought that out; I have no idea how far such a system could be carried out; it has not affected the Army.

31175. Would it be counterbalanced by giving improved prospects to men who have served their full term of thirty-five years?—I do not think it would affect recruitment one way or the other; every man fancies himself competent.

31176. Do you think anything could be done to stop transfers if you had a few supernumerary Collectors?—I think not.

31177. They would not supply the men who are now taken for special duty?—You have always got senior Joint-Magistrates waiting.

31178. You say you have never found Local Boards to be of any assistance; but is that quite the point of the policy? It is not a question of whether they assist the District Magistrate; the question is whether you can train the people?—The Local Boards which were established here have been abolished. District Boards are useful; Local Boards I have never found of any use.

31179. Do you know the Jhansi Commissionership?—It is not a Commissionership now; it is part of the Allahabad Commissionership. I have served in Bundelkhand, not in Jhansi itself.

31180. If the old Commissionership were established, would it be a very small charge?—I should imagine it would be a very large charge.

31181. It would be only four districts?—There might be only three.

31182. Would the Allahabad charge be very light?—I have never been Commissioner of Allahabad.

31183. You do not know that part of the province?—I know that part of the province, but I have never been Commissioner. I understand that the Commissionership is heavy, but I do not think it is heavier than, for example, Lucknow, or Benares, and I doubt whether it is heavier than Meerut.

31184. Is full use made of the Sub-Divisional Officers here at present?—We have very few Sub-Divisional Officers; all our Sub-Divisional Officers reside at headquarters.

31185. Is your staff strong enough in that grade?—Do you mean the full powered staff?

31186. Civilians or Deputy Collector?—The whole staff combined is quite insufficient for the work.

31187. (*Sir Frederic Lely.*) Apart from your appellate work, does not the Board of Revenue cover very much the same ground as the Commissioner?—I have five Commissioners whose appeals come to me.

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31188. I am not referring to your work as an Appellate Court but to your work as supervising the administration?—The Board are over all the Commissioners.

31189. Your outlook is pretty much the same as that of the five Commissioners?—Yes.

31190. What is the average age at which a man becomes a Commissioner in the United Provinces, approximately?—It varies vary much, twenty-five to twenty-eight years' service would be about the average.

31191. At what times in his service does a man usually enter the Board of Revenue if he enters it at all?—Thirty or thirty-one years' service, or as late as thirty-three or thirty-four.

31192. Virtually, then, the system means setting a man of thirty-one years' service to watch a man of twenty-five years' service?—Something like that, yes.

31193. With reference to the Court of Wards, do you think, on general grounds, it is good to give as much as possible of the detailed management into the hands of the man on the spot?—I do.

31194. A suggestion has been made that the authority in the management of the Court of Wards should be entrusted to the Collector or not, according to the size of the estate; you rather demur to that?—The Collectors are alway in direct charge except in certain cases.

31195. It has been suggested that small estates should be given over to the Collector, making the Collector, in fact, a Court of Wards. Instead of fixing a limit to the size of the estate, might you not give him authority over the estate whatever its size subject to certain reservations as for instance that the decision whether the estate should be taken over or not should remain with the higher authority and that higher authority should have the power of sanctioning any loan, and so on; would not that be a better system than fixing the limit according to the size of the estate?—I would not give the Collector entire charge. Many of our Collectors are very junior officers, officiating for only a short time. I think the Commissioner ought to be the ultimate authority in questions of management except in the case of the very biggest estates; the administration of these latter should remain with the Board.

31196. Is not the ordinary management of an estate a comparatively simple matter?—Yes, it is done entirely by the Collector, who reports annually.

31197. Suppose you reserve the points I have mentioned to the superior authority; would there be any objection to giving the whole of the rest of the management of the estate into the hands of the Collector?—I would rather have the Commissioner in supervising charge.

31198. He should continue to be the Court of Wards?—No; he supervises: the Court of Wards is really the Board.

31199. But would you object to making the Commissioner the Court of Wards, only reserving to the Board points of very extreme importance?—It would be better to allow the Commissioner to have complete control in the case of all except a few of the more important or more difficult estates, the management resting with the Collector or with the special manager under the Collector.

31200. Then I understand you are not in favour of delegating very much downwards?—Not below a Commissioner.

31201. Would you give a Collector authority to grant suspensions and remissions of revenue?—As a matter of fact, some difficulties in connection with that are before me at present. My answer is no.

31202. Would you give a Collector power to make all appointments in his own office, including his head clerk?—He has such power already except in the case of the head clerk; the rule has been altered in the last few weeks. With regard to the head clerk, treasury head clerk, and general superintendent, the appointment rests with the Commissioner, but the Commissioner's power of interference in the case of other appointments has been very much limited within the last few days.

31203. Is the head clerk and general superintendent the same as the personal assistant to the Collector?—The head clerk is head of the English office; the treasury head clerk of the treasury; and the general superintendent of the vernacular office. There are three different head officials.

31204. The head clerk, I suppose, is appointed by the Collector?—No, by the Commissioner from the divisional list.

31205. Would you give him power to appoint?—I think the three head appointments should go by seniority from a divisional list; in every other case the Collector should have complete power of appointment.

31206. Have you any revenue inspectors?—No.

31207. Has the Collector a discretionary allowance for any minor expenditure?—He has his contract grant, nothing else.

31208. Nothing for minor works or for rewarding good service?—He has certain funds for police rewards, not for rewarding clerks or anything like that.

31209. His power is limited to sanctioning police rewards, which are paid out of the grant made to the police?—Yes.

31210. He has no grant of his own?—No.

31211. Do you not think that he might have?—I do not know what he would use it for. I never found the need of it myself; subordinates do good work in the hope of promotion; their work is remembered; it is entered in their character rolls, and they get promotion on that.

31212. What about a small sum for minor works?—The Commissioner has a small grant which he distributes himself amongst the districts.

31213. To the Collectors?—Yes; a minor work is a work not costing more than Rs. 500; there is a divisional grant for such works.

31214. There is a certain amount of money accessible to the Collector?—For Public Works, yes.

31215. Now about the Commissioners and their exclusion from police and excise. You have told us that his opinion will always be considered, but as a matter of fact is he likely to have an opinion or to express one if he has no power?—I do not think he will bother his head very much about it.

31216. That will be the invariable consequence?—Yes.

31217. (*Mr. Dutt.*) In the matter of appeals you have told us that when a member of the Board wishes to upset the orders of the Commissioner he sends on his file to his colleague. If there is disagreement, what is the result?—The High Court rule is followed, that is, the judgment of the Lower Court stands.

31218. So that the order of the Commissioner is not upset unless both members agree?—That is so.

31219. With regard to appointments, are Deputy Collectors as a rule appointed on the nomination of the Board of Revenue?—The Board nominate and the Government have the power of direct appointment.

31220. Are the majority of them appointed on the nomination of the Board?—Yes.

31221. And the Government may also appoint people who are not nominated?—Yes.

31222. What about the tahsildars and naib-tahsildars?—Government has in the case of naib-tahsildars power to make any appointments, but as a rule the naib-tahsildars are appointed by the Board from among the nominees of Government, the Board, Commissioners, and Collectors.

31223. The nominations come to the Board?—Yes.

31224. Are orders transferring Deputy Collectors from one station to another always passed by the Government?—Yes.

31225. Who passes the orders about the transfers of tahsildars and naib-tahsildars?—A Collector within his own district: a Commissioner within his own division; outside the division, the Board.

31226. When a Collector transfers tahsildars from one place to another, is there a Gazette notification?—No, they are non-gazetted appointments.

31227. You do not propose to make any changes about transfers of these officers?—Except the suggestion that to avoid transfers short vacancies should be filled if possible locally.

31228. You speak of rates and cesses. I suppose they are realised with the land revenue?—Yes.

31229. What is the distinction you make between rates and cesses?—There is practically no distinction; there used to be a district post cess and a police cess, &c., but I think all those have now been amalgamated in the local "rates."

21230. The proceeds of these cesses after they are realised are made over to the District Boards?—Yes; there were surplus and deficit Boards; the surplus Boards did not get the whole of their cess if the money was thought too much; the deficit Boards got more than their cess if it was thought it was not enough. I believe a new system has been introduced in the last twelve months.

31231. About the income-tax; who is the officer who makes the assessments for the income tax in the district?—All Assistant Collectors make enquiries and keep note-books. Below a certain amount the assessments are made by sub-divisional officers, an appeal lying to the collector; beyond that amount the assessment is made by the collector, an appeal lying to the Commissioner.

31232. You have not got any separate income-tax assessors?—No, in Lucknow once, and possibly in other places, a special officer was put on special duty to make enquiries, but as a rule the work is generally done by the ordinary district staff.

31233. Is the work done satisfactorily by the men on the spot?—Yes. I have seen some good and some bad assessment notes, but it is always possible to write a good note if a man will take the trouble.

31234. You think it can be done more satisfactorily by these local men than by a special assessor if one was appointed?—A special assessor might be of some use in a large city, but now the work of assessment has become more or less stereotyped and there is not any very serious difficulty.

31235. Who keeps up the land records in the *tahsils;* is that for the tahsildar to do?—No, he has got a registrar, kanungo under him, with one or more assistants; that is their special duty.

31236. They got their information from the patwaris?—Yes, remains at.

31237. All that is under the supervisions of the Collector?—Yes, but the registration kanungo is in the *tahsil;* there is a general record room at headquarters, where, after a certain number of years, the *tahsil* records are sent.

31238. Does that system work well in practice?—It is being improved every year under Mr. Moreland, and it is now working very well.

31239. Are these kanungos under the orders of Mr. Moreland or of the Collector?—They are under the Collector.

31240. Suppose a kanungo had to be transferred from one place to another, who would pass the order?—If it was in the district the Collector would pass the order; if it was outside the district I think it would be the Commissioner, but possibly he would consult the Collector.

31241. You have told us that apart from *tahsils* you have no regular sub-divisions in this province?—Yes, there are one or two.

31242. Have you thought about the question of creating sub-divisions on the same plan on which sub-divisions exist in Madras and other provinces?—I do not think they are required in this province; our districts are small and as a rule they are compact; the officers are much better at headquarters.

31243. When they are at headquarters very often they are in charge of one or two *tahsils?*—It depends on the work of the *tahsil.*

31244. And at the same time they are probably also in charge of some department at headquarters?—Yes, sometimes.

31245. Is that a satisfactory arrangement?—The Treasury Officer is always at headquarters, so you make most of the headquarters departments over to him; for example, he would generally be in charge of the English office, the sales, the accounts, and other things

31246. Do you think it would be an improvement if an officer was told off to be in charge of his own sub-division and you had no Sub-Divisional Officers at headquarters?—No.

31247. But you would not make that an invariable rule?—No.

31248. You do not think, under that rule, he would be more in touch with the people of the sub-division?—No, he gets into touch by going out into camp and seeing the people.

31249. You do not recommend restricting the existing powers of appeal?—I have recommended certain restrictions.

31250. That is so far as the executive authorities are concerned; I mean the right of appeal as it is understood by the people?—No, it is no good making rules, because the rules would have no effect.

31251. (*Mr. Hichens.*) You say with regard to a certain proposal that it would have required the sanction of the Government of India, and therefore it was dropped?—It was not worth making.

31252. It involved so much bother that it was not worth making?—Just so.

31253. Does it often happen that the sanction of the Government of India involves so much bother that matters are dropped altogether?—I could not say it very often happened; it sometimes happens that we do not trouble Government with things that we have not got the power to do ourselves. A case occurred the other day; it was not of sufficient importance to trouble the Government about.

31254. In the latter class of case would it not be worth while to get the rules altered?—If anything like a typical case occurred which we thought involved a question of principle we should send it up.

31255. Would you suggest that District Boards should have powers of taxation?—No. They are much better as they are.

31256. Is that one of the reasons why they are not so efficient as Municipal Boards?—No, that is not the reason.

31257. Is it one reason?—I do not think so.

31258. Would it not be a way of developing their sense of responsibility if they had powers?—I cannot conceive any possible system under which they could have powers.

31259. Is not administrative responsibility without financial responsibility rather a dangerous thing to give a body?—Theoretically I suppose it is. If you have a big area like a district and you have a few isolated gentlemen scattered about over it knowing nothing absolutely except their own village, I cannot conceive how you can trust them with powers of taxation. A municipality is quite different; all the members live in the same town and they all know it more or less.

31260. Local Boards have been abolished here?—Yes; they were never found of the least use.

31261. Was it possibly because they had not bigger powers?—They would not take any interest in their duties.

31262. Possibly they had not got anything worth taking an interest in?—They had their schools and roads; it was simply a district in miniature, but in my experience they would not even take the trouble to look after such matters as tree-planting on their roads or the repairs of their schools.

31263. It was a small area, *à priori* one would have thought that they would have been more likely to be interested in a small area than in a big one?—That was the hope when they were first appointed, and it was found to be not well founded.

31264. What does the Collector's grant cover?—His cold weather establishment, the cost of furniture, and so forth, nothing to do with buildings; simply his office expenditure.

31265. Does it include things like books?—Yes, it would include books.

31266. From time to time we have had a complaint that the Collectors were not able to purchase books?—

They had no power to purchase books without the sanction of the Government; the Government says you may purchase books, but out of your contract grant, so that even if he has the money a Collector cannot buy a dictionary without the sanction of the Government.

31267. Could it be laid down that when the amount is sanctioned in the budget he may be allowed to spend it as he likes?—There might be a certain amount for books and he should be allowed to spend up to that amount.

31268. The statement has been made to us that the actual sanctioning of the budget does not carry enough permission to spend money with it—that there are such a crowd of other sanctions which are necessary afterwards. It was suggested that more might be made of the passing of the budget as giving sanction to spend the money?—The rule is that merely making provision in the budget for certain expenditure cannot authorize you to incur that expenditure, if it is an expenditure that requires special sanction. For example, if you had Rs. 100 allotted in your budget for books you could not buy books with it; you still have to go up to get sanction for particular books.

31269. In regard to the Commissioner and Collectors, for instance, would it be a practicable scheme that when their budget was passed they should have a comparatively free hand without any further sanction?—I think so.

31270. Are not the exceptional sanctions that are required very largely formal?—I fancy they must be, because you show your budget provision and it is the Accountant-General who objects and says that you have not got special sanction.

31271. The main thing, especially in regard to a contract grant, would be that the Collectors keep within that, not that he spent Rs. 5 more on books and Rs. 6 less on stamps, and so on?—I think so, provided he keeps within his contract grant.

31272. You think the Local Government should have a fairly free hand in the expenditure of its own moneys, subject to general principles the details of which should be worked out by the provincial Government?—I think so. I would give them a fairly free hand provided they did not exceed their budget.

31273. How far do you think that the pension restrictions could be relaxed?—I do not know; the Board have nothing to do with pensions.

31274. In other parts of the world there is a provision in regard to pensions that the Executive may make exceptions within certain limits under the law, but beyond that in case of urgency they may make exceptions and then lay them on the table of the Legislature and get the approval of the Legislature afterwards; would that be a practicable plan here?—No, because the Legislature is not an executive body at all; it is simply a legislative body.

31275. The object is that there should be that amount of publicity; you think that would not be possible here?—I do not think it would be of any much use; publicity here means the sanction of the Government of India; you would have to go up to them.

31276. If a certain amount of publicity is desirable, you think it should come through the Government of India?—I do not know what the details are quite, but the Government of India might lay down "When you depart from this rule you must let us know so that we may be able to say if we think fit this must not occur again."

31277. You think that would be enough?—I think that would be enough in most cases.

31278. (*Chairman.*) You said something about budget sanction. The inclusion of expenditure in the budget conveys no sanction at all?—No, it has to go to the higher authority if it requires special sanction; if it is an ordinary charge it does not. For example, you budget for an increase in the pay of a clerk and the budget is passed; that does not authorize you to increase the pay of the clerk; you have to go up and get special sanction and show that you have got provision.

31279. With regard to the appointment of tahsildars, you think that tahsildars ought to be appointed, as I understand they are now, from a provincial list, or preferably from a divisional list?—I am in favour of the present system.

31280. Is the tahsildar often moved about from division to division?—As seldom as possible, not often.

31281. Then what is the object of having a provincial list?—You get a better class of men. What happens at present is that every District Officer and every Commissioner sends up his nomination for the year—the best he can pick out, and the committee meet, of which the two members of the Board are members, and they pick out the very best man out of the whole province; if each Commissioner appointed one man he might not get the best man for the post. I think we get a better class of men by enlarging the field of selection.

31282. It is desirable that the Commissioner should have at his own discretion a Public Works budget for his own division?—He has it, but it is a very small one and not sufficient; it is only for petty works not costing ever Rs. 500. We have asked the Government to largely extend it.

31283. Suppose the whole Public Works provision for the province were given in more or less equal portions to each division, would you allow the portion falling to a particular division to be re-apportioned by the Commissioner at his discretion for Public Works within that division? No, I prefer the present system; that is that the necessity as to the main works should be decided upon by Government, which knows the needs of the various divisions.

31284. You said that you were not in favour of the remission of revenue by the Collector, but that the matter has been under consideration recently and that you were not in favour of it?—What I meant was that an instance had come to my notice in which a Collector had taken certain action which we thought was very wrong and it caused trouble; I am not in favour of giving Collectors the power of remission and suspension—only of recommending them as they do at present.

31285. But because a particular officer makes a mistake is that a reason for generally debarring a whole class from the exercise of that authority?—I also had in view the fact that many of our Collectors at certain seasons of the year are very junior officers, and it is possible that these proposals might come up in their time.

31286. Might it not be possible to give the permanent Collector a power which you would refuse to an acting Collector?—I am against the delegation of that particular power.

(*The witness withdrew.*)

Adjourned.

FORTY-NINTH DAY.

AGRA, *Monday, February 16th*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. H. C. FERARD, C.I.E., was called and examined.

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31287. (*Chairman.*) You are the Magistrate and Collector of Saharanpur?—Yes. As such I am the Chairman of four municipalities and Chairman of the District Board.

Collectors and Sub-Divisional Officers have sufficient powers in revenue matters. Most of my experience has been in districts specially exposed to the bad effects of drought and during a period in which droughts have been specially frequent. Hence the question of revenue relief by suspension or remission has been constantly before me. In 1896–7 famine extended powers to Commissioners and Collectors would have resulted in more prompt, if not fuller, revenue relief. Relief in this way was not so generous as it was in the actual relief of distress. In the Allahabad district I had a good deal of worry, and so had the people, in connection with the arrears of revenue left over by the famine, most of which had ultimately to be wiped off as irrecoverable, and should have been wiped off sooner. In Muttra I asked for, and obtained, for the loss of autumn crop in the last scarcity a more liberal scale of relief than that laid down in the Board's circulars, but it was not sanctioned for the damaged spring crop, though it was warranted. The scale of revenue relief laid down for guidance in paragraph 14, Board's circular No. 6—III, a scale which emanated from the Government of India, is hardly sufficiently liberal, and I should like to see "suspension" wiped out of the official dictionary and "remission" substituted. But my experience has been in the less favoured districts, and my views may be unsuitable for general application ; if applied in well favoured districts the moderating influence of the Commissioner or Board of Revenue would probably be perfectly right. I think that when it comes to signing away Government money by lakhs the Board of Revenue's approval is useful even to Commissioners with no desire to shun responsibility. The process must stop somewhere, and it should stop with the Lieutenant-Governor, who should be free from limitation by the Government of India. As a Collector, I do not want extended powers ; full consideration for the views of the man on the spot is sufficient ; nor do officers in charge of sub-divisions need more.

As regards Court of Wards, in districts where there are sufficiently large estates a manager is appointed and relieves the District Officer of a good deal of the work and responsibility, though not all. In other districts, where the estates are not large enough to support a fully-paid manager, an assistant manager is appointed and the Collector's responsibility and supervisional duties proportionately increase. The estates in the Muttra district are of the latter kind and took up much of the time, not only of the Collector, but of one of his assistants intended for district work. Improvement in system might be effected by lumping the estates in several districts under one manager where one for each district cannot be arranged for.

I have no strong views on the question of limiting the right of appeal to Government, but I am entirely against the suggestion to shift from the Local Government on to the Administrative Officers the duty of deciding whether an appeal to Government should be allowed or not. It seems to me contrary to the principle which underlies the right of appeal.

As regards the sufficiency of the Commissioner's influence, it depends on the man. One of the best Commissioners whom I have served under insisted on his Collectors letting him know if direct communication on any but routine matters passed between them and the departments. He knew that the departments, with the best intentions, required watching. Senior Collectors can look after themselves pretty well, but junior Collectors are sometimes unwilling to differ from the higher officers of departments. During the short time I was officiating as Commissioner of the Agra division last year an impossible letter on the subject of plague came down to District Officers direct. Luckily a copy was sent to Commissioner, and subsidiary instructions were sent to District Officers modifying the letter to reasonable limits. I have often resented interference with my actions or orders by Commissioners, but less so as I became more senior, and the Commissioner is a most useful buffer on both sides between the District Officers and the departments. My experience has been that they perform this function well, from which I deduce that adequate weight is given to their views.

The opportunities which Executive Officers have for personal contact with the people are sufficient. The duties of the Collector and his assistants are multifarious and all connected with the people. The only point is how far pressure of work allows officers to make full use of their opportunities. During recent years there has been progress and energy in all departments of Government, provincial and local, and without considering important accidents, such as monsoon failures and plague, no one can deny that the present generation of District Officers is exposed to a higher pressure of official work than their predecessors. I recollect hearing from a Collector of Allahabad fourteen or fifteen years ago that he did not consider the charge a heavy one. Personally I found it so heavy that I could not give all branches of work proper attention. In many districts the Collector has to work at full pressure and has little time to lay himself out for intercourse with the natives of the country except in the way of business. But the opportunities are there and he does in fact see much of them out of actual Court hours, and there is no bar. I have never found that either the landholders or the villagers stand off ; these are of course the most important classes in the country. In the towns the Collector can, and usually does, get to know the leaders of commerce pretty well, and I have had good friends among the leaders of the legal profession ; but the bulk of the legal profession are busy men and out of Court they have not many points of contact with the Collector.

Executive Officers know the vernaculars sufficiently well.

Of the three districts where I have served as Collector, Allahabad is, in my opinion, too large a charge for one man. Banda is a little unwieldy, but, having a sub-division at Karwi, can be efficiently worked, and Muttra in ordinary years is a comparatively light charge. In Allahabad the large municipality and civil station, not to mention the incidental work which the large cantonment indirectly entails, take up an undue proportion of the District Officer's time considering the large area of the district proper. In places like this there is scope for the appointment of a Joint-Magistrate with a local allowance (to ensure seniority and continuity of tenure) as City Magistrate. This would to some extent relieve the District Officer in his headquarters

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work, but I see some difficulties in the proposal if the appointment is to be a real help to him. Except in the case of City Magistrates, the multiplication of assistants does not materially lessen the District Officer's work (it sometimes increases if they are not full-powered): but as regards their own work I think the *cadre* of both Covenanted and Native Assistants has of recent years been below the mark.

It is to the advantage of a District Officer and his district that the staff should not be changed too frequently. On the other hand, it is a good thing that Civilians in their earlier days should get varied experiences of the provinces, and I could have done with a little more experience myself. Transfers are unnecessarily frequent only in so far as they are caused by the *cadre* of officers being below the number needed. I have no doubt Government has often to take a man from one district where he is really wanted merely because another district wants him rather more. I am not going beyond my own experience in saying this as I have sometimes been the Collector who lost the man. As regards Collectors, I have not been transferred too frequently myself.

I do not recommend larger powers to municipalities. In the case of large municipalities like Allahabad they have quite as much as they can be safely entrusted with, and in the case of the smaller ones more than enough. The former would suffer if the official element were withdrawn from them and the latter would come entirely to grief. Further powers cannot be given to municipalities without emphasizing more clearly the authority of Government through the District Officer,—in fact converting the Boards into Advisory Committees of the District Officer. In the case of most small municipalities this is what they practically are at present, and the same applies to District Boards. It is a fallacy to suppose for an instant that these Boards run themselves or can do so. They may in the very distant future, but meanwhile the District Officer as Chairman has to run them, do most of the work by official agency, and bear nearly all the responsibility for efficiency or the reverse. He sees local self-government at close quarters and has a poor opinion of it and does not want more power for his Boards. My remarks have no reference to large manufacturing centres with a strong European element like Cawnpore.

I am strongly against the formation of Advisory or Administrative Councils to assist the District Officer. The former are superfluous, and the latter would be a hindrance and a blunder. The District Officer knows best whom to consult on any particular question on which advice or opinion is needed and whom to ask for help if he wants it. Even if he is new to a district he has his predecessor's notes, and if he is fit for his post he gets to know the ropes very quickly. If he is junior he has his Commissioner to guide him. The people of these provinces are, nine-tenths of them or thereabouts, rural with no knowledge of, or desire for political forms. They look on the District Officer as the agent who carries out what the Lieutenant-Governor thinks and orders. They could understand, if they thought about it at all, that the Lieutenant-Governor might find an Advisory Council useful in formulating far-reaching measures of general policy; but that the executive Head of the district should be saddled with a Council or advisers of any but those of his own choosing would be liable to be misinterpreted as distrust by the Government of its own officers. It would weaken the administration and be a very great mistake.

I do not think it expedient to confound relations by investing District Boards with control over the small municipalities. The proper person to invest with this control is the District Officer, who practically has it now.

I see little chance of successfully utilizing the village communities in police, sanitary, educational, and similar matters. Communities are too much broken up nor are their inclinations in this direction. The experiment of village munsifs for petty and local civil cases is being tried in several districts, and it was fairly successful in some of the Muttra village circles, though it was not always easy to find suitable men. I doubt if it would answer in criminal cases. It would lead to petty cases being exaggerated into grave ones to get them away to the regular courts.

31288. Do the municipalities in your district work by committees?—One municipality works by committees; the others do not.

31289. How many committees are there in this one municipality?—Four.

31290. Are there Committees on the District Board?—Yes, each *tahsil* has a Committee.

31291. Are you Chairman of all the Committees?—No, I am not Chairman of any.

31292. Do you do practically the whole of the work of these four municipalities?—No. The headquarters municipality has a Secretary and two Vice-Chairmen; the Secretary does a good deal.

31293. You, as Chairman of the municipality, attend their monthly meetings, but you leave the work of the municipality to be done by the Vice-Chairmen and Secretary?—I do not leave it entirely; if I want to do anything I do it myself, and if I wish anything done I act through them; there are certain things which I leave to them.

31294. You keep the direction and leave them to do the business?—Exactly.

31295. Is it the same with regard to the District Board?—Yes, it is much the same; of course one does a great deal one's self in connection with the District Board, because the District Board works over the whole district, and the Collector is on tour and his Covenanted and other Assistants are on tour. The inspection of schools and roads and so on is done by the Collector on tour or by his Assistants, as opportunity offers; the Collector initiates and directs. It is absolutely impossible with 300 or 400 schools, and a large number of miles of roads and with arboriculture, that the Collector could do it himself, but he has a general knowledge of it; he has his Assistants touring round and that is how he works it.

31296. How long have you been Collector at Saharanpur?—I took over charge in December.

31297. Have you got to know the district since December?—To know a district properly takes about a year; I am not prepared to say that I do know the district; I know a good deal of it; I am not prepared to say that anyone could know a district in two months.

31298. Your predecessor left you notes?—Yes, every Collector leaves notes to his successor.

31299. Did they contain the names of prominent persons in the district?—Yes, I have a book of those.

31300. Therefore, if you wish to ascertain what local feeling is upon a particular point, you have directions more or less ample which enable you to go to prominent persons and say "What do you think of such and such a proposal"?—Yes, and they come to me. Sometimes one goes to a district and people come to me and one gets to know them and makes notes, and in course of time one gets to know everyone in the district.

31301. Do you consult them freely?—Very freely.

31302. Have you a settlement Commissioner in this province?—There was a Settlement Commissioner, but now the work is done by one of the members of the Board of Revenue. When a large number of settlements were in progress a Settlement Commissioner was found necessary, but recently settlements have decreased and the work is done by one of the members of the Board of Revenue. When a great many districts are under settlement a Commissioner is necessary, but when as at present there are few settlements on, it is not necessary.

31303. The actual work is done by whom?—By the Settlement Officer; the settlements go up to the Settlement Commissioner on revision. They go up to him to be passed; practically there is no appeal I believe.

31304. You tell us that you have been on famine measures, and you found that at the last famine the local officers could not get as full sanction to measures as they wanted?—I did not quite say that. In the 1896 famine there was very ample expenditure on the preservation of life, but there was not quite sufficient liberality in wiping off the arrears of land revenue.

31305. Is that rather that not sufficient power was in the hands of the Collector?—It was the policy to spend a great deal on actual preservation of life, but the policy at the time in giving a clean sheet to the raiyats subsequently was not sufficiently liberal. If

more power had been in my hands—I am not prepared to say that it should be in the hands of the Collector entirely—I should have wiped off more arrears than actually were wiped off; if it had been in the Commissioner's hands the probability is he would have wiped off more. I saw a great deal of the wash-up of that famine afterwards. A good deal was wiped off in the Allahabad district; that should have been wiped off earlier.

31306. And would have been if it had been left to the Local Officer?—I am not prepared to say that; I should have done so myself; it is quite conceivable that some junior men would have fought shy of wiping off what I thought necessary.

31307. Are you satisfied that the Local Officer has a fairly free discretion in plague measures?—Yes, it is left to him pretty well.

31308. Are the plague and famine accounts very complicated?—Famine accounts now are more or less necessarily complicated, but they have been simplified a good deal in the last year or two, and they have introduced a regular account system which relieves the Local Officers of a good deal of trouble and responsibility in the matter. When large amounts of money are spent you cannot get on without accounts, but Government has certainly done much to relieve the officers in that respect; there has been a simplification of accounts.

31309. Could more be done?—No, I am perfectly satisfied; the accounts were much more troublesome, and there was much more responsibility on the Local Officer in the 1895-6 famine, but they have been simplified since then.

31310. You tell us that the Commissioner has sufficient powers, but something might be done in Court of Wards work between the Collector and the Commissioner?—In the Allahabad district there were large Court of Wards' estates and there was a manager; he did most of the work, and there only remained with the Collector just the amount of work that was necessary. He was over the manager in big matters, but he was well relieved of the work. There are some districts where the income of the estates is not sufficient to pay for a manager; then an assistant manager is given. The assistant manager is a low-paid man on Rs. 75 or something of that sort; of course he is not so trustworthy or so good as a full-paid manager. The Collector has to keep a very much closer eye, and has more trouble in connection with the assistant manager than he would if he had a superior officer. The Collector puts on one of his own district staff, his Deputy Collector or Assistant Collector; he keeps an eye on it himself, and it is run in that way. That takes up the time of one of his district staff.

31311. Have you power to sanction expenditure outside the budget of the estate?—No.

31312. Would that not be a useful power?—I am not prepared to say that one should give up the budget system; it would relieve the Collector no doubt of a little trouble and give him a free hand, but it would be rather a dangerous thing to give up altogether.

31313. How many estates have you in your charge?—I have now no estates; I am speaking of Muttra where I had several.

31314. You tell us that with regard to plague an impossible letter came down to the District Officers direct. What department of the Local Government was it who addressed the Local Officer over the head of the Commissioner?—That was the Chief Plague Officer. He was created when plague spread over the provinces to carry on plague measures.

31315. Was he in the Medical Department?—The Medical department was split up into two; there was the Inspector-General of Civil Hospitals; plague was separated off and it is now given to a Chief Plague Officer.

31316. But was he the head of one of the permanent departments of the Local Government?—I think plague was separated in the Secretariat into a separate department for the time being; whether the Chief Plague Officer is subordinate to the Inspector-General of Civil Hospitals or not I am not prepared to say; I think he deals direct with the Government. The letter I mentioned came from him.

31317. Is it the habit of an officer at the head of one of the permanent departments of the Local Government to correspond direct with Collectors over the head of the Commissioner?—It is not the habit; the proper channel of communication is through the Commissioner, but there are certain letters, immaterial and routine letters, which occasionally come direct; sometimes letters do come down which should come through the Commissioner, so that he could object or pass them on.

31318. Can you give an instance of another department?—I mentioned the case of the Medical Department; occasionally letters come down even from one's own department from the Board of Revenue. I can remember a recent instance in which a letter came and on seeing it I said "That should have come through the Commissioner"; it came from the Secretary of the Board of Revenue. I do not say that is usually done. It was on the subject of land revenue collections, practically expressing a desire that was tantamount to an instruction.

31319. What was the date of the letter?—It was this month. It is quite possible, as in the case of the plague matter that I mentioned, that a copy went to the Commissioner. I was contemplating writing the Commissioner, asking whether it had come to him.

31320. (*Sir Frederic Lely.*) You say you were asked, when appointed District Magistrate at Banda, to give an undertaking not to go on furlough during a certain period; is that a usual condition to impose?—'t was a usual condition in that particular district of Banda.

31321. Would there be any objection to extending it to other districts?—Government servants under the rules have certain rights of leave, and it would be rather a drastic measure to forbid all Government servants going to any district from asking for leave.

31322. As a matter of fact, a man cannot reach his full measure of usefulness in less than three years?—Certainly not less, not as a District Officer.

31323. Therefore it would be advantageous to the administration?—It would certainly be advantageous to the administration that a District Officer should stay for not less than three years consecutively in any district.

31324. Would it be advisable to impose that condition in more instances than is done at present, or to impose it as a general rule?—I was a junior officer in this case; the consideration for my getting this district for three years was that I should not ask for furlough; you could hardly extend that generally, because they would be putting people in over other people's heads.

31325. Suppose a Collectorship fell vacant in February, and it was well known that the next man on the list for it intended to take leave in July, would you still put him in, although you knew that only a five or six months' tenure was possible?—It would be advantageous to the administration not to do so.

31326. Can you make any suggestion on that point which would be acceptable to the Service?—No; I cannot go beyond the fact that I think District Officers should be kept as long a time as possible in each district.

31327. Up to what time?—Up to, say, five years; but as to over-riding the one-year-in-five furlough rule in the case of Covenanted Officers and the power to ask for that furlough at any time, I am afraid I can hardly admit that.

31328. You are not prepared to say that the fact that a man can only hold the office five or six months should deter Government from appointing him?—Government should take it into consideration; it works in with the power we have in our covenants for one-year-in-five furlough; it would be over-riding that to make this a fixed rule.

31329. You can have very little hold on the details of municipal administration in four towns?—No, I have a very good hold; I go to as many meetings as I can myself, and I always send my Joint-Magistrate, who is a member of every Municipal Board; then there is the Secretary, who is in absolutely close touch with me.

31330. Would it not be better to make the Sub-Divisional Officer the Chairman of each municipality?—He is practically that; he is Vice-Chairman.

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31331. But why not make him Chairman, and leave with him the full responsibility?—I think the responsibility should remain with the District Officer.

31332. You have territorial sub-divisions with an Assistant or Deputy Collector in charge of each. Is he not in much closer contact with the general trend of things in the sub-division than the Collector can possibly be?—As to certain minor points he is, but not generally.

31333. But most of the municipal business in small towns consists of minor details?—Of course there is a great deal of minor work, and there is a great deal of major work. The efficiency of the minor work depends a good deal on the control which the Chairman and Vice-Chairman have over the general administration.

31334. He being, as a matter of fact, largely responsible, would it not be better to make the Sub-Divisional Officer nominally so?—No, I think not; his position as elected Vice-Chairman answers the purpose best.

31335. You said there were two Vice-Chairmen in each of these municipalities?—Yes. The Vice-Chairman is the Joint-Magistrate or the Senior Assistant Magistrate of the district. By a Government order the Joint-Magistrate or Senior Assistant Magistrate of the district is a member of all the municipalities; that was introduced a few years ago; it came up in connection with octroi.

31336. He is no more in immediate contact with the municipality than the Head of the district is?—Yes; he is always there.

31337 I am not referring to Saharanpur; I am referring to these outlying municipalities?—Another one is Deoband. I have an Assistant Magistrate at Saharanpur who goes to all those meetings if I do not happen to go myself. On the other side there is the Roorkee Sub-Division; there is a Covenanted Assistant there. There are two municipalities—Roorkee itself, which is his headquarters, and the Hardwar municipal union; he is in absolute touch with both those.

31338. The Sub-Divisional Officer there lives in the sub-division?—Yes.

31339. Should he not be Chairman of the municipality?—Leaving the Magistrate, you mean, with just his control as Magistrate; I am not in favour of that, because the Sub-Divisional Officer at Roorkee may be at any time a junior officer; if you could have a senior officer as Chairman of the municipality, I should agree.

31340. What better training could you have for a junior officer than the management of municipal affairs, which are usually of a very trivial character, in close contact with the non-officials of the town?—I think he has that as Vice-Chairman; it is very excellent training; but I would not dissociate the Magistrate from his position as Chairman in these smaller municipalities.

31341. Is your other Vice-Chairman a non-official?—Yes.

31342. Does much of the work devolve upon him?—Yes, he does a great deal; it depends a good deal upon the Vice-Chairman; the Vice-Chairman at Saharanpur does a great deal.

31343. Would you make him Chairman as an experiment?—No, because I am certain it would not work well.

31344. Do you speak from your knowledge of the man?—No, I speak generally of the whole system. Occasionally you would get cases where it would work well, but, generally speaking, it would not; in fact, in the Saharanpur district, among my municipalities, there is not one municipality where I would make any of the non-official Vice-Chairmen Chairmen.

31345. Not even as an experiment?—If the experiment is required there is no reason why it should not be made, but I am quite prepared to say beforehand that the result would be an absolute failure; he might be made Chairman, but the District Officer and one of his assistants would practically run him.

31346. There would be no great disaster resulting even in that case?—No, but I would not take responsibility for the efficiency of the municipality if that arrangement were made. If I was asked to make the experiment, I should say, "Make it, but it will not be successful, and I will not be responsible for the municipality."

31347. Would you not lay great stress on the promptitude of remissions as giving heart to the people in time of scarcity?—I would lay great stress on the promptitude of suspensions with the prospect of remission following. As to one's saying at once, "I remit all this," that rather bars you from correcting possible errors afterwards. I would order suspensions, and hold out prospects of remissions.

31348. Would you give the Collector power to remit within certain limits, so as to enable him to deal with local calamity such as hail or flood?—It is not necessary to do that; it is quite sufficient for him to have power to suspend, and to have sanction to remission afterwards.

31349. Would it not be a great help to administration to enable him to deal promptly with cases of that kind?—That is met by his present powers of suspension, with remission to follow.

31350. Do the people care at all about suspensions?—I have been in rather special districts, and I am very much for remissions as against suspensions; I think they do not care very much for suspensions; they care more for remissions.

31351. You would not give the Collector power to remit?—No, I would have the sanctioning authority over him.

31352. Even to the amount of Rs. 50?—That is dealing with rather small sums; there might be no harm in going to Rs. 200.

31353. No higher?—No; I would let the Collector suspend only. As to Rs. 50 to Rs. 200, a small matter of that sort, I am indifferent entirely.

31354. You are not in favour of the Collector having any power of remission at all?—I do not think it is necessary; I think there should be superior authority over the matter of remissions.

31355. Should the Collector have more power over an estate under the management of the Court of Wards?—He has quite sufficient; he has it under the Act.

31356. Has he power to appoint a manager?—Government appoints a manager; that is in the Court of Wards Act; either it can appoint the Collector or it can appoint a manager.

31357. The Collector has no power in the matter at all?—No; the Board appoints a manager and assistant managers; if a Collector wanted a special assistant manager he would mention it, and it might or might not be done.

31358. Has the Collector power to remit rent?—He is given powers, not to remit rent but to suspend rent; rent and revenue go together.

31359. Has he any power over the education of the ward?—Yes.

31360. Could he remove him from a school, or send him to a school, or arrange for his holidays, on his own authority?—Yes, that is one of his duties; he would send up his proposals for sanction.

31361. He has no power of his own authority?—No. There would be a Government grant for the education of the ward, and the Collector would elect to send the ward to this or that school.

31362. That would have to be sanctioned?—Yes.

31363. He has no independent authority of any sort?—In practice it amounts to a great deal; if he says, "The ward is doing badly at a particular school, and I want him put to such and such a school," the court would not say, "You are totally wrong."

31364. (*Mr. Dutt.*) You had been in charge of other districts before you came to Saharanpur?—Yes.

31365. Looking at the province as a whole, we have had evidence from a witness that in the case of some moderate size municipalities, the experiments of having non-official Chairman might be successfully tried; do you agree?—I do not agree; I do not think it would be a good thing at all. I am not prepared to speak as to other districts, except where I have been; I have been in Banda and Allahabad; Allahabad, of course, was the principal municipality, and I certainly would not have a non-official Chairman there.

31366. In any of the districts you have been in would you have non-official Chairmen?—No, I would

not have non-official Chairmen; I would have non-official Vice-Chairmen if you like, but I would have the Collector as Chairman.

31367. You are aware that there are non-official Chairman of municipalities in Bombay and Bengal?—I know there is a non-official Chairman in one district in our own provinces; I do not know about Bombay or Bengal.

31368. Do the non-official members of municipalities take much interest in the work?—Some of them do and some of them do not. Generally speaking, they take little; it varies with the individual.

31369. Is it likely that they will take any interest in the work unless some real work and real power is given to them?—I do not think that those who take no interest now would take more even then.

31370. Under the present circumstances is it possible, taking human nature as it is, that men would take very much interest in work when the whole of their work is just to say "Yes" or "No" to questions put before them?—But saying "Yes" or "No" is not the whole of their work when they come to meetings.

31371. But unless they are given some real authority over the work which they have to execute, is it likely that they would take any interest?—That is a matter of human nature. I think the generality of members would prefer the present system.

31372. Are the irrigation rates consolidated in this province with the land revenue?—No.

31373. Are the irrigation rates changed from time to time?—No; occasionally there is a change in the rate prescribed by Government, but it is very rare; they are regular fixed rates.

31374. There is no rule as to the same rate continuing for 30 years as is the case with land revenue?—No; the irrigation rates are on the land which is irrigated each year. The rates are not altered as far as I know. The Irrigation Department say what should be the rates on certain land. Last year there was a revision of canal rates; it was raised on some crops and lowered on others; that is quite distinct from settlement.

31375. Would you favour any general rule that very junior men in service should not be in charge of districts?—No; certainly it is advisable that an extremely junior man should not be Collector, because he has not got sufficient experience. Probably, if Government had more men they would get sufficient senior Collectors; the difficulty is that they have not got quite enough Civilian staff and sometimes they come down low. The only remedy is that the staff should be increased so as to have more senior men.

31376. After what experience do you think a man is fit to be in charge of a district for long periods?—I should not like to put it at less than 10 or 12 years.

31377. Would you like to make a general rule that the Sub-Divisional Officer should live in his subdivision?—The districts are not so large in this province as to render that necessary; there are probably some exceptional cases in which it might be introduced. For instance, in the district where I am at present, I have one of my staff stationed there; he is called a Sub-Divisional Officer, but he is really one of my staff; in these provinces the sub-divisions are not of such a large area as to render that generally necessary.

31378. You have no sub-divisions apart from the *tahsils*?—Yes, there are a few districts where there are; there is the Banda district, which has three *tahsils* in the sub-division; then there is the Hamirpur district, which has two; there are about four or five districts in this province where there are sub-divisions which include more than one *tahsil*, and where there is a resident Sub-Divisional Officer with a local allowance.

31379. Would you like that system to be introduced generally?—I do not think it is necessary. Our districts are not sufficiently large to make that necessary, as a general rule.

31380. The income of your District Board consists of the proceeds of the cess and also of certain contributions by Government?—Yes, the Government have recently contracted with the District Board to give them about one lakh thirty-five thousand.

31381. Have you a free hand as to allotting the money to different subjects?—There is an annual budget sent up. If I wanted to put the whole of it into schools and none into roads, I should have a difficulty in doing it, so that it is not an absolutely free hand.

31382. Is there any such rule as that the whole of the proceeds of the cess should be spent on roads?—No.

31383. Generally speaking, what you spend on schools comes from the contribution made by Government?—The Government give the District Board so much a year from contribution and cesses: the amount is so much, and that is divided into various budget heads.

31384. The whole of the primary education, as also the secondary education (barring the school at headquarters) is now in charge of the District Board?—Yes.

31385. Is your subordinate staff capable of inspecting and managing the primary schools?—They carry out their work very efficiently under the District Boards with the help of the inspecting staff, who go round also.

31386. So far as primary schools are concerned, is the help of the Educational Department Officers necessary?—No; the deputy-inspector can do it quite well, and he has the other officials continually inspecting, too.

31387. Would it be an improvement if the deputy-inspectors were transferred to the Education Department instead of being kept as servants of the District Boards?—No; I would not dissociate the primary schools from the Chairman of the District Board.

31388. As District Magistrate have you now got sufficient control over the police to ensure good police administration?—Yes, we have sub-inspectors under us immediately; that is to say, with regard to his punishment or reward, the sub-inspector has to come to the Magistrate. In the subordinate grades it passes by the Magistrate; whether the clerk who writes the reports (the officer they call the reporting clerk at the police-station) should not be directly under the Magistrate, too, is a doubtful question. I am in favour that he should be, but that is a point which was discussed in this province last year, and it was decided against, and it is not very material. The Superintendent of Police is for all practical purposes the Magistrate's co-adjutor or assistant, and nothing can happen to the important police officers such as the sub-inspectors without its coming to the Magistrate; there is sufficient control.

31389. His power of control has not been affected materially by the rules framed according to the recommendations of the Police Commission?—No; it has not been altered materially.

31390. (*Mr. Hichens.*) In the case of purely local misfortune, such as loss by a hailstorm, would you give the Collector final powers of remission?—No, I do not see that it is necessary; you may get junior Collectors; it probably helps him *not* to have a final say. Suppose a junior Collector gets in and there is a local calamity, he might be a little more severe than he would be if there was a man over him.

31391. The questian whether there should be remission or not would depend ultimately on whether the crop had or had not been destroyed?—It would depend in the last resort on the Collector, of course.

31392. There are no definite rules laid down?—Yes, there are definite rules laid down.

31393. Therefore it really becomes a question of fact and the person who has to interpret those facts would be the man on the spot?—It would all depend on the inspections made by the Collector or the Assistant, and he would report that so much should be remitted.

31394. Is the theory of assessment here based on averages?—You mean the 30 years' settlement; yes, it is based on averages.

31395. For ordinary bad crops there would be no remission at all for one bad year?—If there was a small amount of loss in a single year nothing would be granted, on the idea that when the last settlement was made it was made on the general consideration of a certain number of fat years and a certain number of lean years and on the average of the whole.

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31396. Would you be in favour of allowing the Collector to spend his contract allowance, when once the budget is passed, without further sanction?—Yes; I have not had any trouble myself in that matter.

31397. It might save references and a certain amount of trouble?—Quite so. As a general thing it is well that there should be some superior financial controlling officer.

31398. Would you not get the control through the Audit Officer who would report on how the money had been spent?—Yes; but you would have the trouble of starting some time afterwards; by having a controlling officer at the time, if it is going to be spent in the wrong way, you can say, "No" and the matter is ended; otherwise the money is spent wrongly and there are hours of correspondence afterwards in rectifying and explaining.

31399. The Collector is, usually, a man of some twelve years' experience, one of the most highly trained officials in the work; he should be able to take some responsibility on his own shoulders?—Yes, in regard to details of finance.

31400. With regard to Court of Wards' estates; in the same way when once the budget is passed might the Collector again be allowed to spend it without further sanction?—Yes; within the heads laid down by the budget.

31401. Would you give him power to transfer from one head to another?—It is a good thing that he should not transfer between major heads.

31402. You would give him the power to transfer between minor heads, but not between major heads?—Yes.

31403. Does the thirty years' settlement include cesses?—Yes.

31404. Then it would not be possible to vary the cess within the period of thirty years?—No, sometimes the cesses are reduced; some cesses are less than they were five years ago, because the Patwari Cess has been taken off; it would not be possible to increase them.

31405. Is sufficient importance paid to the training of junior officers?—I always take very great trouble myself in training junior officers; I think it is a most important thing; they are the Collectors and Judges of the future.

31406. Speaking from your experience, has as much attention and trouble been given to that branch as should have been given?—I think a very great deal is taken by the District Officers under whom the juniors are placed. I can honestly say that I have taken a great deal of trouble with the assistants who have been placed under me. I am not prepared to speak as to other people's experience.

31407. Does the Government pay enough attention to the question?—All Government can do is to put their junior officers under seniors; Government cannot train their young officers personally.

31408. Is not the object to train up the junior officer in order to be as efficient a Collector as possible?—Yes, to be as good Collectors and as good Magistrates as possible, *i.e.*, good District Officers.

31409. For that purpose the young officer would want varied training?—Distinctly.

31410. Does he get a varied training within his own province to-day?—Yes.

31411. Does he spend most of his time in one district?—No, he is shifted about a good deal.

31412. Would it be desirable that he should, if possible, spend a certain time in another province in order to gain wider experience than is possible in his own province?—No; that would be absolute waste; he has to learn the vernaculars of one province; why let a man, who belongs to the Lower Provinces, waste his time in learning the Bombay vernaculars?

31413. Would the experience of other methods be worth nothing?—I think absolutely nothing; there is quite sufficient variety of experience within his own province; there are different men, different manners, and in fact different languages and different systems; I think it would be a sheer waste of time.

31414. You were saying just now that you were not aware of the system of municipal government practised in Bombay and Bengal. Might it not be of value for an officer to have some experience of that kind assuming it to be different from that which obtains here?—I do not suppose that a short visit to another province would do an officer any harm.

31415. Would it do him any good?—I am not prepared to say that it would; I am speaking purely from my point of view of the provincial officer; persons who have had experience of both would be able to say better than I can.

31416. You do not at any rate feel the lack of experience of that sort?—How should I feel the lack of it? I have had all my experience in these provinces.

31417. Do the District Board only get a proportion of the cess that is collected within the district?—I am not prepared to give figures for that; we get a certain lump sum which is contracted.

31418. Is it desirable that each district should get the full amount of the cess collected within it?—That is a question of provincial finance with which I am not prepared to deal.

31419. (*Mr. Meyer.*) From your point of view it is immaterial how you get your money as long as you get it?—Yes, my point is, I will spend whatever I can get, and the more I get the better; I can usefully spend more than I get.

31420. It was represented to us in another province that civilians, who have come out of late years after only one year's training at home, were less prepared for their subsequent work than their predecessors who had had two years' training at home; have you formed any opinion upon that point?—I have had both under me as assistants. The men who came out younger, at the same age that I came out, were rather more enthusiastic and perhaps took to the country a little better than the men who come out now; but then we had the misfortune of coming out with a half-finished education, whereas the men who come out now are better men than ourselves who came out at a younger age.

31421. You think the higher age is an advantage?—Yes, you get formed men with their education completed. The former lot specialized too young; we get better men now.

31422. Admitting that, it may be said that they would still be better for two years' training at home?—No, unless you cut down the age two years it would be bringing them out too old and you would have to put that on at the other end; there would be a loss to the service in the end if you did that; you could not raise the age any more than you have done already.

31423. It has also been represented to us that a large proportion of the Collectors in this province are overworked. If that is so, can they really give time to the proper training of a young civilian?—Yes, they do it in this way: when the young civilian comes out at the beginning of the cold weather, the first thing that is done is to send him out into camp with a Joint-Magistrate if possible. A young civilian should be sent to a district where there is good Joint-Magistrate; he learns the language; he sees the people; he learns land records; he sees the senior officer carrying on magisterial work; when he is at headquarters he attends the Courts; he does not start on cases at once himself, but he sees other officers working, and he gets his training in that way. My own plan is to take records of cases, make him read the evidence in the vernacular and write a judgment upon it, and compare that with the actual judgment.

31424. It has been suggested that it would be a good thing to put the young civilian with a settlement party where he would live in the open and come in contact with the people, and perhaps not get prejudiced by starting with Court work and having criminals before him; is there anything in that?—No, his work is first of all more in connection with land work than with criminals; he moves about among the people. He should get a time at settlement work, and he does now; in the second year when he is fit he is sent to a settlement party.

31425. Does the Settlement Officer send in his settlement reports through the Collector?—No; through the Commissioner.

31426. The Collector therefore has nothing to say to the settlement that is about to be applied to his district?—No; the Settlement Officer is quite distinct.

31427. Ought not a Collector to have a say in a matter affecting every landed proprietor in his district?—The Settlement Officer is in a district for three or four years, and so is the Collector. The Settlement Officer is not a junior man; he is, as it were, a second Collector, sent specially to the district for settlement work; he has all the Collector's records available, and he has the Collector on the spot to consult with; there is plenty of personal and demi-official relation between them, I do not see that the Collector should be asked to impress himself on the Settlement Officer; I do not think it is necessary.

31428. May we take it that, as a rule, the Settlement Officer is senior to the Collector in whose district he is making his settlement?—He is not, as a rule; he may be senior or he may be junior, but he is not one of the very junior men; he is a specialist for the time.

31429. Suppose a Collector had been three or four years in a district, and knew it well; might he not be of great help in giving his views as to the character of the settlement to be made?—He is there on the spot, and the Settlement Officer can consult him if necessary. I can speak as a District Officer in the matter, but I cannot speak as a Settlement Officer because my experience was so very short, and it is a good many years ago; but if a Settlement Officer came to my district, he certainly would ask me about the district generally, and I should tell him. I should not want the settlement report to be sent through me.

31430. A portion of the land cess is applied for police purposes—Yes, rural police.

31431. Is that the case throughout the province or only in Oudh?—Throughout the province.

31432. Does the District Board deal much with veterinary work?—They have veterinary assistants; they are increasingly dealing with it; that is one of the points in which there is progress going on at present.

31433. In some provinces we found that, although the District Boards continue to pay, the veterinary establishments had become provincial and were managed from headquarters; that is not the case here?—No; the veterinary assistants here are directly under the District Board.

31434. Is there an inspecting staff?—Yes, there is an inspecting staff under the Veterinary Department.

31435. Practically you have a fairly free hand in running veterinary matters as you think right?—Yes, veterinary matters have not got very far now; we are trying to introduce them; the District Board has quite a free hand in the matter.

31436. Are you satisfied with the present arrangement for road management?—No.

31437. Some people have suggested to us that it might be better if the District Boards could maintain their own engineering establishment (assuming that they had the money to do so) than that they should depend on an outside authority, such as the District Engineer. What is your view?—The District Engineer is directly under the Executive Engineer, and he is under the Superintending Engineer. So far as metalled roads are concerned, which are more or less special works, I have no wish to alter that system at all. When I said I was not satisfied with the arrangements, I was thinking more of the unmetalled roads, which are under the District Board, and which are generally carried out through a District Board sub-overseer who is very rarely a satisfactory officer, and there is really a difficulty in seeing that he does his work properly. Unfortunately the non-official members of District Boards are of very little use as a rule in seeing that the roads are properly repaired in the district, and the tahsildars and officials have to do it with a great deal of other work. I should like to see with regard to the greater number of roads, that is the unmetalled roads, a paid Secretary of the District Board; he would relieve the district staff of a great deal of work, and in addition to doing the clerical work of the District Board he would be able to be a peripatetic officer as well, and to go out and see that the sub-overseer did his work. Districts suffer by not being able to get good and trustworthy sub-overseers; the roads suffer and various other matters, buildings, and so on, suffer at present from inadequate supervision. That is a matter in which I should like to see a change, and I should like to see sufficiently paid Secretaries who would be peripatetic as well as clerical officers and go about and see that the money spent on roads and buildings was properly spent. It is very difficult now to keep proper control, and a good deal of money is wasted.

31438. Suppose you want a road made in a particular direction, or you think a road ought to be repaired at a particular time, could you get the District Engineer to do it?—You mean a metalled road, yes; if you see a thing that is wanted, you write for it and it is probably done. I should look upon the work of the District Engineer as more or less special work, and it is right that it should be under a special department. I do not think it should be immediately under the District Board, because the District Board has no expert to advise them; it is much better that the officer should be under his own expert superior.

31439. Has each municipality two Vice-Chairmen, or is that only an exceptional arrangement?—They do not all have two Vice-Chairmen; I am not clearly certain about the remarks I made about that at the commencement, as I have not been very long in the district. My Joint-Magistrate always goes to the meetings and acts as Vice-Chairman of each, and there is always another Vice-Chairman as well.

31440. If there is a second Vice-Chairman, it is the Joint-Magistrate, who is, so to speak, *ex officio* Vice-Chairman in a number of municipalities?—In my district, yes.

31441. Would not the actual work be done by the local Vice-Chairman?—It ought to be done by them if things were properly run, but that is not the case; they do it with the Secretary.

31442. The Secretary is a non-official?—He is a paid Secretary. In small municipalities he is paid Rs. 75 to Rs. 100, with Rs. 15 horse allowance—anything from, say, Rs. 50 in small municipalities to Rs. 150, and then when you get to big municipalities, such as Saharanpur, Rs. 200; they are men of the naib tahsildar class and very good men they are.

31443. (*Sir Steyning Edgerley.*) Are the tahsildars or naib-tahsildars lent to the municipality?—No, they are paid by the municipality; they have a provident fund.

31444. Would it be a good principle to work upon that the actual public responsibility for action should rest on the person with whom the virtual power of decision rests?—Yes.

31445. Would you also accept the principle that for the convenience of the people all powers should be put as low down in the scale of the official hierarchy as is possible consistently with safety?—Yes.

31446. Can anybody above the Commissioner really know much about any individual case of remissions?—No.

31447. Has not each individual cultivator to be dealt with, and is the remission possibly not more than Rs. 500 or Rs. 1,000 at the outside?—In the case of a landlord of a single village, it might run up into four figures, or it might be so many rupees.

31448. It would be a very exceptional case that went over Rs. 500 or Rs. 1,000?—Very, it would not go up as a rule to that taking the village as a unit; it would be a few hundreds rather than thousands.

31449. And in a number of those cases nobody above the Commissioner would know much about it?—No; the Commissioner would not know much about it unless he happened to be in the district.

31450. Applying the principles which I put to you just now, the highest authority who ought to remit should be the Commissioners?—I think so.

31451. Would you be prepared to accept the view that Collectors should suspend revenue and Commissioners should remit?—Yes, subject to the control of the Board of Revenue.

31452. You think that both the European and the provincial staff under the Collector is inadequate: would you say that the European staff is seriously inadequate?—I do not think there are enough.

31453. Should it be substantially increased?—It ought to be increased.

31454. You suggest that in certain cases you ought to have a Joint-Magistrate with a local allowance in

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order to secure seniority and continuity of tenure; what sort of local allowance would that be?—I mentioned that specially in connection with one place, Allahabad.

31455. Might it possibly extend to cases for instance like Jubbulpore or Cawnpore? What sort of local allowance did you contemplate?—A sufficient local allowance to keep a senior man without his having a grievance on account of not being taken away for any acting Collectorship elsewhere.

31456. Then it would be not a fixed allowance, but an allowance which would give him the same pay as his immediate junior in the ordinary line?—Something of that sort. I think at the places where this Joint-Magistrate is wanted the pay for the Joint-Magistrate of this place should be fixed, and should be so fixed that a man of sufficient seniority would say "I am content to take this amount and stay here for so many years."

31457. What amount ought that to be?—At places of that sort his pay ought to be about Rs. 1,600 or Rs. 1,700, because you want men fit to be of the stage of junior Collectors, about ten or twelve years' service.

31458. What is the pay of an Acting Collector in these provinces?—It is Rs. 1,600 up to Rs. 2,000 or something of that sort, depending on grade.

31459. Rupees 1,600 is practically the pay of an Acting Collector?—Yes I put it at about Rs. 1,600.

31460. Then it would be rather a more expensive arrangement than what I have suggested to you?—I am not sure that it would be; it depends whether senior or junior Collectors were put in; if this junior were getting Rs. 1,800 or Rs. 2,000, as is quite possible, it would be less expensive.

31461. Do your cantonments give a certain amount of work to the District Officers?—Not a very great deal; it is an appreciable amount where there are large cantonments.

31462. Have you anything like the same powers with regard to a cantonment that you have with regard to the municipality?—No, there is a cantonment Committee, and on that committee there is a representative of the Magistrate for dealing with matters which affect both the cantonment and the district administration.

31463. Could not the District Magistrate and the Officer Commanding the Cantonment practically run the Cantonment very much as you run the municipality?—That is done now by the Cantonment Committee.

31464. Has not a great deal to go up to the Military Department?—That does not affect the Magistrate at all; the Magistrate is Magistrate of the whole district, including the cantonment, but he is not troubled with cantonment administration.

31465. Is not the local self-government policy, the policy laid down by Lord Ripon and followed afterwards, that the object is not merely efficiency, but rather to do the work as well as you can through the people?—Yes.

31466. Does not your evidence rather omit that qualification?—I am speaking of it from my point of view of efficiency.

31467. But that is only half the policy of the Government of India?—I believe that is so.

31468. So that really the evidence you have given us takes no account of the other half of the Government of India policy, which is to train the people and help them to manage their own affairs?—I think it was carried too far prematurely; these small municipalities cannot do it; the big municipalities cannot do it if you remove the official control.

31469. Is it not part of an officer's work to take the trouble to teach the people?—Quite so.

31470. And not to say they cannot do it, but to say, "We must accept failure after failure in order to teach them"; that is part of the policy?—Quite so.

31471. At present is the United Provinces administration altogether doing that?—I think it is; I am not prepared to say it is not doing it consistently with efficiency.

31472. But at the beginning must you not rather sacrifice efficiency in order to bring out the other side of the policy?—Up to a certain point, but not too far.

31473. Looking back over your service, do you consider that the people in these provinces are much more advanced in local self-government than they were ten years ago?—Yes, I think so. There has been a great deal of progress in what has been done in places.

31474. That is official work?—Yes, official initiation and execution.

31475. I was referring rather to progress amongst non-officials, instructing and educating them to manage their own affairs; has there been much progress in that way in the last ten years?—There has been some distinctly.

31476. As much as there might have been?—There has been quite as much as there might have been, I think; if there had been more attempted there would have been more failure.

31477. (*Chairman.*) Is it part of the official business of a Collector to lay himself out for intercourse with the natives of the country?—Yes; it is part of his business to meet them whenever he can and whenever he has the opportunity.

31478. If he puts the efficiency of running his district on a very much higher plane than he does the duty of having intercourse with the people of his district, is he not neglecting one of the essential sides of his business?—No, because the two things go together. It is necessary for the efficiency of his district that he should come into contact with the lower classes when he is on tour and with the higher classes either when he is on tour or when he is at headquarters; if he discourages visitors he will be tending towards inefficiency; he will get less knowledge of things that go on than if he received the people who come to see him. So also if he shuts himself up in his tent when he is in camp he will not be in contact with the people; he has not time now to sit under a tree all day and see visitors; he can only give a certain amount of time in the mornings or in hard-worked districts on certain days in the week for certain visitors to come and see him; he has not time at all times of the day to see whoever comes and enter into long conversations.

31479. Is it more important that the officer should have intercourse with all classes of the community very frequently; or is it more essential that dispensaries should be in first class order and roads exactly level, and accounts exactly accurate and rendered at the right moment?—The proper system is a combination of the two. I am not prepared to say the exact percentage in which they should be relatively estimated.

31480. When you say that a man has little time for intercourse with the natives of the country, what do you mean by that?—He can only do it in the way of business.

31481. The intercourse must be limited?—By the time he is able to give to this work.

31482. The intercourse must be limited to questions of business?—That and a little more; he cannot give too much time to matters outside business. He has not the time to give at present; he can give a certain amount of time, but if he had more time at his disposal he would usefully do more in this way.

(*The witness withdrew.*)

Adjourned.

FIFTIETH DAY.

AGRA, *Tuesday, February 18th*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. RAI NIHAL CHAND BAHADUR was called and examined.

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31483. (*Chairman.*) Have you been a member of a municipality or of a District Council?—Yes. I have been a member of a Municipal Board as well as a member of the District Board. Local self-government started in my time and I remember all its history from the very beginning ; I have been a member and Secretary and Vice-Chairman of the Municipal Board for a long time.

31484. You are a member of the Legislative Council of the United Provinces?—Yes. I have been a member for the last seven years.

Larger financial powers should be given to the Government of the United Provinces and the financial contract between the Government of India and the provincial Government should be settled once for all, that is, the contract should not be revised periodically. The United Provinces should be treated by the Government of India as liberally as other provinces are, and sufficient money should be left in their hands for expenditure within the province. These provinces are not allowed to spend a fair share of their income within the province, the result being that in education, sanitation, and other branches of administration they are much behind other provinces.

The Local Government should have borrowing powers subject to the following conditions :—(1) The loan should be sanctioned by the Government of India ; (2) if borrowed for remunerative works, such as the construction of canals, &c., its profits, after paying off the working expenses and interest, should be devoted to the payment of the capital of the loan and should not be considered as a part of the general revenues and spent as such ; (3) if borrowed for general expenditure, a term for its repayment should be fixed and the Local Government should be bound to pay off the debt within that period. At present the Government of India seems to be a borrowing agency which never thinks of repaying the loans, with the result that the burden of debt has been increasing on by leaps and bounds since the Government was taken in the direct management of the Crown. From an economical point of view, the safe course would have been to clear off the debt from the proceeds of the concern before they were utilised for other purposes, but the Government have not done so and it has reached the verge of bankruptcy. I would illustrate this by an example. The canal irrigation works were constructed long ago in these provinces, the capital outlay on which is about nine crores of rupees, for which interest at the rate of Rs. 3-8-0 per cent. per annum is paid from the proceeds of canals. The concern is profitable and after meeting the interest charges and working expenses, a considerable amount of net profit is saved which is spent for other than canal purposes, but nothing has been paid off the principal debt. It is noteworthy that only a limited portion of the profit was spent in the province to meet the general expenditure, but a considerable part of it was taken away by the Government of India.

The influence of the departments of the Government of India is in the direction of excessive rigidity and uniformity, and it sometimes leads to undesirable consequencies. From the beginning of the British Government the landlords in the United Provinces of Agra and Oudh acquired right of *sir* in the lands cultivated by them, and at the time of revision of land revenue, a rebate from 5 to 25 per cent. on the assets was allowed. In 1901 the Land Revenue Act of the United Provinces was revised, and it was proposed by the Government that the accrual of this right of *sir* should be abolished. When the Bill was under consideration of the Legislative Council, the Indian members opposed the measure and the Honourable Mr. Conlan, Barrister-at-Law, also supported the Indian members. But Sir Antony MacDonnell, Lieutenant-Governor, explained that the proposal originated from the Government of India, who preferred to make the law on the subject in conformity with the neighbouring provinces. The Revenue Officers of these provinces also felt it hard to deprive the people of a privilege which they had enjoyed since long. Another instance is that the canal water rates on sugarcane and wheat were Rs. 5 and Rs. 2-4 per acre, respectively, in 1890 and were subsequently raised ; the former from Rs. 5 to Rs. 6-10-8 and the latter from Rs. 2-4 to Rs. 3. The Government of India desired the Local Government to enhance the rates still further to the level of those prevalent in the Punjab, viz., the rate on sugarcane to Rs. 10 per acre. The Zamindar Association of Muzaffarnagar submitted a memorial to the Local Government praying that the rates enhanced in 1891 should be reduced to those of 1890. The Local Government replied that the rates were enhanced after a long correspondence with the Government of India, but the reasons of enhancement were not mentioned and the taxpayers were left in the dark about them as they had been. However, the proposal of further increase in the rates was dropped at the time. In a meeting of the Provincial Legislative Council held in April 1905 the Honourable Mr. Marsh, Chief Engineer of the Canal Department, announced that the water rate on sugarcane would be enhanced from Rs. 6-10-8 to Rs. 10 per acre in the districts of Saharanpur, Muzaffarnagar, and Meerut, and the rate on wheat crop from Rs. 3 to Rs. 4 throughout the province. This meant an additional tax of about Rs. 12,00,000 a year on the cultivators. I believe that this enhancement was due to the pressure from the Government of India, who took the ideas in their head from the Punjab and that almost all the Revenue Officers from the Collectors to the members of the Board of Revenue were ignorant of the reasons that justified this heavy enhancement,

It is desirable to allow provincial Governments to develop their administrations on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces, the condition of one province of India being in some respect quite different from that of another and every province having a very large population.

It is desirable to give Collectors extended powers regarding matters relating to revenue, matters of general administration, and matters regarding the Court of Wards. At present the hands of the Collectors are very much tied up. To give an example, the copying work in the Collector's office in the district of Muzaffarnagar is so heavy that the establishment cannot properly cope with it. The Collector reported for increase in establishment, but it was not allowed, although there was a sufficient margin of profit.

The influence of the provincial Government is in the direction of excessive rigidity or uniformity. For example the Municipal Boards and the District Boards are much interfered with, which is not desirable.

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Formerly the views of the Collectors were much respected by the Local Government, but now it is not so, for which the Collectors do not take as active a part in the improvement of their districts as they used to do. They complain that they are too much interfered with by the Secretaries of the Government, many of whom are junior to them in the Service.

The influence of the Commissioner in matters appertaining to departments other than the Land Revenue Department is not sufficiently strong, and adequate weight is not given to his views. The Departments of Police and Education may be mentioned as instances.

Executive Officers have sufficient opportunities for personal contact with the people, but it remains with them to avail of them or not. With few exceptions it is generally supposed that it is below official dignity to meet friendly and freely with the people. The Indian Officers are in the same category. One of the obstacles in the way is the frequent transfer of the officers.

Executive officers possess sufficient knowledge of the vernaculars.

An increase in the administrative staff is urgently required because the work in every department has increased enormously. It is too heavy to be done efficiently, and the officers, specially the Indians, are so much overburdened that their health breaks down lamentably.

The grant of larger powers to Commissioners, Collectors, and other local authorities will certainly involve greater care in their selection, less regard being had to seniority; otherwise the extended powers may be abused by which the Government and the people may suffer a heavy loss. In all cases the Collectors and Commissioners should be men of intellect, long-standing, and mature experience.

The transfers of officers are frequent nowadays and I am very keen on this point. In old days the District Officers made their stations their homes and used to take a substantial interest in the welfare and improvement of the district. But nowadays they go to a district for a short time as birds of passage. They know that their stay is temporary and therefore do not settle comfortably nor take the trouble to undertake such works of public utility as require a long time and trouble to mature them. As soon as an officer begins to make acquaintance with the people of the district and get an insight into the affairs of the district, he is transferred. An officer should stay in a district for at least five years unless any particular event occurs that may necessitate his transfer. At present the convenience of officers is regarded more than the district work.

As to the Municipal Boards (1) their powers should be extended.

(2) The non-official Chairman should be preferred to the official as it helps in the free discussion and independent expression of opinion.

(3) It should be clearly defined what works will be entrusted to the Boards without interference from the Government and what will require the sanction of the Local Government.

(4) In case there is any difference of opinion between the Local Government and the Board, the matter should be referred to the Government of India. In the time of Sir Auckland Colvin some municipalities in the United Provinces were very strongly opposed to the introduction of water-works in them, such as Cawnpore and Meerut, but His Honour was so keen about it that he took no heed of their protest and compelled them to comply with the Government order. The result was that many of them are not in good financial condition. Many other similar cases may be cited.

(5) As a rule the proceedings of the meeting which are presided over by the Magistrate are recorded in English and are neither translated nor circulated to the members for their information. This is the fate of some other important papers also. I beg therefore to suggest that all the proceedings of the Municipal Boards should be carried on through the court language of the province.

(6) The Secretary of the Municipal Board, whether honorary or paid, should always be an Indian with the exception of any such municipality as has a considerable portion of European population, such as Mussooree and Naini Tal.

The District Boards stand on a different footing from the Municipal Boards. The members of the latter live in one town and can easily consult each other and can assemble together as often as required. But in the case of the former, they live in different localities and cannot easily meet together and interchange their thoughts. Besides this the work of the Municipal Boards can be administered without active help from the District Officer, but the work of the District Boards requires more co-operation of the district authorities and subordinate officers. Therefore under the present circumstances the Magistrate of the district should be appointed Chairman of the District Board; similarly the Judicial Officers of the district, viz., the District Judge and the Subordinate Judge, should be *ex officio* members of the District Boards. There is no reason why the Civil Court Officers should not interest themselves in the public affairs and devote a part of their time to the welfare of those whose business they have to administer. If they do so, they may be more popular and may have a better chance of knowing the character of those whose disputes they have to decide. Civil Officers of the old time used to take a keen interest in public affairs and render useful services. There are many reasons for this suggestion which will not fail to produce good results.

At present every District Board has an official (Deputy Collector) as its Secretary. These gentlemen try their best to perform the duties of a Secretary, but they are already overburdened with their own official work and the works of District Boards are so multifarious that they cannot devote sufficient time to attend to them. Therefore the District Board should have a paid Secretary. The experience of the Municipal Boards has proved that a paid Secretary is more useful.

The duties and responsibilities of the District Boards have been extended on a very large scale, but the funds at their disposal are so limited that they cannot discharge their duties adequately. Therefore some extra resources of income should be placed at their disposal. I would suggest that (*a*) the income of excise should go to them, (*b*) the Government should contribute not less than an equivalent of what is collected from the landlords on account of the local cesses, (*c*) the expenditure on police and village chaukidars should be met by the provincial funds, because the safety of property and life is the first duty of the Government, (*d*) the business of the Board should be conducted in the court language.

I am in favour of the creation of an Advisory Council to assist the Commissioner. It should be composed of (*a*) members of the Provincial Advisory and Legislative Councils, (*b*) Honorary Magistrates of the division, (*c*) representatives of the District Boards, (*d*) representatives of the Municipal Boards, and (*e*) gentlemen standing on the darbar list.

I am not in favour of investing the District Boards with powers of supervision and control over the smaller municipalities because it will interfere with the responsibilities and liberties of these Municipal Boards, which is not advisable, and because the District Boards and the Municipal Boards stand on a different footing.

In old days the village communities or the panchayats, as they were called, were very useful to the Government and the people. Their functions extended over social, religious, and political matters, but since the advent of the British rule in India their powers have been decreased, and as a matter of fact they are extinct. At present the panchayats of low castes have still a force by which their members are saved from the evils of litigation and each member assists the other. This is the case in villages, but in towns and in the upper class of people these panchayats have lost much of their influence. If the old village communities can be revived they will be of immense service to the people.

31485. You tell us that a financial contract once made between the Government of India and the provincial Government should never be revised; at each revision which has taken place lately has not the provincial Government secured better terms than it had previously?—Yes. I think it has secured better terms, but not sufficient money was granted; it was only halfway that they met; they increased the amount to some extent, but they never gave sufficient money; this is the complaint which has been brought to the notice of the Government of India from time to time by many Lieutenant-Governors.

31486. You say that the Local Government should have borrowing powers, but that the loans to be raised should be sanctioned by the Government of India; should the Government of India undertake to sanction loans which another Government raised?—As a measure of precaution I put it that they must be sanctioned by the Government of India.

31487. But if the Government of India are to sanction the loans, must they not be responsible for the raising of the loans?—They may be; there is no harm in that, because in that case the rate of interest may still be lower. I mean that the responsibility of repaying the loan must rest on the Local Government.

31488. You think that it is desirable to give Collectors extended powers in relation to the Court of Wards. Do you wish to free the Commissioner or to make the Commissioner the final authority in all Court of Wards matters?—In some small matters the Commissioner may be the final authority, but in some very important matters, like the sale of property, I should say either the Board of Revenue or the Government must sanction it. In small matters the Collector must have more power and even the Commissioner, but in some very important matters there must be sanction of the Board of Revenue or the Government.

31489. Speaking generally, you would be quite satisfied to see the Collector doing practically the whole of the Court of Wards work?—Yes.

31490. You say that the Collectors do not take so active a part in their districts as they used to; is there any particular direction in which they fail to be as active as formerly?—Formerly they always thought that they must try to remove the difficulties and drawbacks of the people and improve their position; for instance, they used to have a good many markets and gardens and roads built and on all these improvements they took great trouble; nowadays they are satisfied with their official routine work. The reason, of course, is that they live but for a very short time in the district; formerly when an officer first came to a district the first thing he did was to make a house and garden agreeable to his taste and then he made his home, but now he goes there like a bird of passage, just as in a dak bungalow.

31491. You do not allege that the roads or the bridges or the sanitation or the education is less carefully looked after than it was, but that the Collector does not take so great an interest in the administration?—Yes.

31492. And you wish to see him take a greater part?—Yes.

31493. How long do you think a District Officer ought to stay in his district?—At least five years.

31494. And longer than that?—Five or six years will do, as after a long time a man loses his energy.

31495. You say that a non-official Chairman of the municipality is preferable; what was your municipality?—Muzaffarnagar. For some time the Deputy Magistrate was Chairman and the work was satisfactorily done. I should prefer that a non-official should be appointed. At Fyzabad there is a non-official Chairman, but that is the only such place I know of. In Bombay and other Presidencies they have non-official Chairmen.

31496. What is the population of your town?—About 20,000.

31497. Can you find in Muzaffarnagar a gentleman, or two or three gentlemen, one succeeding the other, who would have the energy and ability to conduct the affairs of the municipality?—In Muzaffarnagar itself but very few men could be found; it is very backward in education, but there are other municipalities, like Meerut and other places, where gentlemen of education can be had for the purpose.

31498. Are you a *talukdar*?—Yes, I am a landlord and have been Honorary Magistrate for a long time also.

31499. In Muzaffarnagar and towns of that size you do not think there would be gentlemen found who would occupy satisfactorily the position of Chairman?—In the town of Muzaffarnagar there are some gentlemen to be found, but there are two or three other municipalities in which I do not think you could find anyone.

31500. Therefore in any suggestions which you make as to the substitution of a non-official Chairman you would have to select the municipality?—Yes.

31501. You could only make an experiment; you could not apply it generally all over the province?—No.

31502. You think that there it is essential that the District Officer should remain as Chairman of the District Board?—Yes.

31503. You would not be able to find a non-official gentleman to fill the position satisfactorily?—No; besides, some influence is required in the work of a district; there is this difference, that in the municipalities there are members living close together and they can interchange ideas very easily, whereas in the districts one lives in one place and another in another, and they have not that facility of interchanging thoughts. If the Collector is the Chairman of the District Board the tahsildars will help in the matter; if he is not, it may be that there will be some hindrance in the performance of duties by tahsildars and other officers.

31504. Do you think that a non-official Chairman would have sufficient influence to control the District Engineer, for instance?—I doubt it very much.

31505. Is it desirable that either municipalities or District Boards should have larger functions than they have now?—In some respects they must. For example, at present the municipalities have to send their budgets to the Government, and unless they are sanctioned by the Government they cannot do anything. So in the case of the District Boards; in this matter they must have more power. In Muzaffarnagar they have got a house-tax; for the last five years the Municipal Board have been trying to get rid of the house-tax which was originally put forward for a particular thing, namely, the drainage scheme. The drainage project has been finished and the money which was borrowed from the Government for that purpose has been paid off, but still the Government does not allow the municipality to abolish the house-tax.

31506. On what do the municipality now spend the money arising from the house-tax?—It is accumulated only.

31507. What is it now spent upon?—It will be spent on other things, but up to this time it has not been spent on any other thing than in clearing off the debt.

31508. (*Sir Frederic Lely.*) When was the debt paid off?—Only last year.

31509. You think that the influence of the Commissioner in matters of police is not sufficiently strong; can you give any reasons why you think the Commissioner should have more power?—Up to this time they have no interest in police matters; I should like the Commissioner, as he takes great interest in other branches of administration, to take interest in this branch also.

31510. If the Commissioner had time, and there was no other objection, would you substitute him for the Inspector-General altogether?—He may not have sufficient time to do all the work of the Inspector-General; the Commissioner has a great many other things to do also; I would keep him as he is, but the Commissioner also should hava some interest in the matter, and must have opportunities of correspondence with the Inspector-General.

31511. Is not the administration of the police considered by the people of very great importance?—It is of the very greatest importance; the whole welfare of the people depends on the police, and when the police officers are corrupt or do not perform their duty properly, then every respectable man is always in danger, especially in these days. There is much reliance on the general police and the detective police; sometimes the Magistrate and the officer are misled by their reports.

31512. Have you any suggestion to make for remedying that?—My suggestion is that Advisory Councils should be established in every district, so that the Magistrate may have more reliable information. The great difficulty at present is that these police reports are not made public, and so whatever a police officer likes to write is kept confidential.

31513. You think that an Advisory Council would be usefnl in informing the Head of a district of the facts at any time and the opinion of the people?—

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Yes; this Advisory Council would be able also to tell the Collector which of the police officers is going wrong.

31514. You mention with reference to municipalities that in the towns of Cawnpore and Meerut waterworks were introduced at the instance of the Local Government; do you mean to imply that if it had not been for Government control and Government influence those towns would to this day have been without water-works?—The well water of those places was very good; it was so pure that it did not require any improvement, and therefore there was objection to the introduction of the water-works. Actually since then neither the sanitary condition of those towns has improved nor the mortality decreased.

31515. Then the exercise of Government influence was not, on the whole, to the advantage of the people?—That is so.

31516. (*Mr. Dutt.*) You are aware that there has been a *quâsi*-permanent settlement now between the Government of India and the provincial Governments, and the conditions are that excepting for very unforeseen or extraordinary reasons this settlement is expected to last; do you generally approve of that?—Yes, but although the contract was made it did not give sufficient money, and the consequence was that the Local Government had to ask for doles and they gave some small amount as a matter of grace, not as a matter of right. For instance, we get only one-fourth of the land revenue, and three-fourths go to the Government of India, while in other provinces—Madras, Bombay, and others—some of them take one-half and others take three-quarters; there is no reason why we should get only one-fourth.

31517. Is it your idea that in every case the Local Government should provide for the repayment of the loans they take within a specified number of years?—Yes.

31518. You do not propose that the loans should go on accumulating?—No.

31519. That is your idea also with regard to all irrigation loans, that they should be repaid from the profits of the irrigation works?—Yes.

31520. You say that in case there is difference of opinion between the Local Government and the District Boards, the matter should be referred to the Government of India; will you explain exactly what you mean?—I have given this example of water works.

31521. That is to say, when the Local Government desires some work to be done and the District Boards think that the work ought not to be done, the question ought to be referred to the Government of India?—Yes.

31522. Has your district of Muzaffarnagar got any sub-divisions?—No sub-divisions, but we have four *tahsils*.

31523. Are there Sub-Divisional Officers there?—Yes; sometimes one Sub-Divisional Officer has charge of two *tahsils* and sometimes of one.

31524. Do the Sub-Divisional Officers live in the *tahsils* or do they live at headquarters?—At headquarters.

31525. Is it desirable that Sub-Divisional Officers should live at the headquarters of their own sub-divisions?—It would be better, but at present there is no accommodation for the officers to live in the *tahsils*; if arrangements are made for their accommodation they might be required to go there. Even sometimes proper accommodation is not provided for the Deputy Collectors—they have no bath-rooms, no retiring-rooms; we have drawn the attention of Government to this several times.

31526. What is the usual term of the tour which a Sub-Divisional Officer has to make?—Every officer has to do sixty days, or something like that.

31527. You say that the District Boards ought to be relieved of certain expenditure on police and chaukidars; does that take away a large amount of the income of the District Board?—It takes a great proportion.

31528. What is the state of primary education in your district?—Primary education requires very large improvement. The teachers are not well paid; my idea is that these teachers must always be well educated; even if they do not teach English, still they must be thoroughly educated to teach the boys in the vernacular. Nowadays it is no use sending men who are not well educated.

31529. Is the number of primary schools sufficient for the education of the masses?—I think so; the District Board is always ready to start any school when required.

31530. Has the District Board sufficient resources for starting new schools to the extent that may be considered necessary?—I think it has.

31531. Is there a continuity of policy in this province under the different Lieutenant-Governors succeeding one after another?—Each Lieutenant-Governor has his own views.

31532. Would there be greater continuity of policy if the Lieutenant-Governor was assisted by two colleagues—two or more members of an Executive Council?—My idea is that there should be an Executive Committee consisting of four members.

31533. If an Executive Council was established would there still be the necessity of a Board of Revenue in this province?—No, it might be abolished. Part of their duties might be delegated to the Commissioners and part might be performed by the members of the Executive Committee; it might be divided.

31534. A great deal of the work which is now done by the Board of Revenue might be delegated to the Executive Council and some done by the Commissioners?—Yes. So far as I know, it is not in close touch with the Government; for example, it is only a few years ago that a Bill for land alienation in Bundelkhand was before the Council; I was a member of the Council at that time.

31535. Do you think it is desirable to form an Advisory Council in divisions also?—Yes, because the Commissioner will be then assisted by the Council. A Council is equally necessary for him as for the Collector.

31536. Do you think it is possible at present by the help of any special officer, or by any other means, to try to revive village communities and entrust panchayats with village concerns?—Yes, it is possible and desirable.

31537. (*Mr. Hichens.*) Do the public take a keener interest in public affairs now than they used to in the earlier days?—They do.

31538. Do they now know more of what is going on than they used to?—Yes.

31539. Is the public interest greater in the towns than it is in the country districts?—In the towns it is greater, but still in the *mufassal* it is spreading.

31540. You have election by wards for the Municipal Board?—Yes.

31541. Do the electors know much of what the municipality is doing and form strong opinions as to what ought to be done?—Not all of them, some of them do; they are getting educated and trained in that way.

31542. Practically speaking, if your proposals were carried out the income of the District Boards would be more than doubled; do they require all that money?—Yes, the income from excise should be given to them; the excise income in the towns should go to the Municipal Boards, and the excise income in the districts should go to the District Boards.

31543. Should the Government make a specific contribution to municipalities as well as to District Boards?—For certain purposes—for instance, for the water-works I mentioned; that was forced upon them by the Government and they fell into debt, and the Government has given some assistance in that direction; beyond that the Government should not give money to the municipalities.

31544. They do not require an annual grant from the Government?—No, generally speaking, the towns are well off, and they can afford to meet their own expenditure.

31545. You say that the language of the municipality, and presumably of the District Board also, should be the court language of the province?—Yes, at present the proceedings are in English, and there are

very few papers that are translated and circulated among the members of the Board, and the result is that those gentleman who do not know English are not perfectly aware of what is going on.

31546. In practice are a number of the members not acquainted with English?—Many of them are not.

31547. Are the speeches translated?—The speeches are generally made in the vernacular.

31548. Does the Chairman speak in the vernacular?—Yes, he speaks in one of the vernaculars, but he writes in English and the documents are not translated and circulated; of course the Chairman acts perfectly honestly, but actually the Boards do not know what he is writing.

31549. The *tahsil* Boards having been abolished, does the District Board appoint committees to represent each *tahsil*?—They very seldom take advantage of this provision.

31550. Would it be a good thing if they had committees?—Yes.

31551. Would that be better than the old system of *tahsil* Boards?—Yes.

31552. (*Mr. Meyer.*) Is there any publication of the records of the proceedings of your District Boards and municipalities?—No.

31553. In Madras they have District Gazettes in which the proceedings of the municipalities and Local Boards in the district are published every month in English and in the vernacular; would that be a good thing generally?—It would be a very good thing and very desirable.

31554. Do your municipalities have non-official Vice-Chairmen as a rule?—Yes, generally.

31555. Do they do much work?—Yes.

31556. A witness told us yesterday that the Joint-Magistrate was very often Vice-Chairman of the municipality?—It may be, but in my district a non-official for a long time has been Vice-Chairman.

31557. You only speak for your own district?—Sometimes they appoint one of their own officers Vice-Chairman.

31558. But speaking for the province generally, do the municipalities usually have official, or an unofficial Vice-Chairmen?—I think in most cases the Vice-Chairmen are officials.

31559. In the District Boards do you ever get non-official Vice-Chairmen?—In very few cases; that is also in the minority.

31560. We were told that it was in contemplation to take away the management of the schools from the municipality and vest it in the District Board; would you approve of that?—The management of the municipal schools should be left to the Municipal Boards; it is not desirable to transfer it to the District Boards.

31561. Take Muzaffarnagar, do you keep up many schools there?—Yes.

31562. What staff have you got to inspect them?—It is inspected by the District Board's inspector; there is no separate staff with the exception that the Secretary sometimes goes and sees it.

31563. Might not the big municipalities like Lucknow and Allahabad keep up their own staff?—In those places it is required, because there are a good many schools and educational institutions and special officers might be appointed, but in small towns it is not required.

31564. You say that when the Local Government differs from a Municipal Board the matter should go up to the Government of India. Is that quite consistent with what you say in another place that the Local Government should develop its own administration on its own lines. How can it develop its administration on its own lines if there is an appeal to the Government of India whenever it differs from a subordinate authority?—If there is a great difference between the opinion of the Local Government and that of the Municipal Commissioners, how can it be decided? The only way is for the Government of India to intervene and say whether the Municipal Commissioners are right or the Government.

31565. You do not recognise that the Local Government should have the last word in matters affecting the towns in its province?—I think not in such cases.

31566. In the case of a District Board, would you apply the same principle?—Yes, but in those cases my reason for not saying so was that when the District Magistrate is Chairman it very seldom will occur that the District Board will oppose the Government views.

31567. But he is usually Chairman of the municipality also?—Yes, still in the towns they can join together and oppose a measure more freely than in the District Boards.

31568. As regards the District Boards, were you on the District Board Committees that preceded District Boards?—Yes.

31569. Were they not really a sort of Advisory Council?—In those days there were separate committees, one for schools, one for sanitation, and so on, and they were actually very weak; they were only nominal committees; they were only to carry out the wishes of the Collector; the matters were not very properly and very freely discussed.

31570. You had a separate committee for roads, for instance?—Yes.

31571. And for schools?—Schools and dispensaries.

31572. Have the present District Boards much more to say than the old committees had?—Yes, they are much better organised now.

31573. We have been told that the Board really does whatever the Collector wants it to do; is that your opinion?—It is so.

31574. On your Board, does nobody put forward an opinion contrary to that of the Collector?—It depends on the taste of the Collector; some Collectors like free discussion and in those cases the people are allowed to have free discussion, but there are some others who want only "*johukam.*"

31575. You want the excise revenue made over to these local bodies; do you know any other country in which that is done?—If I am not misinformed, in England the excise revenue does not go to the Imperial Exchequer. My reason for this suggestion was that actually the excise revenue is not intended to be a source of revenue; it is intended to prevent an evil and for that reason much of the money that is coming in is not an actual source of revenue. It may be left to the District and Municipal Boards, and in that case only the Local Government and the Imperial Government will devise means to check the evil and to decrease the revenue.

31576. But the District Boards, on the other hand might desire to increase that income in order to get more money?—They will be under the control of the Government and the Imperial Government; the rules will be issued by them.

31577. You consider that the Government of India have been borrowing very recklessly?—Yes, it has never paid a shilling since it has been borrowing; it is always considered to be a borrowing agency.

31578. Do you know that most of the debt has now devolved to productive Public Works?—That is so, but the income from these productive Public Works is not devoted to the repayment of the debt; what I would urge is that first of all the income derived from these works should go to clearing off the debt itself and after the debt is cleared then the income might be devoted to other purposes.

31579. Do you know that the profits from our productive works which we have constructed out of borrowed money pay for all the interest on our debt and leave a profit besides?—That is so. The chief thing I had in mind was irrigation from such like works; it gives a large profit but still the debt stands as it was in the beginning.

31580. (*Sir Steyning Edgerley.*) If a municipality such as Cawnpore or Meerut seriously disagreed with the view of the Local Government and thought it worth while they could always memorialise the Government of India?—I think so.

31581. Therefore if the matter seems to them of sufficient importance they already obtain an adjudication by the Government of India on the matter of difference with the Local Government?—But in case of the water-works the Government of India did not intervene.

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31582. Did the municipality approach the Government of India?—That I do not know.

31583. You say that work is too heavy to be done efficiently and that officers, especially the Indian Officers, are so much overburdened that their health breaks down. Is the strain so great as to injure the health of the officers?—Yes, I am quite certain about it. The Deputy Collectors and Munsifs in particular are of that kind, and it is admitted even by the Local Government that Deputy Collectors have been overworked for a very long time.

31584. Do you think the strain on the European staff is also too heavy?—Yes, but as the major portion of the work falls upon the Indian Officers, they suffer more, because they have to finish the work whether their health suffers or not.

31585. Would you say that there has been great progress in local self-government within the period of your public life?—Yes, a great deal of progress has been made.

31586. As much as you could reasonably expect having regard to education in the provinces?—I think it is making progress. I should like to add that in cases of emergency the Local Government should have power to create new appointments or posts as a temporary measure. For instance the court work and the health of the Deputy Collectors suffered badly for two or three years before the sanction of the Government of India and the Secretary of State was obtained to increasing the number.

(*The witness withdrew.*)

KHAN BAHADUR MUḤAMMAD MUZAMMIL-ULLAH KHAN was called and examined.

Khan Bahadur Muhammad Muzammil-Ullah Khan.

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31587. (*Chairman.*) You are a zamindar?—Yes. I have estates in the districts of Aligarh and Etah, with a rental of some Rs. 40,000. I am *Rais* of Bhikanpur and a *Darbari*, am a life Honorary Magistrate with second class powers; a Municipal Commissioner; member of the District Board; Honorary Joint-Secretary of the Muhammadan Anglo-Oriental College at Aligarh; and proprietor of the cotton factory at Charra. I have taken part in all public matters connected with the United Provinces and the Muhammadan community. I am a member of the All India Muhammadan Educational Conference and of the All India Muslim league.

Collectors and Deputy Commissioners should be empowered to suspend revenue for one term of instalment without obtaining sanction of higher authority.

All the *pargana* officers should be authorised to exercise the full powers of a Sub-Divisional Officer in their respective *parganas*, as is the case in the Karwi, Mahoba, and Kasia sub-divisions.

The Board of Revenue should be empowered to appoint a fixed number of tahsildars every year, and to suspend and degrade them.

The Commissioner should be given full powers of (1) appointing, dismissing, promoting, degrading, and suspending naib-tahsildars and of (2) transferring Deputy Collectors, tahsildars, and naib-tahsildars from one place to another in his own division, without sanction from higher authority.

Collectors and Deputy Commissioners should be empowered to appoint, dismiss, promote, degrade, and suspend all men under them drawing a salary of Rs. 50 or less per month, except naib-tahsildars.

Commissioners should be empowered to appoint, dismiss, promote, degrade, and suspend managers of Court of Wards estates, and to sanction the yearly budget of these estates. In case there be a danger of some old, respectable, and well-to-do family being otherwise ruined, the District Officer's recommendation that the estate of such a family be taken under Court of Wards should be invariably accepted, without any consideration of the heavy encumbrances or the small profit of such an estate. In cases like these the Government should undertake to help from its own treasury, on nominal interest and easy terms of payment, or by borrowing money in the open markets of India and Great Britain.

The Heads of the Departments should be empowered to grant leave up to one month to the officers in their own department without the sanction of the Local Government, and the same power should be given to Commissioners and Collectors with regard to the officers under them, provided that they can make satisfactory arrangement of work within their own jurisdiction, according to the existing rules of leave and other allowances. The amount of casual leave may advantageously be increased from ten to fifteen days, taken at a time or altogether in the year.

The right of appeal should on no account be curtailed.

The influence of the Government is, in my opinion, used entirely for the good of the public. I do not perceive excessive rigidity in it, and at present it does not call for any reform whatever.

Individuals, but not the provincial Secretariat as a whole, do sometimes regard matters from a purely departmental standpoint. It is desirable that the Secretariat should freely see and hear people when they come to say something about matters that are under consideration.

The influence of Commissioners is not sufficiently strong; but in respect of whatever powers they have got adequate weight is given to their views.

Great pressure of heavy work does not give Executive Officers sufficient opportunities of personal contact with the people. They should have increased establishments for office and case work. To lighten the work of District and Sub-Divisional Officers, I would suggest that the tahsildars should be empowered to hear and decide cases up to Rs. 250. They may also be authorised to appoint, dismiss, and suspend all the *tahsil* peons, to fine up to Rs. 5 at a time, and to suspend up to one month all the officials under them drawing a salary of Rs. 10 per month or less. They should also be empowered to suspend for ten days and to fine up to Rs. 5 at a time, all the officials under them, except naib-tahsildars, drawing more than Rs. 10 per mensem, subject to the confirmation of the District Officer.

On account of heavy work Englishmen do not get enough time and opportunity to acquire a sufficient knowledge of the vernaculars.

Work in the General Administration Departments has immensely increased and the staff should also be increased. Further, some of the districts are too big and their area should be reduced so as to enable Divisional and District Officers to have more control and to exercise a fuller personal influence over their respective charges. To lighten the judicial work of the local authorities it is desirable that the Government should create Honorary Assistant Collectors and freely grant the powers of Honorary Munsifs to a sufficient number of influential and capable men throughout the whole province.

I do not think that transfers are now too frequent. Officers should not, as a rule, be transferred unless it be really necessary to do so, either in their own interest or that of the people. But I am against making any hard and fast rules.

Similar powers of granting leave, as mentioned above, should be given to District Judges, Superintendents of Police, Civil Surgeons, Executive Engineers of the Canal and the Public Works Departments, and to Heads of other departments.

District and Municipal Boards ought to be authorized to spend Rs. 5,000 at a time of their own accord without any sanction from the Commissioner. These Boards should also be given full powers, with regard to those men who are paid by them, and complete control over those works that are done, and over those buildings that are maintained by their funds. But the election of the Chairman of these Boards should always require the confirmation of the Commissioner. These local bodies should invariably be consulted on all schemes about primary and secondary education, and the income-tax should always be fixed in consultation with the members of the Municipal and District Boards concerned.

I am in favour of the creation of Advisory Councils to assist Divisional and District Officers. For the Divisional Councils each District Board and each Municipal Board should return one of its members for five years, and for the District Councils each *tahsil* and each Municipal Board should return one member for three years only. These bodies should be required

to elect one Hindu and one Muhammadan alternately, and this rule should be put into operation in such a way that the total number of Hindus and Muhammadans in each of these Councils may be practically equal at all times. As to the responsibilities, I do not propose any to be given direct to these Councils for the present. Government officers should remain responsible for everything as at present, but the members of these Councils should always be consulted on all matters of general administration, so far as may be possible. For example, in the appointment of the Honorary Magistrates, Honorary Munsifs, and similar officers, in the management of the fairs and exhibitions, in devising preventive measures against plague, cholera, and other epidemics, in making arrangements for public health generally, and in settling the disputes arising between different religious sects, the members of these Councils should invariably be consulted.

The smaller municipalities may be advantageously put under the control and supervision of the District Boards.

The village communities have not yet so far advanced generally as to make it desirable to give them greater powers in the disposal of local affairs. Such powers, if given at present, would prove more harmful than beneficial to the people as they are.

The administrative charge of a district (*i.e.*, the Collectorship and the Deputy Commissionership) should always be given to a European officer—at least for the present generation—not only for the sake of the public good and on account of the present political situation in the country, but also for the maintenance of the prestige, dignity, and influence of the post itself and the responsibilities carried with it.

31588. Should the tahsildars be borne upon a provincial or upon a divisional list?—I should like them to be on a divisional list; if the Commissioner has power to appoint them, they must be on a divisional list.

31589. But if the Board of Revenue continues to appoint them?—Then they should be on the provincial list.

31590. If the Commissioner appointed them would he be able to find in his district every year suitable persons to make tahsildars?—Certainly.

31591. And would you so arrange the grade of tahsildars that they should be eligible for appointment to Deputy Collectors?—Yes.

31592. You would like to see them come in first of all as naib-tahsildars?—Yes. I think there should be some appointed directly as tahsildars and some appointed from the grade of naib-tahsildars; some would be Deputy Collectors; some must come from tahsildars and some be appointed directly, educated men from colleges, and so on, as is the practice now.

31593. When the Commissioner has been given powers of appointment and dismissal, and so forth, of naib-tahsildars, would you make that power of dismissal final without appeal?—No, certainly not. The powers of appeal should stand as they are.

31594. You do not think that the officer who has the power of appointment should also have the power of final dismissal?—No; the right of appeal should be given to anybody in the Service; otherwise there may harshness.

31595. If the powers of the Commissioner and Collector with regard to the Court of Wards were increased would there be satisfaction?—Certainly.

31596. The landowners would be satisfied?—Yes, as they are now, because the Board is made up of similar officers to the Commissioners, only they have a little more seniority. The Divisional Commissioner has the same ability as a member of the Board of Revenue has.

31597. You would be quite content, speaking as a representative of the landowners, to see the Commissioner's decision in Court of Wards cases final?—Certainly, as the decisions of the Board of Revenue are now.

31598. The last witness told us that he thought the Commissioner's powers ought to be increased, but that such cases as the sales of estates should be reserved for the decision of the Board of Revenue: would you agree with that?—Certainly.

31599. The sale of estates by the Court should be decided, not by the Commissioner but by the Board of Revenue?—Yes; there must be certain distinctions.

31600. Who is now the Chairman of the Aligarh municipality?—Always the Collector.

31601. What is the size of the municipality?—Sixty thousand population and a lakh of rupees revenue.

31602. Do you think that in the municipality of Aligarh it would be possible to find some gentlemen who would be quite capable of discharging the duties of Chairman?—It is very difficult to answer that question, because sometimes there are people who would be able, and sometimes there are not. At the present moment I dare say there would not be any one capable.

31603. You would prefer to see the Collector remain Chairman?—In my municipality I would.

31604. Who prepares the budget of the Aligarh municipality?—The Secretary, by the Chairman's authority.

31605. Does he consult the Vice-Chairman?—I think not.

31606. Do you have a Finance Committee?—Yes.

31607. Do they discuss the budget?—No. Usually there are printed forms; everything is printed, and the members have nothing to do; the Secretary and the Chairman discuss the budget and put it before the Board, and the Board does not generally take an interest in curtailing the figures.

31608. Is the other work of the municipality done by committees?—Yes, there are several committees.

31609. And do they do no more than the Finance Committee?—I think they do.

31610. It is only the Finance Committee that does not actively interfere in the preparation of the budget?—I think there has been some misunderstanding. My meaning is that the Finance Committee understands the work quite as well as the other committee, but the details of the budget are under printed heads, certain things so much and certain other things so much, and none of the committee dare to curtail these things; they are afraid of the budget not being sanctioned by the Commissioner, and they take no interest therefore in curtailing the figures. In other respects they are as keen in their work as the other committees.

31611. Does the Commissioner interfere with the details of the budget?—Very much.

31612. Does he cut out expenditure?—Anything he does not like personally, or that he thinks against departmentalism, he does not agree with.

31613. But would he interfere, say, if you employed an extra peon?—Only if there is any heavy enhancement in the budget.

31614. He would not go into petty details?—No.

31615. He would interfere with major heads but not with minor heads?—That is it.

31616. Is that interference on the whole good?—Yes, it is very good sometimes; it fixes the opinions of some of the members.

31617. They welcome the Commissioner's supervision of the expenditure?—Yes, in many cases.

31618. How long should a District Officer or a Commissioner stay in his district?—It is a very good thing to keep him as long as possible, but to fix a certain number of years would be very difficult, both for the officers themselves as well as for the Service. We find some men very good, and we always deplore their going; whereas sometimes there is a man that the people want to go, or the officer himself wants to go; to keep him under those circumstances would do more harm than good. It will be better to keep in mind the idea that the officer should be of some long standing in a district, but not for a definite term of years.

31619. You would not fix any definite number of years, but you would like it to be understood that a long period should as a rule elapse before an officer is moved?—Certainly.

31620. (*Sir Steyning Edgerley.*) You would like to see tahsildars have rather larger powers than are at present given to them, and also Sub-Divisional Officers?—Yes.

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31621. Would you like to see the Sub-Divisional Officers living in their sub-divisions?—Nowadays they are all living in one place, and they have opportunities of exchanging their views and hearing what their subordinates have to say, and on their part the people have the opportunity of getting good pleaders to plead their cases. I would not advocate their living alone in their sub-division; it would be more hard for the people.

31622. Is not the naib-tahsildar very closely connected with tahsildar; they go up from the naib-tahsildar to the tahsildar?—That is so.

31623. You think that the Commissioner should appoint the tahsildar; who should appoint the naib-tahsildar?—I think the Commissioner also should appoint the naib-tahsildar.

31624. Should the Commissioner be able to fully punish the tahsildar?—Certainly.

31625. With an appeal to Government?—Yes.

31626. You heard the evidence of the last witness about the Board of Revenue; do you agree with his view that the Board of Revenue might be converted into colleagues of the Lieutenant-Governor?—Yes.

31627. Do you also hold the view that the officers in the districts are very heavily overworked?—Certainly.

31628. You would advocate the extension not only of the official staff, but also of the non-official Honorary Magistrates?—Yes, and I would create a grade of Honorary Assistant Commissioner too, the revenue cases being the greatest burden on the officers.

31629. Do the Acts of 1901 give unnecessary facilities for litigation?—Yes, most unnecessary facilities.

31630. You say that you think the District Officer for some time to come should always be a European?—That is my opinion, more especially in these days and under present circumstances.

31631. You suggest, too, that it would be a good thing for Government to adopt the policy of helping—through the Court of Wards, I suppose—old families who get into pecuniary difficulties?—Yes.

31632. You think that that is not sufficiently done?—Not yet; there are two kinds of persons as to whom there is danger of their estates; one, persons who are incapable owing to physical disability and those who are disqualified by moral disability. Collectors cannot do anything.

31633. (*Mr. Meyer.*) What are the *pargana* officers to whom you refer when you say that "all *pargana* officers should be authorised to exercise full powers of a Sub-Divisional Officer in their respective parganas"?—There are the Deputy Collectors in districts who are in charge of *tahsils* and they are always called pargana officers, in other provinces they are called *taluk* officers; I want them to have the full power of the Sub-Divisional Officer.

31634. You mean what we call the Sub-Divisional Officer?—That is it.

31635. We heard, for instance, that in rent suits there are First Class and Second Class Assistant Collectors; the First Class have higher powers than the Second Class?—The Second Class Assistant Collectors and the First Class Assistant Collectors are only grades, but the *tahluk* officers have always first class powers and the tahsildar has second class powers; the *pargana* officers are in charge of one or two *tahsils*, and they hear all revenue cases.

31636. Do they also hear magisterial appeals?—No, only revenue appeals.

31637. You say "as is the case in the Karwi, Mahoba, and Kasia sub-divisions"; those are cases where the Sub-Divisional Officer lives in his sub-division?—Yes.

31638. You say that the tahsildar should have power to hear and decide cases up to Rs. 250; do you mean rent cases?—Yes.

31639. You have told us that there has been a great increase of litigation in rent suits since the Act of 1901; will that diminish in time, as people get to know their rights and as questions are determined?—I do not think so. Litigation is a very bad habit, and once it takes hold of a community it will never go.

31640. You have told us that the district staff wants increasing; might you not reduce their work by delegating powers; you might give more powers to the tahsildar and more powers to the Sub-Divisional Officer and more powers to the Collector; if you did that, they would not have so much work to do?—Still there is some other work which is very heavy, copying work and office work and treasury work; there must be an extra officer in charge of all these works, otherwise I do not think you will do any good.

31641. The treasury is generally in charge of a Deputy Collector who has other work to do?—Yes, but he is not in charge of any sub-division.

31642. How many Collectors have there been in your district in the last three years?—My last Collector has been there for five years; for three months there was some one officiating when he went home.

31643. When you say you do not think that transfers are too frequent, do you refer to your own district, or to the province generally?—I have got estates in two districts and I know them more than any others. Generally I have twenty-five years' experience of the whole province. By the Gazette I see the transfers and I hear from my friends that there are Collectors here and there. It is only the last five or six years that this problem has been talked of; I do not think the transfers are so very frequent.

31644. Have the District Boards and municipalities anything to do with vaccination?—They take a great interest in vaccination nowadays.

31645. Are the vaccinators under them?—Yes.

31646. Is it part of the function of the District Board to look after vaccination?—Yes, and of the municipality too.

31647. Are the deputy inspectors of vaccination under the District Board?—They are not always under the District Board; they are under the Civil Surgeon, and he is generally a member of the Municipal Board; I should like to see them under the Civil Surgeon.

31648. The Civil Surgeon also looks after the dispensary?—Yes.

31649. Does the District Board have much say there?—I think not.

31650. Would you like to have Dispensary Committees?—The members of the District Boards should have power of visiting the dispensaries and writing their opinions and seeing after the interests of the inmates, the food and nourishment, and so on; that would be a great improvement.

31651. It has been suggested to us that, if they had enough money, the District Boards might do more in the management of their roads; that they should have an officer of their own instead of the District Engineer, who is a Government officer; what is your opinion about that?—Nowadays there is great difficulty in the District Boards, and even the Collectors, as Chairmen of the District Boards, are always very much bothered by the District Engineer; we have to provide the money, but we have nothing to do with the details. If they construct the work very expensively we have nothing to say to them. We would like everything to be under the Collector. In the old days many things were done by tahsildars and very cheaply done; we should like to see the system again.

31652. Would you like to see the Collector having more say in regard to Public Works generally?—Yes.

31653. Is the Secretary of the Aligarh municipality a paid Secretary?—Yes.

31654. Does he work generally with the Chairman or with the Vice-Chairman?—With the Chairman.

31655. The Vice-Chairman does not do much work except when the Chairman is on tour?—Yes, we have two Vice-Chairmen, one the Joint-Magistrate and the other a member of the Board.

31656. When the Collector is away who takes his place?—The Joint-Magistrate.

31657. Then the non-official Chairman is rather a figure head?—It is something like that. It has happened that there has been present neither the Joint-Magistrate nor the non-official Vice-President, and I have presided at the meeting; that happened only last February.

31658. Does your municipality manage its own schools?—Yes.

31659. There is a proposal that the management of these schools should be made over to the District Board?—That I would not like. I am a member of the municipality and a member of the District Board, but I should like to see the Municipal Board school under the municipality and the District Board school under the District Board.

31660. Who inspects your schools for you?—There are circles of schools, and certain members are appointed to inspect.

31661. Some of the Municipal Commissioners?—Yes, and besides those there are the Government authorities.

31662. How far can the Municipal Council appoint its officers; say a clerkship of Rs. 20 is vacant in the municipality, can the Chairman appoint, or must he go to the Commissioner to get approval?—The practice is that the Secretary produces the papers before the Chairman, the Chairman appoints, and the Board approves. There is a practice that the appointment of the servants is always delegated from the Board to the person of the Chairman.

31663. Has it to go to the Commissioner for approval?—Yes, after a certain limit of pay.

31664. (*Mr. Hichens.*) How long do you think it takes a Collector to get a good general knowledge of his district?—I should say two or three years when he has toured all the district in the cold weather.

31665. In two or three years a good Collector would have a good knowledge of what the public opinion in his district was?—In three years, yes.

31666. He would know the principle people in the district and he would know what they thought about the principle public matters?—Yes, if he cared to find out.

31667. Therefore he would be by then in a very good position to report to the Government upon any public matter?—Certainly.

31668. So that a really good Collector would not require an Advisory Council?—Still there is difference of living, of manners, and customs between Europeans and Indians, and those things even a good Collector cannot know in such a short time; so that it would be much better to appoint an Advisory Council to give him an idea of what people talk of in their own homes.

31669. I thought you might mean perhaps that the Advisory Council was only required in the case of a Collector who was not one of the best?—It is very difficult to say who is the best and who is not, and therefore there is the necessity of appointing an Advisory Council; I spoke generally.

31670. If a Collector did his work properly, if he went about as he should and knew the people as he should, would there be a necessity for an Advisory Council?—I think there would be always a necessity.

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31671. (*Mr. Dutt.*) You said that a number of tahsildars might be promoted to be Deputy Collectors and that others should be appointed direct; do you desire those others to be appointed by the Government?—By the Board of Revenue, not the Government.

31672. Who should have the power of appointing Deputy Collectors when they are appointed direct?—The Local Government.

31673. You tell us that in your district there are two Vice-Chairmen, a Joint-Magistrate and another Vice-Chairman; is the Joint-Magistrate a member of the municipality?—Yes.

31674. Are both these Vice-Chairmen elected by the members of the municipality?—Yes.

31675. Are there other municipalities in the province where suitable non-official Chairmen could be found?—For instance in Fyzabad there is always a non-official; there are many capable Indians to be had there.

31676. Where capable Indians can be found should non-official gentlemen be appointed Chairmen?—Not as a rule in every municipality; in some municipalities they should be given the power of appointing them. I have stated that the appointment of the Chairman of the municipality should be under the Commissioner. My intention in saying so was that the Chairmanship of the municipality should always be free for every one, and if sometimes by mistake a non-official member is appointed who is not capable of being Chairman, the Commissioner might interfere in the matter.

31677. How many primary schools are there in the Aligarh district?—About 400.

31678. Is it desirable to increase the number?—Certainly.

31679. Is it possible to increase the number within the means of the District Board?—Yes, I think so, but there are very many other requirements that sometimes tie up our hands.

31680. A part of your District Board income is taken for the payment of village chaukidars?—Yes, that is the general rule.

31681. Should the District Board money be spent on that purpose?—If we gave that money to other purposes, it would be better. There is one thing I would like to add, I should like larger official powers to be given to the Local Governments, and the five-yearly contract to be abolished altogether. Nowadays practically the appointment of Munsifs is in the hands of the High Courts and the Judicial Commissioner. I should like it to be transferred to the Local Government just as the Deputy Collectors are. As I have said about the Sub-Divisional Officers and their powers, I should like him to have the power of appointment and dismissal of patwaris and peons. As to the right of appeal I should not like to see it curtailed. Only the pensionable posts should have the right of appeal; the non-pensionable posts should not have the right of appeal.

(*The witness withdrew.*)

KAZI AZIZ-UD-DIN AHMAD KHAN BAHADUR, was called and examined.

31682. (*Chairman.*) You are Deputy Collector of Moradabad?—Yes. I am also a trustee of the Aligarh College.

Commissioners should get power to transfer Joint-Magistrates and Deputy Collectors within their divisions. I would leave the appointment and promotion of the Deputy Collectors with the Local Government. The Commissioner should have power to appoint tahsildars within his division and all officials drawing Rs. 100 and more in the non-gazetted establishment. I would give the District Officer power to select and appoint his naib-tahsildars and office hands drawing less than Rs. 100.

The District Officer has lost a good deal of his influence in recent years. He has no power to give any coveted appointment to the sons of the influential and loyal residents of his district; he cannot, since the introduction of elective system, appoint members of District and Municipal Boards, and finally, he has no power to reward good work, except in the way of recommendations to higher authorities, which are not always accepted. Native gentlemen often talk of the good old days when everything was in the hands of their *Bara Sahib* (the District Officer). In my opinion the influence of the District Officer should be maintained.

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The powers of Sub-Divisional Officers should be extended. They should be made to live in the headquarters of their *tahsils* and invested with powers to hear appeals from the orders of the tahsildars and Honorary Magistrates in criminal, rent, and revenue cases. They should have power to appoint petty clerks and peons and do all miscellaneous administrative duties under the general control of the District Officer. A Munsif can, under the Civil Courts Act, appoint his establishment, but a Joint-Magistrate or Deputy Collector cannot fine a peon.

In executive matters there should be no appeals. For example, an order of a District Officer selecting a particular route for passing a *tazia* procession should be final. It is not desirable to restrict the right of appeal in cases of Government servants holding pensionable appointments. The *patwaris* and *chaprasis* should, however, have no right to appeal against the order of their dismissal.

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The Commissioner's influence in other departments than revenue is not strong. In the Police Department he has sufficient authority, but he should be given power to transfer inspectors of police and deputy superintendents within his division. He may also get power to transfer Assistant Surgeons and District Engineers.

His powers to supervise the work of the Municipal Boards require to be extended. He should have power to overrule resolutions of the Municipal Board in urgent cases subject to the orders of the Local Government. Now that it is intended to give more power to the municipalities, the Commissioners should possess authority to effectively check their work, especially in the matter of the election of Chairmen and appointment of Secretaries and other important officials.

European Executive Officers have sufficient opportunities to come in personal contact with people, but they are so overworked that it is impossible for them to have any social intercourse with them. Their interviews are of an official character. They possess a good knowledge of Hindustani in these provinces, and I have noted a marked improvement in this direction during the last five or six years. Their knowledge of Indian manners and customs is defective. I would suggest that young Civilians, instead of being posted to different districts, should be sent to three or four selected officers well known for their sympathetic treatment of Indians and well acquainted with the rules of Indian society for training.

Every Commissioner, District Officer, and Assistant Collector (Deputy Collector included) is fearfully overworked. Deputy Collectors in Agra province have to work for twelve or thirteen hours a day in the "ejectment" season. The number of rent suits has unmanageably increased since the passing of the Agra Tenancy Act. The number of Deputy Collectors should be increased in all grades. In 1903 and 1907 a few additional appointments were made in the lower grades, but the number is still inadequate. The fact that there are so many temporary and Additional Deputy Collectors in these provinces clearly shows that there is need for more officers. Summary powers should be given to selected officers to dispose of petty rent suits. When civil cases for recovery of money can be tried by Small Cause Courts, there is no reason why rent suits of a similar kind not involving questions of title should not be so disposed of. This will decrease the number of appeals preferred to the Collectors and District Judges.

I advocate the establishment of independent subdivisions in order to relieve the Collector of much unnecessary and unimportant work.

Transfers are not frequent. An officer should not be left in one district for more than five years.

Act XX towns can be made over to the District Board; their income and expenditure being included in the District Board accounts. At present transfers of funds between minor heads of the budget are sanctioned by the District Board. The District Board should be permitted to transfer funds between major heads also. The District Board should be empowered to carry out works of Rs. 3,000 and under. At present they have power to carry out work costing Rs. 1,000 only. The District Board should be permitted to sanction the appointment of all its servants drawing Rs. 100 and less, and all recurring charges. The Board should have power to sanction the scale of salaries of all its servants. Under the existing system salaries of coolies, *malis*, sweepers, and other menial servants getting Rs. 5 or Rs. 6 are to be sanctioned by the Commissioner.

Advisory Councils can be established in each district, but the members should be appointed and not elected. Appointments should be made by the District Officers with the Commissioner's sanction. They should be consulted in matters such as the appointment of Honorary Magistrates, village munsifs, and the introduction of local laws into a district, and so on. Administrative Councils will not be useful. The Collector should be left free to use his discretion in administrative matters.

I advocate the establishment of benches of Honorary Magistrates and Honorary Munsifs in all big towns and *parganas*. Benches of village munsifs should also be established. Single village courts do not give satisfaction.

31683. You wish Collectors to have the power of suspending revenue?—Yes, foregoing the rule that the Collector can only postpone collection.

31684. Would you fix any limit to that power of suspension?—I should say for a year; at present they can suspend only for six months.

31685. Would you grant any power of remission?—Not to Collectors, but to Commissioners.

31686. How much?—I should say 50 per cent. in the case of distress over the whole area of the division.

31687. With regard to the appointment of tahsildars, do you agree with the last witness that they ought to be appointed to the division?—Yes, by the Commissioners.

31688. Would you allow tahsildars to become Deputy Collectors?—Yes, some of them—on proof of their merit and capability.

31689. Who should appoint naib tahsildars?—The Collector.

31690. Would you allow them to become tahsildars?—Yes, by promotion and selection.

31691. You tell us that the District Officer has lost much of his influence; is it capable of being restored?—Yes, by giving him power to make these appointments.

31692. Should collectors transfer as well as appoint tahsildars and naib-tahsildars?—The Collectors have the power to transfer tahsildars and naib-tahsildars in their districts.

31693. You think the Sub-Divisional Officer should live at the headquarters of the *tahsil*. Would you agree with the witness who thought that their not living at headquarters would be inconvenient on account of the absence of pleaders?—No; in fact there are many advantages in living in the *tahsil;* a man has a petty case; he has to travel a long distance from his village to the headquarters of the district and spend money on pleaders. If the Sub-Divisional Officer is in his sub-division he can go there without any expense. The Sub-Divisional Officer will be more in touch with the people if he is always in his sub-division.

31694. How far are the headquarters of the *tahsils* from the headquarters of the district?—Sometimes 70 or 60 miles; for instance, in Fyzabad district the Tanda *tahsil* is 70 miles from the headquarters.

31695. You say that in executive matters there should be no appeal; is there any appeal now?—The Commissioner has general powers.

31696. You would leave matters to the Collector?—Yes.

31697. How many municipal Boards are you Chairman of?—When I was Collector of Bulandshahr I was Chairman of three municipalities.

31698. Did you find there was any hesitation on the part of the members municipality to discuss matters with you?—Not if you gave them the chance. Sometimes the District Officers are overworked and they want to finish the work very soon; everything is cut and dried, and it is just produced before the members and they approve of it.

31699. If they are encouraged to discuss matters then there is no hesitation or fear on their part?—No.

31700. In an ordinary municipality would you find an Indian gentleman who would be capable of filling the post of Chairman?—In some places, but generally the people prefer the District Officer to be Chairman.

31701. For what reason?—In India unfortunately there are different castes and communities, and if a man of one nationality is appointed Chairman there he is partial to his own people, and there is jealousy in the other community; for that reason they always prefer to have an outsider.

31702. We have evidence showing that whatever may be the case in the District Boards, in the municipalities the members feel much freer, and that there are people capable of taking the chair?—There are no doubt in some districts, but I would not have a non-official Chairman in larger municipalities.

31703. But you would limit that to the smaller municipalities?—Yes, there is no objection in the case of smaller municipalities.

31704. I do not quite understand what the ejectment season is?—Under the Tenancy Act, cases for ejectment of tenants are instituted during the months from July to September, and the number is very enormous. They have to be disposed of in seven or eight months; that period is the hardest for Deputy Collectors and Assistant Collectors.

31705. Are the ejectments caused by the non-payment of rent or non-payment of revenue?—If a tenant does not prove himself a proper tenant, if he does not pay rent or do as his landlord says, the landlord ejects him.

31706. You think that an officer should not stay for more than five years in one district. Why do you fix that limit?—Generally in a year or two years he makes himself acquainted with the district; after that three years are quite enough for him to do good work.

31707. If he stays longer what happens?—Sometimes if he takes a dislike to a man he can do more harm than good.

31708. You would not fix the period of his stay for longer than five years?—No.

31709. Should that also be the shortest period?—The shortest period should be three years.

31710. Do you wish, speaking generally, the powers of either District Boards or municipalities to be extended?—Yes, in educational matters. They should have power to create new schools and to spend a larger portion of their money on education.

31711. Would you give them a higher class of school to look after?—Yes. They should have charge of the secondary schools. Not the colleges.

31712. Could village communities be legally created here with simple powers of administration?—Yes; in Fyzabad they have village courts and they are doing very well.

31713. What population would you group under a village panchayat?—I should say about 3,000.

31714. How many members would you have on the panchayat?—Not less than five.

31715. More than five?—Yes, if possible; if you can get good men, eight or ten.

31716. Not more than ten?—No.

31717. (*Mr. Dutt.*) You said that Deputy Collectors should be appointed by the Local Government, but that a certain proportion of them might be filled up by promotion from tahsildars; what ought the proportion to be?—The practice now is that out of ten, three Deputy Collectors are appointed direct and seven by promotion from tahsildars. As to the Deputy Collectors in these provinces, their social position is not very high or desirable; the reason is that some low-paid clerks have managed to be promoted to the office of Deputy Collectors, and they are generally looked down upon by those officers who get them promoted. My opinion is that the greater proportion of Deputy Collectors should be by recruitment.

31718. What proportion would you have?—I should say half to be appointed direct, and the other half to be filled by the promotion of tahsildars.

31719. Would you recommend the increase of the sub-divisional charge, that is to say, the formation of two or three *tahsils* into a sub-division? If the *tahsils* are smaller that could be done.

31720. I do not quite understand what you mean by saying, "I advocate the establishment of independent sub-divisions"?—In this province there are six sub-divisions; in these they have proper Sub-Divisional Officers, but in other districts the Deputy Collectors and the Assistant Collectors are placed in charge of sub-divisions by Collectors; they have no power to hear appeals or to have a separate establishment; they are only in name Sub-Divisional Officers; I should like them to have definite work in their sub-divisions with complete administrative power within their own limits.

31721. Your District Board has to refer to the Public Works Department all roads over the value of Rs. 1,000, while smaller roads are done by the District Boards themselves. Would you like to make any change in that system?—Yes, I would like a District Engineer under the Board.

31722. Would your District Board be able to find money for that purpose?—Yes. Formerly we had a District Engineer.

31723. In educational matters, you say you would like to give larger powers to the District Board. Is it not the fact now that the District Board has charge of all the educational institutions in the district except the Government *silla* school?—Yes.

31724. Then how can you enlarge their powers any further?—For instance, normal schools are under the Director, not under the Board; I think we might have those also.

31725. Only the transfer of normal schools?—Yes, the District Government schools are now going to be transferred to the Director; they will become provincial schools.

31726. Is it not desirable that one school in a district should be under the Department, to serve as a model to the other schools?—Yes, it is.

31727. (*Sir Frederic Lely.*) As Sub-Divisional Officer, how much are you expected to tour in the year?—Sixty days in the year.

31728. How do you carry your kit?—We are allowed seven bullocks—three carts.

31729. Do you get the bullocks from the villages?—Formerly we used to seize them in villages, but now we employ them; Sir Charles Crosthwaite was very keen on this subject and issued certain orders; since then we have no *begar* system.

31730. Do you find any difficulty in getting them?—No.

31731. Do you move camp every day?—No, in three or four days.

31732. Do you manage to cover the whole of your sub-division in that sixty days?—Yes, we inspect the *tahsil*, all the police stations, pounds, and all the schools we can do; we cannot inspect every village in sixty days.

31733. Do you bring yourself within reach of every part of the sub-division?—Yes.

31734. Do the people like your touring?—I do not think they do. It is generally very inconvenient to the villagers.

31735. Would they sooner you stopped at the head-quarters of your sub-division?—Yes. If we could make better arrangements for our supplies, it would not be a hardship to the villagers, but now in every village firewood has to be supplied by the zamindar, and straw has to be supplied, and so forth; that is generally inconvenient; of course we have to do it, because there are no shops where we can buy all these things.

31736. (*Sir Steyning Edgerley.*) Would you appoint your tahsildars direct or from among the naib-tahsildars?—I think about 25 per cent. should be appointed direct, and 75 per cent. by promotion.

31737. You say the Sub-Divisional Officer should not have power to punish a naib-tahsildar; should he have power to deal with everyone else in his sub-division?—Yes, all the other clerks and subordinates.

31738. Should the Collector punish a naib-tahsildar?—Yes.

31739. And a tahsildar?—He has power to punish a tahsildar, but I would not give him power to dismiss the tahsildar.

31740. If you took 50 per cent. of the Deputy Collectors' appointments for direct appointment, would that not affect your recruitment of tahsildars?—I do not think so.

31741. Do you know the Fyzabad district?—Yes. I was there for 4½ years as Deputy Collector at head-quarters.

31742. Were you a member of the municipality?—No, it is a non-official municipality altogether. Under the rules the senior Joint-Magistrate in every district is *ex-officio* member of the District Board; there is no other official there.

31743. Have you any knowledge of what the official estimation of the working of the Fyzabad municipality was?—Yes. It is not very favourable.

31744. On the other hand, were the people satisfied with it?—No. The fact is that for the office of Chairman there are two parties in Fyzabad and the chairman generally tries to get his own men elected as members, so that at the time of the election of Chairman there

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will be no difficulty in obtaining a sufficient number of votes. Independent and self-respecting men cannot get into the Board by election.

31745. Would it be a relief to the town if you went back to the Collector as Chairman?—A great relief; that is my idea.

31746. (*Mr. Meyer.*) You say that the senior Joint-Magistrate is always a member of every municipality in the district?—Yes.

31747. And Vice-Chairman too?—No, that is a matter of election.

31748. Has not the senior Joint-Magistrate also other work to do?—Yes.

31749. Is he in charge of a sub-division?—He is generally in charge of one sub-division, and he is an Excise Officer.

31750. Then how can he find time to go round municipalities outside his own sub-division?—He generally manages to go there on Sundays and holidays.

31751. Is the Sub-Divisional Officer an *ex-officio* member?—No; my idea is that the Sub-Divisional Officer should be *ex-officio* member, not the Joint-Magistrate.

31752. We were told yesterday that the Joint-Magistrate was put in in connection with octroi?—Yes; in every municipality the Joint-Magistrate is President of the Finance Committee; that was Sir Antony MacDonnell's order.

31753. But what happens when he is away?—The Joint-Magistrate is Chairman of the Finance Committee in every municipality whether he goes there or not.

31754. Would you like to give that position, in his own sub-division, to every Sub-Divisional Officer?—Yes.

31755. In some districts there is no Joint-Magistrate?—No. The senior Deputy Collector does all the work, but he cannot be a member of the Muncipal Board; the words in the circular are "the senior Joint-Magistrate"; it does not say "the senior officer."

31756. Would your Advisory Councils be large in number?—I think they would be useful in certain matters; in big districts the number should be larger and in the smaller districts smaller.

31757. How many would you say in a big district?—I should say twenty.

31758. Would you have their meetings at stated periods?—Yes.

31759. Tahsildars generally have third class powers only?—That is so; very few have second class powers; those who are approved for Deputy Collectors get second-class powers.

31760. Would you be in favour of giving all tahsildars second-class powers after they had done their third-class training?—Yes.

31761. And naib-tahsildars?—I think I would give them third-class powers.

31762. What is the position of the kanungo in your district?—They have a certain number of *patwaris* and they inspect all the villages.

31763. They do not belong to the Land Records Department?—No, they are entirely under the Collector.

31764. The Collector has full power to appoint and dismiss?—Yes. A reference is made to the Director when a kanungo is dismissed, but the Collector has power to dismiss.

31765. Is there not a good deal of work that goes to Commissioners in the matter of the appointment and removal of *lambardars* and village accountants?—Yes, the Commissioner hears appeals from the orders of the Collector. Collector has power to dismiss *patwaris* and *lambardars*.

31766. Might that work not be left to the Sub-Divisional Officer with an appeal to the Collector?—Yes, that would be a good thing.

31767. What is the pay of the *patwari*?—From Rs. 7 to Rs. 12.

31768. Might that not be left to the Sub-Divisional Officer?—Yes, the Sub-Divisional Officer appoints the *patwaris*.

31769. And you think he might have power to dismiss them?—Yes.

31770. Are there many of them?—Yes, about 200 in one *tahsil*.

31771. Who presides at the meetings of a "notified area" panchayat?—There is one panchayat Chairman. These panchayats are purely non-official.

31772. What sort of work do they do?—They simply assess the house-tax, that is all.

31773. Do they not do anything in the way of keeping the town clean?—No.

31774. Who does that?—In every town there is a sanitary *jamadar*; he looks after that work and he is under the tahsildar.

31775. The committee is not local self-government in any way?—No; they have only to assess the house-tax.

31776. Sanitation in your districts is under the Civil Surgeon as a rule?—Yes.

31777. Does the District Board have much to say in it?—Yes. There is a Health Officer under the District Board. He is an Assistant Surgeon.

31778. Is it the same in the municipalities?—Yes.

31779. The last witness told us that at Aligarh the members of the Municipal Council themselves went round and inspected the schools; has that been your experience?—In my district the deputy inspector always inspects the schools.

31780. Does the municipality entertain its own deputy inspector?—No; the District Board deputy inspector works for the municipality.

31781. But apart from that, do the Municipal Commissioners go round and look at the schools and report?—No, the Secretary does that; we have a paid Secretary.

31782. It has been proposed that the management of these municipal schools should go over to the District Board; would you approve of that?—Yes; that would leave the Municipal Board money to devote to other purposes.

31783. But the municipality would still continue to pay; it is merely a question of management; if that is so, do you think that that is a good step?—In this way, as the District Board has a regular staff for inspection; it is a good idea.

31784. The Municipal Council if they chose, however, could take a real interest in the schools in the town?—Yes.

31785. You think they do not as a rule?—They do not.

31786. It has also been suggested that the deputy inspectors of schools should cease to be Board officers, and should become Government officers of the Educational Department; would that be a good step?—Then the District Board would have no control over them; it would not be a good thing.

31787. Would you give Commissioners the power of investing officers with magisterial powers; at present if a tahsildar or a Deputy Collector is to receive second or third-class powers, that has to be gazetted by the Local Government?—Yes; now the tahsildars as soon as they are appointed, by virtue of their office, get third-class powers.

31788. Then it becomes a question, say, of appointing a man who has had third class powers to second-class powers, and a man who has had second-class powers to first-class powers?—I would leave all that to the Local Government.

31789. Would you give Commissioners a personal assistant of the Deputy Collector class?—That is a very good idea; I have myself been a personal assistant to the Commissioner of Benares.

31790. Have you got a personal assistant here?—No, they had then, but now the post has been abolished.

31791. When was that?—In 1894; only the Commissioner of the Benares division had a personal assistant and I was there for a short time.

31792. Would you be in favour of giving the Commissioner a considerable part of the Provincial Public Works budget, and letting him sanction works?—Yes.

(*The witness withdrew.*)

Raja SHIAM SINHA was called and examined.

31793. (*Chairman.*) You reside in Tajpur, Bijnor district?—Yes. I am a zamindar.

31794. Have you had any experience of local government?—Not much, only for two years when I was member of the Legislative Council.

31795. Have you been a member of a District Board or of a municipality?—No.

31796. You say that extended powers should be granted with regard to the Court of Wards. We have had representations at various places that owners of estates are unwilling to have estates taken under the care of Government; have you anything to say regarding that?—Those who are spendthrifts, or those who want to do away with their money, do not always like interference on the part of Government. Our desire is to save those properties and those proprietors who are incapable of managing their own affairs; it is better that the property should be put under the Court of Wards than to let them loose to destroy their property.

31797. Speaking generally, the interference of Government is good for the estates?—I think so.

31798. Should the Commissioner be made the final judge of all matters connected with the Court of Wards?—Yes, the Commissioner should have extended powers.

31799. But would you have him make the final judge in all particulars?—In all particulars about Court of Wards.

31800. Should he be controlled in any way by the Board of Revenue?—The Board of Revenue and the Commissioner might equally have the same powers; it is better that the Commissioner should have the power, because he is more amenable to the public; he goes about, and he has more facilities of knowing the people than the Board of Revenue, therefore he should be the judge.

31801. Would the zamindars and *talukdars* be perfectly content with the decisions of the Commissioner in respect of Court of Wards estates?—I think so.

31802. And there would be no necessity to send up the budgets even of the largest estates to the Board of Revenue?—I do not know about the largest estates; perhaps their budgets might be sent up, but, generally speaking, the owners of property would be perfectly satisfied with the judgment of the Commissioner.

31803. In Tajpur, Bijnor district, have you had many transfers of local officers?—There were some few years ago, but lately there have not been many.

31804. How long have you had your present Collector?—For four or five years.

31805. Does he consult you and other gentlemen of prominence in the district upon local points?—Yes, sometimes, if there is any occasion for it.

31806. I mean, do you feel that you are always at liberty if some matter of local importance arises, to get into your carriage and go and see him?—Yes, we have confidence in him.

31807. There is no hesitation on your part in going?—No, not in the least.

31808. We have also been told sometimes that District Officers are discourteous to Indian gentlemen who go to them; have you any experience of that?—Personally I have not.

31809. Have you had any complaints made to you by your friends?—Yes, I have heard complaints. All officers are not the same. Besides, sometimes when an officer is hardworked (as they generally are) and people go to him and have nothing to say but simply sit down, a man may lose his temper and ask them to leave or something like that; it entirely depends on the man himself; if he has the time he will generally see and listen to anyone; sometimes it must be admitted it is our own fault.

31810. Speaking generally, is there any ground for complaint?—Complaint of want of sympathy, yes.

31811. Or want of courtesy?—Want of courtesy I have heard about, but personally I have not had that experience myself; I have always had a considerate reception.

31812. With regard to District Boards, you say their functions should be extended, more particularly with regard to roads?—Yes. I would have all the funds managed by the District Boards.

31813. Do you wish to see the District Officer separated from the Chairmanship of the District Board?—No.

31814. Does your District Board work through committees?—It is worked under the Chairman.

31815. Do the members of the Board take any considerable share in the management of the work?—In the larger districts perhaps they do, but not in the smaller districts.

31816. Is that because the Executive Officer likes to do it all, or because the people rather hesitate?—The people cannot do it. I like the principle that they should have more work in their charge, and take more interest, but they do not take interest; they are not capable of doing it; in some small districts everything is done by the Chairman.

31817. In that case, what is the advantage of creating, as you suggest should be created, an Advisory Council to assist the District Officer?—I think the people might then take an interest in their own affairs and go and meet the Collector occasionally; if they do not choose to go to him and give their own advice, they can stay at home, but in that case they would have to go.

31818. Does not the District Board at the present moment practically act as an Advisory Council?—I have no experience of the District Board myself personally; I have never been a member of it; but I do not think it is an Advisory Council or anything like that at present.

31819. Does not the District Board, as a matter of fact with its twenty or thirty members, act as an Advisory Council?—Not to my knowledge; they all sit, and whatever questions are put to them most of them are not even understood by the members.

31820. Would they be understood if the same people were meeting as an Advisory Council?—As an Advisory Council they might understand something, but about these different things they do not understand at all. I like the principle, but its application is rather difficult. I am not in favour of its application to small districts; in larger districts where the people are more advanced and educated it is workable, but in small districts like Bijnor and others it would not be workable.

31821. With regard to village communities, if they were grouped together so as to make a centre of about 4,000 or 5,000 people, could you give them some simple powers of petty civil and criminal jurisdiction?—No, I do not think it would be safe to do that; I would not give them any power at all.

31822. They would get quarrelling about these matters?—They would all quarrel amongst themselves and they would only have their own personal ends to meet.

31823. There are caste panchayats?—Yes, in every caste they have their panchayats.

31824. But they cannot be trusted to deal with inter-caste questions?—No.

31825. (*Mr. Meyer.*) If you had an Advisory Council and the majority happened to differ from the Collector, what would happen under your plan; would the Collector be able to over-rule them?—Yes; the Collector having a better knowledge must have power to over-rule them.

31826. And in the same way with the Commissioner?—Yes.

31827. You say that they should be constituted partly by election; who would elect?—They would be elected by the Boards, I suppose; I would rather have nomination.

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31828. You say that District Boards and municipalities should have extended powers over their finances; what sort of powers do you mean?—Using their own money.

31829. You mean that the budget should not go up to the Commissioner?—I mean they should have more control over their own finances and their own money.

31830. Have they not control at present?—Not much.

31831. What is it that you object to?—If they want to construct a road they have to get sanction from elsewhere.

31832. Anything over Rs. 1,000?—Yes; I should say that they should have more money entrusted to them for their local wants.

31833. Any work that costs over Rs. 1,000, even though there are funds available, has to go up for the special sanction of the Commissioner?—Yes, that is unnecessary.

31834. But the budget would still go to the Commissioner for approval?—Yes, but the amount of Rs. 1,000 might be extended to something larger, say Rs. 5,000.

31835. You still think the budget should be passed by the Commissioner?—Yes.

31836. Would you like the District Boards to have their own road establishment?—I would like the road question to be left to the District Board entirely.

31837. You would have the District Engineer a servant of the Board?—Yes.

31838. Would you give the Commissioner larger power over Public Works?—Yes.

31839. Would you give him a budget from which he might allot for works within his division?—Yes.

31840. You say that the District Officers are prevented from coming in contact with the people, among other things, by too much clerical work?—Yes; the District Officer has a good deal of clerical work; he has all the reports, and so on to do.

31841. A good deal of clerical work arises from the reporting on appeals?—Yes.

31842. At the same time you do not want to reduce appeals?—Besides appeals he has a lot of reports to write; all the other clerical work that he has to do does not leave him much time to see the people and consult them.

31843. Take a revenue case; a man appeals from the Sub-divisional Officer to the Collector, from the Collector to the Commissioner, and then on to the Board of Revenue; is it necessary that all that should happen?—Besides that, he has other extra work; I have never been a Collector myself.

31844. You would not reduce appeals in any way?—Certainly not.

31845. (*Sir Steyning Edgerley.*) You echo the complaints of District Officers being overworked?—In some districts there are more men and the work is equally divided, but if the number of men is not sufficient then they will be overworked?

31846. You say the district staff is generally overworked?—Yes, in some districts where the men are insufficient.

31847. You do not say that generally?—No, it is only in certain districts where the number of men is not sufficient.

31848. (*Sir Frederic Lely.*) You have a large estate?—Not a very large one. About ninety villages.

31849. What would be the size of the largest?—It may be about 2,000 people.

31850. Are there factions in any one of those villages?—There have been some since the settlement. There have been quarrels on account of the occupancy tenancy, and so on; formerly the landowner and his tenants had more confidence in each other, but since the introduction of the new laws there has been friction between the two.

31851. How is the water supply provided?—From wells and tanks; in some places there are tanks and then they have covered wells.

31852. Suppose the chief well of the village wanted repairing, where would the money come from?—The zamindar gives it; I always provide my tenants with wells and everything.

31853. To whom do you give the money?—I get the work done through the village workman; for instance, the carpenter does his work and the mason does his work, or if there is no mason living there we get a mason from elsewhere.

31854. You do not enlist the superintendence of the village in any way in the work?—The men look after it, they readily work getting their own carts to bring the bricks, and so on.

31855. Then they do combine in that way?—Yes.

31856. Have they a headman?—Yes, what we call a *mukaddam.*

31857. Is he hereditary?—Yes.

31858. I suppose you would always employ him for village work?—Yes.

31859. Are there no hereditary elders—no associated families?—There are some old families, but they are dying out now.

31860. The headman being an hereditary person, is he looked up to by all the villagers?—Sometimes he is, not necessarily. The zamindar always appoints the hereditary person; if there are two families each family wishes their own man appointed, and if the zamindar selects one man there is always a quarrel between those two families.

31861. Is the influence of a zamindar in a village rather great?—Not necessarily.

31862. Would not the zamindar ordinarily be able to exercise an influence over them in getting them to combine together for any public work, such as repairing a well, or managing village schools, or keeping up a road?—The zamindar's influence, of course, goes a long way.

31863. In the case of a village school is there usually a committee of the villagers?—No, not so far as I know.

31864. Do you not think that a committee of the leading villagers might exercise a useful function in looking after the school?—They do not take much interest in education.

31865. You do not think, even if the zamindar appointed a committee, they would take an interest?—No, they do not take much interest in education in my part; they are particularly indifferent.

31866. You think there is no public spirit in the villagers that you are acquainted with?—None at all so far as education is concerned; they take no interest in it at all.

31867. (*Mr. Dutt.*) You think the Commissioner ought to have more powers in matters other than revenue; do you mean police and excise matters?—Generally. The Commissioner goes about a good deal more and therefore he can gather personal knowledge and he ought to have more power; that is my idea.

31868. Generally the administration of the division should be under the control of the Commissioner?—Exactly.

31869. (*Mr. Hichens.*) Do influential people in the district go on to the District Board in your district?—No, that is not my experience.

31870. There is no particular readiness on their part to go on?—No.

31871. Why is that?—I do not know, I have never been on one myself.

31872. It does not arouse their interest?—No, they have no interest at all.

31873. Is there not a form of election?—Yes, in the *tahsils*; the members of the municipality select members for the District Board.

31874. You do not think it would be a good thing to have a wider franchise?—In the smaller districts I do not think it would be workable; in the bigger districts where the people are educated they understand their interests better.

31875. (*Chairman.*) You told us that there was such friction between the zamindar and the tenants in consequence of the recent settlement; is that on account of the revenue settlement?—Yes.

31876. What is the cause of that friction?—Giving the tenant more liberty over his land. For instance, if a man becomes an occupancy tenant the zamindar has nothing to do with him and he always thinks he is master of the land himself; that is the cause of quarrel.

31877. It has given the raiyat a greater permanency over the land?—Yes.

31878. The previous witness referred to ejectment cases; does that apply in the case of tenants who have occupancy tenancies?—There are certain conditions in which the tenant can be turned out for instance, the revenue is not paid, but not otherwise. *Raja Shiam Sinha.* 18 *Feb.*, 1908.

31879. Has that added very much to the work of the District Officer?—Yes, these ejectment cases take up a great deal of his time.

(*The witness withdrew.*)

MAULVI MUSHTAK HUSAIN was called and examined (through an interpreter).

31880. (*Chairman.*) Will you tell us your place of residence and the experience you have had in Government service?—I am a *jagirdar* of Amroha, in the district of Moradabad. I served for twelve years under the Government of the United Provinces, and then entered the service of His Highness the Nizam. For nineteen years I served as a Divisional Commissioner, member of the Board of Revenue, and Secretary to the Nizam's Government. On retiring from the service of His Highness I was created Vikar-ud-daula, Vikar-ul-mulk, Intesarjung Bahadur in the Hyderabad peerage. I am now Honorary Secretary of the Muhammadan Anglo-Oriental College at Aligarh, Honorary Secretary of the All India Muhammadan Educational Conference, and Honorary Secretary of the All India Muslim League. I have taken part in public movements since forty years ago, when Sir Syed Ahmed Khan, K.C.S.I., founded the Aligarh Society. I am also Honorary Fellow of the Allahabad University.

The right of appeal to the Government of India should on no account be curtailed, nor should any certificate be required for that.

The Collectors of the Districts should be empowered to suspend as much revenue as they think proper, having due regard to the condition of crops.

The Collectors should be given powers to appoint dismiss, fine, and suspend all men under them drawing a salary of Rs. 50 or less a month, except naib tahsildars.

Deputy Collectors should be empowered to appoint, dismiss, fine, and suspend the patwaris, chaprasis, and their own orderlies.

The influence of the Commissioners of departments other than that of Land Revenue is not sufficiently strong. They should be authorized to supervise, more or less, all the departments in their division; their control over police, hospitals, engineering, and vernacular education should be increased; they should have power to send for records from every office; they should have authority to ask for information in respect of matters connected with any department and to suspend the proceedings of any department, if it be considered necessary to do so, only sending their report to the Government or the High Court or to any other authority as the case may be. Their tour should be solely devoted to inspection and general supervision and the cases on their file should not be heard and decided during their tour but at the headquarters. The Commissioner's tour should be such as to impress the officials of every department as if it were the tour of the Head of their own Department.

Executive Officers are so overworked that they do not find sufficient opportunities for personal contact with the people, without interruption in the execution of their duties and sacrificing their rest. It also depends upon the officer's individuality. Those of good nature freely offer such opportunities to the people, at the cost of their rest and work, while others do not. Moreover, there are two kinds of men too, one who go to the officers and waste their time for nothing, and the others who do turn the interview to good account. But the advance in the education of the people is, however, gradually removing the defects of the first, and the want of social interest on the part of some of the officers may be removed to some extent by the supervision and advice of the Government. Moreover, the progress in general education will help in making the officers more social, because they will no doubt treat the educated people with more consideration according to their rank and position.

Officers can speak the vernacular, but seldom seem to have sufficient knowledge of their reading and writing, which fact greatly affects the due discharge of their duties. Those who do acquire this power of reading and writing the vernaculars are looked upon with deep interest and regard by the people and mix with them without reserve. *Maulvi Mushtak Husain.* 18 *Feb.*, 1908.

A general increase in the administrative staff is desirable. The present officers with existing staff can hardly finish their daily work.

The Commissioners, Collectors, and other local authorities have already so much powers that greater care is necesssary to be taken in their selection. I admit that we are having abler officers now than before. I would not suggest to have less regard for their seniority, but the Government may well adopt some other way of recognising special qualifications and abilities. They may be deputed on some special duty or transferred with promotion to some other lines.

The Government have in recent years attempted to stop unnecessary transfers, and so they are not very frequent now. Besides the Local Government, the Heads of the Departments have also got some powers of transferring subordinate officers these days. If transfers are found really necessary within five years, sanction should first be obtained from above by submitting a report to that effect and giving out reasons for the proposed transfers.

The creation of Advisory or Administrative Councils to assist the Divisional and District Officers appears to be desirable, but looking to the backward condition of education in these provinces, it is difficult to get such members as may do their duties in a proper way.

I do not think that the village communities have so far advanced as to make it desirable to give them powers proposed in this question.

The Directors of Public Instruction have two kinds of duties to perform in their official capacity; (1) administrative, (2) educational. Appointment, dismissal, transfer, and punishment of subordinates come under the first; and fixing of curricula, distribution of grants-in-aid, framing of rules for transfer certificates, levying of admission and monthly fees, imposing of fines, &c., fall under the second. Before exercising his powers or submitting his report to the Government in respect of matters falling under the second category, the Directors should be required to consult a committee (composed of non-official members) appointed originally by the Government, from among those persons who take interest in educational matters. The committee should have power to nominate persons for the membership falling vacant from time to time. In case the committee differ from the views of the Director, the matter should be referred to the Government for final decision.

31881. Are you a member of any Municipal or District Board?—No.

31882. Are you acquainted with the system under which the Commissioners work in the British service?—I was in the British service thirty-five years ago.

31883. Is the size of a Commissioner's district in the Nizam's territory about the same size as the area of a division in the British service?—The area there is larger than the area in the British service.

31884. What was the size of your division in the Nizam's territory?—20,000 square miles.

31885. Had you a very free hand in the management of the division?—In revenue matters I had a free hand and I had power to hear criminal appeals; I used

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to send capital cases to the High Court; I had also authority over the police; in educational matters, too, I was the chief officer, and in Public Works.

31886. Could you dispose of administrative cases and personal executive cases finally without there being any appeal beyond you?—There was an appeal to the Minister.

31887. Was there any appeal beyond the Minister?—There was no appeal but the Nizam could revise.

31888. Did you, as Commissioner, control the whole of the educational system?—Yes, the inspectors of schools were not subordinate to me, but I had power to report any educational matter that I liked to the Government, and I could interfere in anything I liked in educational matters.

31889. Are there municipalities in the Nizam's territories?—There were no Municipal Boards in the districts.

31890. Who controls the schools?—The inspectors, and when I was out in camp I inspected the schools.

31891. There were no District Boards?—There were District Boards when I was Secretary to the Government of the Nizam.

31892. Who was the President of the District Board?—The Collector, or the Deputy Commissioner—the *talukdar*.

31893. Who controlled the municipality?—The District Officers. In Hyderabad there was a separate Board to do sanitation and so on.

31894. How long did you remain a Commissioner in your division?—Three years. Then I became a member of the Board of Revenue for two years. After that I became Secretary to Government and before my appointment as Commissioner I was Judicial Secretary to Government.

31895. When you were Commissioner did you tour about over the district?—Yes.

31896. Did you post the Collectors in your division?—No.

31897. Did you appoint the Munsif or tahsildar, or other officer?—I could transfer tahsildars, but I could not appoint them. When I left Hyderabad, Commissioners were empowered to appoint tahsildars.

31898. (*Mr. Dutt.*) And to dismiss them?—Yes, subject to appeal.

31899. You propose that the Commissioner should have the power to supervise more or less all the departments in his division. Will you explain what you mean by "supervising"?—The Commissioner should supervise the work of all the departments, and if he finds anything that in his opinion should be reported he should be able to do it. For instance, if he finds that in the Postal Department the postmaster's work is not satisfactory, he may report that.

31900. You propose that pending the action of the Government on the Commissioner's report the Commissioner should have power to suspend the action of any department if he finds that action to be wrong?—Yes.

31901. Do you propose that Commissioners should have power to appoint tahsildars and naib-tahsildars?—I think the naib tahsildar might be appointed by the Commissioner, but not the tahsildars.

31902. Do you propose that the Commissioner should have the power of posting and transferring Deputy Collectors and Joint Magistrates within his own division?—No.

31903. Do you propose that the Commissioner should have the power of giving judicial powers to men in his own division?—No, that should be with the Government.

31904. Do you propose that some of the powers now exercised by the Board of Revenue might be delegated to Commissioners, such as revenue appeals in partition cases?—No, I think the Board of Revenue should have that.

31905. (*Sir Frederic Lely.*) Who is the officer in Hyderabad who corresponds to the Collector in British territory?—The *talukdar*.

31906. Who comes between the *talukdar* and the Commissioner?—There are three kinds of *talukdars* in Hyderabad; the first *talukdar* is equal to the Deputy Commissioner, the second *talukdar* is equal to the Joint Magistrate, and the third *talukdar* is equal to the Assistant or Deputy Collector.

31907. Does the first *talukdar* make administrative reports?—Yes.

31908. How does the Commissioner exercise his control over him as a rule—by touring and inspecting?—He goes out on tour and then he receives reports and returns from the District Officers.

31909. Then there is a form of control which is much in vogue in British territory, namely, requiring the Collector, the Head of the district, to get previous sanction before he takes certain action?—In certain matters. I should like to add this; the appointments of the Judicial Officers such as the Munsif are now made by the High Court and the Judicial Commissioner respectively. I would suggest that they should be made by the Local Government.

(*The witness withdrew.*)

NAWAB MUMTAZ-UD-DAULA HON. SIR MUHAMMAD FAIYAZ ALI KHAN BAHADUR, K.C.I.E., C.S.I., was called and examined (through an interpreter).

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31910. (*Chairman.*) You have been a Member of the Viceroy's Council?—Yes.

The sphere of Directors and Inspector-General's work should be confined to the supervision of subordinate officers' work; they should act like far-sighted experts, and not like fault-finding critics. The provincial inspectors have, no doubt, a greater experience of the works and ways of their own province than the Inspectors-General. They should pay a greater regard to the general principles which can be applied to the whole country. For example, the Director-General of Land Records and Agriculture should pay his attentions most to the rules and methods which are generally applicable to the state of cultivation in India, and it should be left to the provincial Directors of Agriculture to devise means for the improvement of the agricultural conditions of their own provinces without paying any attention to such directions of the Director-General which do not suit the state of their own provinces. I would rather advise that the posts of Inspector-General and Director-General, however, should be abolished. The Secretaries of Government in various departments can very conveniently and without detriment to their other works take charge of the little supervision and superintendence which these Directors-General and Inspectors-General are expected to do.

Local Governments should not be forced to be guided in their administration by the rules that can fairly be applied to other provinces but not to their own; greater scope and discretionary powers should be given to them.

The right of appeal already given should not be curtailed, and it would be rather anomalous for an authority against whose order an appeal is going to be filed, to certify as to there being sufficient grounds for an appeal. In cases of appeals to His Majesty's Privy Council such a certificate is required, but there have been cases in which such a certificate was refused by the Honourable Judges of the High Court; but their Lordships of the Privy Council were pleased to make the order and gave sanction to appeal.

There are cases to be found where an otherwise qualified proprietor is totally unfit to manage his estate, and falling in the hands of unscrupulous and unprincipled associates, becomes a source of ruin to his estate, and, finally, dies starving and leaves nothing to his representatives out of his once flourishing estate. The Collector should be given absolute power to take the estate of such an unqualified proprietor under his direct management, and the Board of Revenue as the Head of Department should not confine their judgment in this matter to the rigid rules of procedure prescribed by the Court of Wards Act, and should give the estate to the management of the Court of Wards.

No doubt there is a decrease in the influence of the Commissioners, and their powers have been much confined. The case of appointment can be mentioned here as an illustration. The Commissioners have the only powers left that they can forward a report of recommendations which is often rejected, or the higher authorities have their own nominees to select from. It is not long ago when the Commissioners had the power to appoint naib-tahsildars and tahsildars, but now they have no hand in such appointments. The natural consequence is that some really deserving and qualified persons are left in the background. The Commissioners should be given all the powers which they once enjoyed.

Under the existing rules and practice the District Officers seldom have opportunities to come in contact with the public of the district. The apparent causes of this separation are insufficient knowledge of the district; difference between the European and the Indian means, manners, and etiquette; and want of time for the District Officers. The people of India, it is well known, have always been King-worshippers; they attach a sanctity to the personality of the Sovereign, and a little kindness of language and courtesy of manners can win their hearts for ever. A smiling face from the *Bara Sahib* pleases them more than anything else, and if the District Officer exchanges a few words with the *mukhia* of the village, then the whole village is at his service, and the benefits of the British rule will next day be sung in the most humble cottage of the village. Much depends upon the conduct and manners of the District Officer. The District Officer is the representative of the Sovereign in the district and his action and words are not attributed to the persons from which they emanate, but they are the words and actions of the Empire, rather of *Badhshah* himself. If the District Officer by the kindness of heart and politeness of manners succeeds to win the hearts of those under him, and this example be followed by his other subordinates, then no amount of preaching and seditious lectures can take back the loyalty which the District Officer has hammered into their heart by his personal urbanity.

The District Officers pay little attention towards learning the vernacular of the district because they are surrounded by English-knowing officials, and they seldom find opportunities to have recourse to it and it alone. This can be remedied by making the knowledge of the vernacular of the district compulsory in the Civil Service and departmental examinations.

The work of the Deputy Collectors is very heavy. In addition to the already heavy judicial work before them, they have to do an enormous amount of miscellaneous works. Sometimes the Deputy Collector's whole time is taken up by the hearing of criminal cases, and without prejudice to the qualities of the present Deputy Collectors, they are so hardpressed by the present heavy work that they are obliged to work rather too hastily, and the result is that sometimes a case is speedily disposed at the expense of justice. For these reasons one more Deputy Collector should be added to each district.

The transfers of officers are unnecessarily frequent, which means that as soon as an officer becomes acquainted with the people and country under his charge and before the public can derive any advantage from his experience, he is transferred to another district where he is quite new, and a new man comes in his place. This means detriment to the public work and unnecessary trouble to the officer. I may suggest the following remedy to remove this defect:—

(1) As there is arrangement for a particular number of officers in the district, in the same way there should also be fixed a certain period during which the officer should not be transferred, while he remains in his present grade.

(2) In all other cases the minimum period during which an officer may be transferred should be fixed at eight years.

(3) After this period of eight years, as far as possible, he should be transferred to the division of the district in which he is at present appointed.

The powers of the District and the Municipal Boards in matters connected with the physical health and sanitation of the district should be increased. Exceptions should, of course, be made in the case of the advice of the professional Medical Officers. The Board should have complete powers of superintendence, and, in case of necessity, also power to inflict such departmental punishment on defaulting officials as the nature of the offence requires. So long as the Board be not invested with the power to punish, its authority will be in name only.

It is not necessary to organise any Advisory Council for the Collector and the Commissioner. The Advisory Council—I mean the provincial Advisory Council—can very well be turned into use by the Collectors and the Commissioners. The members of the Advisory Council residing in the district can with advantage be consulted by the district authorities, and so can the members residing in the division be consulted by the Commissioners. They can only be consulted when the requirements of the district make it necessary to consult them, and the District Officers and the Commissioners should give a consideration to such an advice. As regards the matters in which members should be consulted, it depends upon the discretion of the District Officers and the Commissioners and the state of the district or division.

The District Board is a representative body formed by election, the electorate being the members of the respective wards, and so is the Municipal Board an elected body. It will be rather unfair to give one representative body preference over the other; this will give rise to an unwholesome spirit of rivalry and competition. The President of the District Board should of course have general power of superintendence and supervision over the district, as well as the Municipal Boards.

31911. You think that the post of the Inspector-General of Agriculture should be abolished. Have you been much in touch with the Director-General?—Yes, I often come in contact with him. When he visits my district I generally see him and I know his work.

31912. Are you talking of the provincial or imperial Director?—The Director of these provinces.

31913. Does the Director interfere in any way with the agriculture of the province or what is the exact complaint you make?—I have no particular complaints, but as the Director-Generalship in India has been created the Director-General has not sufficient opportunity of knowing the state of affairs of each province; this appointment should be abolished; how can he know the whole of India?—In every province there are different methods of agriculture.

31914. Does the Commissioner of the division in which you live often come and consult you about local matters?—Yes, whenever he requires he consults me.

31915. And you discuss questions of local importance?—Yes.

31916. Would you prefer to consult with the Commissioner in that private way, or to be a member of an Advisory Council where you would have to meet other gentlemen and speak before them?—I am in favour of Advisory Councils; it would be better to discuss in the presence of others.

31917. You would like to be consulted formally rather than privately as you are now?—I would prefer to be formally consulted. Everyone would give his evidence freely at the Advisory Councils and that would be better than private consultation.

31918. With regard to Court of Wards estates, are the proprietors of estates content that the Commissioner, in everything but perhaps the sale of an estate, should be the final Court to deal with estates taken under charge of the Court of Wards?—Yes, if more powers are given to the Commissioner, it would be better.

31919. Would they be satisfied also that the Collector should deal finally with the smaller estates?—Commissioners should deal finally with them.

31920. Not the Collector?—No; the Collector should have power to take estates under the Court of Wards.

31921. You say that the minimum time during which an officer should be kept in a district is eight years. Should that be the maximum time, or should the officer be allowed to stay as long as Government chose to keep him?—If Government chose to keep a man longer it may do so.

31922. Do you see much of the District Officers?—Yes, a good deal.

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31923. You have always been treated with consideration by them?—Always.

31924. Have any of your friends made complaints that they have not been so treated?—I never heard of such a thing.

31925. Is it possible that there should be more intercourse between the principal gentlemen of the district or division and the Indian residents?—It rests with the Commissioner and Collector; no one can force it.

31926. Is it possible, social conditions being what they are?—It is possible. Some District Officers have shown that they are fond of it and they have it; others are not fond of it and they do not have it.

31927. (*Mr. Dutt.*) You do not wish the rights of appeal to be curtailed; what are your reasons?—When there is a right of appeal then officers are careful in passing an order, and if they make a mistake it can be remedied by the Appellate Court.

31928. You wish that the power of appointment of naib-tahsildars and tahsildars should be given to Commissioners of divisions; what are your reasons?—The Commissioner and District Officer know the people in their province and district better than the Board can possibly know.

31929. Do you desire that Deputy Collectors should be appointed by the Local Government as at present?—Yes.

31930. Some tahsildars are promoted to the rank of Deputy Collectors; do you approve of that?—Yes.

31931. Do you think that the larger number of Deputy Collectors should be appointed direct or by promotion from the rank of tahsildars?—I would have a larger number appointed direct.

31932. (*Mr. Hichens.*) You are not in favour of Advisory Councils to Commissioners and Collectors?—I am not in favour of having them for Collectors, but for Commissioners I would like it. Collectors generally consult, and therefore they do not want a formal Council.

31933. Are the leading men of the district ready to go on the District Boards?—They do not like it on account of the election, which is very troublesome.

31934. That is the reason why the leading men do not care to go on the Boards?—Yes; for that reason I advocate no Advisory Council for the Collector, because irresponsible and ordinary men would come in and the Collector would not get any real assistance from them.

31935. (*Mr. Meyer.*) You say that when a landholder has failed to manage his estate properly, the Collector should have the power of taking it under management. That is a matter on which there may be a difference of opinion; the owner of the estate may think he manages it very well and somebody else may think he does not; is the Collector to decide?—The Collector should decide it, but the zamindar should have a right of appeal.

31936. Even in the case of a great estate, would you put the decision in the hands of the Collector?—Certainly; in fact, big estates are more ruined and mismanaged than smaller ones.

31937. The Government now appoints Second and Third Class Magistrates and Honorary Assistant Magistrates; would you like to see that power given to the Commissioner?—No.

31938. Would you like the Sub-Divisional Officer to live in his own sub-division so that he might go more among the people?—No, I am not in favour of that.

31939. You think they see enough of their sub-divisions as it is?—If they wish they can know the people.

31940. You say the work of Deputy Collectors is very heavy; might not the work be reduced by giving more powers to the tahsildars?—It is not possible.

31941. Might it be reduced by giving the Deputy Collector power to dispose of matters himself that he now has to send up to the Collector about?—But the Deputy Collector's work would not be decreased by that means.

31942. Is it not easier to dispose of a thing oneself than to get the permission of a superior officer?—The Deputy Collectors have so much of their own work that they cannot do any other work which may be delegated from the Collector. It will obviate delay but shall not lighten it.

31943. (*Sir Steyning Edgerley.*) With reference to the overwork of Deputy Collectors, does that apply also to the Assistant Collectors and other officers?—Yes.

31944. (*Chairman.*) You have spoken here about difference between Indian and European manners, means, and etiquette; would it be possible in a province like this to get sufficiently full information about the social customs and etiquette of Indian gentlemen to prevent officers when they first come out from England making serious social mistakes and giving offence?—Yes, it is possible if a book is written.

31945. Would any one be in a position to write such a book or to give such information?—Some European should write it so that it might be acceptable to Europeans.

31946. But would any European have the knowledge to write it?—Mr. Butler, Foreign Secretary, knows it all.

(*The witness withdrew.*)

Mr. L. M. KAYE was called and examined.

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31947. (*Chairman.*) You are the Superintendent of Police in Bijnor?—Yes.

I do not recommend any extension of the powers regarding matters of general administration as far as they affect the Police Department being given to Commissioners or Deputy Commissioners.

The rules for the Police Department regarding appeals have recently been revised and I do not recommend any further alterations.

Executive Officers should have more opportunities for mixing with the people. This can only be brought about, however, by giving them greater freedom from routine work. The only suggestion I can make is that the number of subordinate posts be increased to permit of this.

As a whole, Executive Officers possess sufficient knowledge of the vernaculars.

The reforms recently advocated by the Police Commission, which are gradually being introduced, allow for a sufficiently large staff. The fifth post of Deputy Inspector-General, however, recommended by the Commission, should be created at once, as there is too much work for the four Deputy Inspectors-General at present sanctioned, and the creation of new railway lines and extension of the Criminal Investigation Department make it impossible for a single Deputy Inspector-General to exercise the supervision required by both these branches of the police force.

I do not recommend any general reduction in the area of district or other charges.

All the higher posts in the revenue and other departments should be given to specially selected officers, and that seniority should by itself give no claims to such posts

Transfers are much less frequent now than they were a few years ago before the introduction of the new leave rules, and are not now unnecessarily frequent.

31948. Have you been there for some time?—No, I have only just gone there; I have been Personal Assistant to the Inspector-General for over four years.

31949. Is the transfer of police officers very frequent?—Not nowadays; of recent years there have been much fewer transfers than formerly.

31950. What is the period of time a Superintendent of Police stays in the district?—For Gazetted Officers,

I should say about three or four years now on the average ; subordinate officers do not get very many transfers.

31951. Is there any length of time which is regarded as an ideal period that an officer should stay in the district ?—I should say a minimum of two years.

31952. And on a maximum ?—There is no maximum. I was five years in Bareilly, and I should have stayed there longer but circumstances necessitated my going elsewhere.

31953. Have you considerable relations with the Commissioner and the Collector ?—Yes.

31954. Are they altogether, speaking purely officially, satisfactory ?—Quite.

31955. The Collector does not interfere in the interior economy of the force ?—No, not at all ; the rules have recently been relaxed in regard to that in favour of the Superintendent of Police.

31956. If you wish to appoint an inpectors to a place, have you a free hand or do you consult the Commissioner ?—The Commissioner is not consulted upon that at all. Such postings rest with the Inspector-General ; the Commissioner is only *ex officio* a Deputy Inspector-General ; that is the relation between him and the Superintendent of Police.

31957. It was stated that in one province there were difficulties with the Commissioner with regard to the posting and transfer of inspectors ; do you find that that is so ?—No ; in this province the Commissioner has nothing to do with such postings.

31958. If you wished to remove an inefficient inspector or head constable can you do it ?—A head constable I can deal with myself, but as to any officer above that rank I have to receive the Magistrate's approval and the Commissioner's sanction. An inspector can only be punished by the Inspector-General.

31959. Do you regard that as satisfactory ?—Yes, quite satisfactory.

31960. Supposing a head constable or an inspector has to be remanded or otherwise punished, are there two channels of appeal or only one ?—There is only one now and that is from the Deputy Inspector-General to the Inspector-General.

31961. It does not touch the District Magistrate ?—No.

31962. Do you ever come across the operations of the Director-General of Criminal Intelligence ?—Not in the district, but as Personal Assistant I saw something of them.

31963. Have you anything to say as to him ?—I do not think so. The post has not been in existence very long ; only about two years.

31964. During that time did any of his work touch the Inspector-General of Police here ?—No, not ordinary work. In connection with coining an officer was lent him from these provinces, and in so much as that officer was under him we had correspondence with him and in connection with certain other cases.

31965. There is no case in your recollection which has occurred in which your Inspector-General has had any reason to complain ?—No, none at all that I know of.

31966. He does not interfere in any way with the administrative action of the Inspector-General ?—Not at all.

31967. When you are transferred as a District Superintendent from one district to another, do you get expenses ?—We get the fixed rates of travelling allowances, but they do not nearly cover the expenses.

31968. Do they cover your own personal expenses ?—No, they do not even cover personal expenses.

31969. (*Sir Steyning Edgerley.*) Is there a considerable or a serious deficiency ?—I should think they did not cover 60 per cent. as a rule.

31970. Whom does the Director of Criminal Intelligence generally correspond with when writing to the United Provinces ?—With the Inspector-General or the Deputy Inspector-General in charge of the Criminal Investigation Department.

31971. Is the correspondence strictly confined to the tracing of crime and matters of that sort ?—Yes. *Mr. L. M. Kaye.*

31972. Has the recent re-organisation emancipated the District Superintendent a good deal ?—Yes, considerably. 18 *Feb.*, 1908.

31973. Has he now ample powers to run his own district ?—I think he has.

31974. What is his actual technical position in the district ; is he an assistant to the District Magistrate or not ?—No, not under the new scheme ; and his actual position depends a good deal on the relations between the two officers.

31975. What is the technical, official strict definition of the relationship ?—The Magistrate in matters of crime is looked on as the local Head of the Police ; to that extent the District Superintendent is an assistant, but not in departmental matters.

31976. He is not designated by any rule or regulation as an assistant to the District Magistrate ?—Not now ; that has been cancelled.

31977. Formerly did appeals from head constables go to the District Magistrate ?—Formerly the District Magistrate had to approve of the actual punishment.

31978. Now does the District Superintendent of Police punish those grades without reference ?—Yes.

31979. And an appeal goes to the Deputy Inspector-General ?—Yes.

31980. So that really the District Magistrate's position has been materially affected as regards the police.—It has.

31981. Is it now formally laid down anywhere that the Commissioner is *ex officio* a Deputy Inspector-General ?—Yes, I think the term is actually included in our manual.

31982. That is to say, he is made subordinate in police matters to the Inspector-General ?—Yes, for police matters.

31983. And the Inspector-General is usually junior to him in the service ?—The present Inspector-General is senior to several Commissioners and at the revised rate will be equal to that of a Commissioner ; his pay will rise to the same as that of the Commissioner.

31984. Is the Commissioner's pay Rs. 2,500 rising to Rs. 3,000 ?—No, it is Rs. 3,000.

31985. Then the Inspector-General's pay is less than that of the Commissioner ?—The average pay is less.

31986. Does the re-organisation give you all you want in the district ?—Yes, I think everything we want.

31987. Did you think so at the time, or have you grown to be satisfied with it since ?—I thought so at the time ; I gave evidence before the Commission.

31988. You mention that the new leave rules have had an effect in diminishing transfers. Would it be better if the power to accumulate privilege leave were carried even beyond three months ?—I do not think that would seriously affect the position. It takes three years to earn three months' privilege leave.

31989. But are Police Officers in a position to go home every three years ?—Under the new rules I think so when they have become entitled to furlough.

31990. Supposing an officer could accumulate leave up to four or five months, he would be likely to stay on so as to get a little longer ?—I do not think so—only junior officers.

31991. Have you enough help in the shape of Gazetted Officers ?—Yes, I think ; when our *cadre* is complete we shall have a sufficient number of Gazetted Officers.

31992. Has not the Commissioner's position been considerably affected by the re-organisation ?—Yes.

31993. That is to say that the Police Department is practically split off from the old position of solidarity with the Commissioner and Collector ?—Yes.

31994. (*Mr. Meyer.*) Under the new system the Commissioner of the division is not really in any way subordinate to the Inspector-General of Police ?—Not as a Commissioner.

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31995. Therefore what is the object of calling him a Deputy Inspector-General?—Perhaps to keep up his interest with the police of his division.

31996. Do you think it pleases him?—I think it does.

31997. As regards privilege leave the object is supposed to be to keep an officer fit for his work?—Yes.

31998. The idea originally was that he should take one month every year, but he is now allowed to accumulate up to three?—Yes.

31999. If you are allowed to accumulate more than that, do you not think there is a risk of an officer breaking down owing to want of rest?—Yes, I do think so.

32000. I see you propose that the Inspector-General should be allowed to grant privilege leave to Gazetted Officers for periods not exceeding three months and make the arrangements entailed thereby; does that mean giving the District Superintendent leave in one district, and moving a man from another district to act for him?—Moving an Assistant probably to officiate.

32001. Not transferring another District Superintendent?—It would be very seldom that a District Superintendent of Police would be transferred in connection with a privilege leave vacancy.

32002. Ought not the Local Government to have a say as to who is to be the responsible police officer in a district?—Yes, it is a matter for them distinctly, but the Inspector-General, if he knows his officers, can deal with it.

32003. You say also that the Inspector-General should, under article 421 of the Civil Service Regulations, convert absence without leave into leave without allowances; is that for pension purposes?—Yes.

32004. What power has the Inspector-General in the matter of pensions at present?—He has only got powers as to pensions up to the sub-inspector grade.

32005. Does he appoint inspectors?—Yes.

32006. Might the general rule not be that the officer who appoints a man might grant his pension subject to the Accountant-General certifying that everything is in order?—Yes.

32007. As regards travelling allowances, you say they are not sufficient even for a bachelor in the case of transfer, but in ordinarily moving about your charge are they sufficient?—Yes, I think so.

32008. Are there not cases where a man might make a slight profit out of his travelling allowance?—Such cases have been known.

32009. Taking one with the other, are you much out of pocket on the whole?—I think on the whole we lose.

32010. You say that you are not now assistant to the District Magistrate in any way, but are you not under his orders still in such a matter as regulating processions or anything affecting the peace of the district?—The Police Act has not been altered at all, and so far as the Act lays it down we are subordinate.

32011. What is the idea of the Local Government as to that?—I think the idea of the Local Government is to leave the Superintendent of Police under the Magistrate as far as regulating crime or processions is concerned.

32012. He will practically be an assistant to the Magistrate in those matters?—Yes, he is bound to be.

32013. If you want to dismiss a sub-inspector, do you have to get the concurrence of the District Magistrate?—Yes, that is so.

32014. Do you consult the Magistrate in the matter of posting your sub-inspectors?—Yes.

32015. But not inspectors?—No, the inspectors are posted by the Inspector-General.

32016. How many inspectors have you in a district?—There are six here; this is a large district; there are three or four in most districts.

32017. Does the Inspector-General regulate the positions of these six men, putting one in one part of the district and another in another?—No, at the present time there are different kinds of inspectors, they are not all on one list. There is the prosecuting inspector, only one for a district; there is the reserve inspector, only one; there are two or possibly three circle inspectors, and those three the district authorities would post to the various circles.

32018. They are the men who are really the link between you and the sub-inspectors?—Yes.

32019. And you have the right of dealing with their charges as you think fit?—Yes.

32020. Is the District Magistrate consulted?—No, he is not as a rule. Of course they are fixed circles.

32021. Supposing he tells you that in the course of his tours he has come to the conclusion that inspector X is not doing much good where he is and that he thinks he ought to be changed, would you accede to his wishes?—I certainly should if I agreed with him.

32022. Have you anything to do with village police?—Yes, a considerable amount.

32023. Do you have anything to do with their appointment?—Yes. The Magistrate has authorised me in my district to make the appointments under the Act, as he can do.

32024. Is that general?—I think so in these provinces.

32025. The law vests the power in the Magistrate?—Or in such an officer as he may appoint.

32026. Do you know that the Police Commission laid stress on the desirability of not making the village police in Bengal a branch of the regular police?—Yes.

32027. What was said about these provinces?—I do not think there are any special remarks on the subject.

32028. You do not think you are under any such reproach as in the case of Bengal?—No, I think not.

32029. (*Mr. Hichens.*) You say that the appeal rules have been altered lately; what is the principle which has now been adopted?—That there should be only one appeal as far as possible.

32030. The man who dismisses would be the man who appoints?—Yes.

32031. And there is one appeal above him?—Yes.

32032. Appeals no longer go through the Commissioner?—No.

32033. Is that a change?—Yes.

32034. Is it working satisfactorily?—It is a very recent rule, but I think it is working satisfactorily.

32035. (*Mr. Dutt.*) In matters of criminal investigation should the Magistrate or the Commissioner have anything to say in regard to questions of appeal? When a man has been dismissed for mismanaging a case, ought the Magistrate who tries the case have anything to say in the matter of the disposal of the appeal, if any?—I think he should be asked to record his opinion.

32036. Can you tell us exactly what the practice is?—The practice is that he does not; I think he should.

32037. Who is the police officer in charge of a *tahsil*?—A *tahsil* is not the unit for police. A circle will probably include three *tahsils* and an inspector is in charge. A thana will probably be one of six police stations in a circle.

32038. Would the thana limits be the same as the limits of a *tahsil*?—They hardly ever are.

32039. Does not that give rise to inconvenience in working?—No, none at all.

32040. The police officer in charge of a thana is a sub-inspector?—Yes.

32041. And all the cases are now enquired into by sub-inspectors and not by head constables?—Yes.

32042. (*Sir Frederic Lely.*) What is the average age at which a man gets charge of a district as a permanent Superintendent?—After about eight to ten years' service, and probably it would be longer before he gets charge in the immediate future because we have a bad block on at present.

32043. At present a Superintendent gets full charge of a district some years earlier than a Civilian gets charge of a district as Deputy Commissioner?—Yes.

32044. Are your present men as a body equal to their position?—Yes, I think the Gazetted Officers are.

32045. As a matter of fact, does the Commissioner ever do anything as Deputy Inspector-General of Police?—He visits the police stations and records his remarks; that is all he does.

32046. I understand the District Magistrate takes a constant interest in police work?—He does.

32047. But beyond, for instance, ordering the Superintendent to patrol a certain road or to reduce or increase the number of police in a certain part of the district, he does not interfere?—The increase or decrease he could certainly control.

32048. Has he power to do that, quite apart from your personal relations?—Yes.

32049. I do not quite understand what is the ground on which you say the Superintendent has ceased to be the assistant of the District Magistrate; have any formal orders been passed on the subject?—No, but he was formerly definitely stated to be his assistant; that has been withdrawn and in matters of internal economy of the police the Magistrate has very little to say.

32050. And other definite orders have not yet been substituted?—No.

32051. Are the police in these provinces employed on any outside work, such as collecting statistics or making enquiries for Civil Officers?—Not in making enquiries for Civil Officers, but they have to deal with the registration of all births and deaths.

32052. Have you any objection to that?—I should like to see it taken away from the police if some other agency could be found.

32053. Do they do anything else outside their own routine work?—They do excise work; they take action on reports of breaches of the Excise Acts.

32054. Are excise offences treated as part of the ordinary crime of the district?—Yes.

32055. Are they expected to do any other things in the way of preventive work, such as the inspection of liquor shops for instance?—They are supposed to inspect shops.

32056. Is that legitimate police work?—I do not think it is.

32057. Is there anything else of that kind which occurs to you?—The licensing of hackney carriages in a place like Agra is made over to the police.

32058. Is there a chaukidari cess?—Yes.

32059. They are not supported by the village but by a cess levied by order of the Government?—Yes.

32060. Would you call them Government servants or village servants?—Government servants.

32061. Are they recognised as Government servants?—Yes.

32062. You suggest that they should come under your supervision and cognizance?—Yes.

32063. Have you power to punish them?—No, the Magistrates only have power to punish them.

32064. Has the Sub-Divisional Officer in charge of a sub-division any responsibility in connection with the police?—None at all.

32065. Would he be expected to examine a police station?—If he got orders to do so from the District Magistrate, not by virtue of his office.

32066. Do you not think to some extent his co-operation would be of assistance?—Yes, it is in most districts in force in the matter of inspecting police stations.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I. Note on the present Organization of Government in the United Provinces, filed by the Hon. Mr. Holms, Chief Secretary.

II. Note by His Honour the Lieutenant-Governor of the United Provinces for the Royal Commission on the subject of Decentralization, dated 18th January 1908.

III. Letter from the Chief Secretary to Government, United Provinces, to the Secretary to the Royal Commission on Decentralization, No. 90/III—378, dated the 13th January 1908, containing the suggestions of the United Provinces Government in the matter of decentralization.

IV. Extract from a letter from F. L. Petre, Esq., Joint Secretary to the Board of Revenue, North-Western Provinces and Oudh, to the Chief Secretary to Government, North-Western Provinces and Oudh, No. 1519–N/XII.–458, dated the 12th September, 1893, suggesting the abolition of the Board of Revenue as such, and its incorporation as part of the Local Government.

APPENDIX I.

Note on the present organization of Government in the United Provinces.

As elsewhere in India, the unit of administration is the district, the sub-divisions of which are know as tahsils. There are forty-eight districts with an average population of one million and an average area of 2,232 square miles, each consisting on an average of five or six tahsils. Each district is in charge of a District Officer, known as Collector and Magistrate in the province of Agra, and Deputy Commissioner and Magistrate in the province of Oudh. He is assisted by a staff of Assistant Collectors and subordinate magistrates, who are, as a rule, placed in charge of sub-divisions of districts. As his twofold appellation indicates, the District Officer is the principal revenue official and chief magistrate. As Collector he is responsible for the collection of the land and other revenue and of assessed taxes; he is in charge of the local administration of excise, of income tax, stamp duty, and other sources of revenue; he supervises the preparation and maintenance of land records and the compilation of periodical returns of produce, prices, wages; he makes loans on behalf of Government for agricultural purposes; he has charge of the private estates managed by the Court of Wards in trust for minors and other persons.

He supervises the work of the revenue and rent courts and distributes this work amongst his Assistant Collectors. He hears appeals under the Land Revenue Act from all Assistant Collectors and under the Rent Act from Assistant Collectors of the Second Class.

He appoints all revenue officials whose pay does not exceed Rs. 50, and can transfer all officials, including naib-tahsildars and tahsildars, from one *tahsil* to another.

As District Magistrate he has the powers of a First Class Magistrate, but does not in practice try many original cases. He supervises, however, the work of all subordinate magistrates, and has conplete control over the distribution of work amongst them. He hears appeals from Magistrates of the Third and Second Class.

The District Police is directly under the control of the Superintendent of Police, who is responsible for its working and discipline, but the District Magistrate, as head of the criminal administration and responsible for the peace of the district, exercises a general control through the Superintendent of Police. The village and road police are under his control, the power of appointment and of punishment resting solely with him.

The municipal government of all considerable towns is vested in a committee of the inhabitants, who raise taxes (sanctioned by the Local Government) and expend the proceeds on roads, sanitation, water supply, medical relief, education, and other public needs. The Collector is almost always the Chairman (usually elected) of the committee and is the guiding and controlling influence in the working of these bodies.

Every district has a District Board (partly nominated but mainly elective), which builds and maintains all local roads, primary and secondary vernacular schools, high schools, and dispensaries and carries out arboricultural operations on local roads and sanitary improvements in rural areas from funds partly derived from local rates and partly from provincial contributions.

The Collector is *ex officio* the Chairman and Executive Officer of the Board.

The forty-eight districts of the provinces are grouped into nine divisions, at the head of each of which is a Commissioner. The hill division of Kumaun and the Gorakhpur division each consists of three districts only, the other seven divisions consisting on an average of six districts each.

The Commissioner supervises (by tours, inspections, and correspondence) the revenue and general, and to some extent the police, administration of the districts in his division. He reviews the annual revenue administration report of each district in his division, and reports on the character and work of all Deputy Collectors, Joint-Magistrates, and Collectors. He reviews the annual reports of each estate under the Court of Wards, passes the budgets of the smaller estates, and forwards others to the Board of Revenue with his criticisms and comments. He reviews the annual reports and passes the budgets of all municipalities and is the channel of communication between these and the Government.

He reviews also the annual reports of all district boards.

He has powers of administrative sanction as regards works carried out by the Public Works Department up to a limit in the case of provincial works of Rs. 500, of Rs. 1,000 in the case of local works, of Rs. 2,000 in the case of municipal contribution and famine works.

He has funds at his disposal for allotment among the districts of his division for the following purposes:—

(1) Land improvement loans.
(2) Plague charges.
(3) Petty projects.
(4) Temporary and emergent district establishments.

He appoints all head clerks in district offices and all treasury head clerks. He hears appeals against orders of dismissal and in certain cases of reduction passed by district officers, and his concurrence is necessary to the dismissal of a sub-inspector of civil police.

Finally, he is an appellate court hearing appeals under the Rent Act from Collectors and Assistant Collectors of the first class in certain kinds of cases, the remaining appeals lying to the District Judge.

A great deal too much of his time is unfortunately occupied by these appeals, and the magnitude of his work under this head may be judged by the following statistics:—

Appeals disposed of by Commissioners during the year 1905–6.

Division.	Appeals in Agra under the Agra Tenancy Act and in Oudh under the Oudh Rent Act and in Kumaun under the Kumaun rules (rent).	Under the United Provinces Land Revenue Act or under the Kumaun rules (revenue).
Meerut	720	311
Agra	636	372
Rohilkhand ...	1,381	365
Allahabad	346	164
Benares	788	249
Gorakhpur... ...	554	423
Lucknow	464	277
Fyzabad	798	273
Kumaun	11	64
Total ...	5,698	2,498

Total appeals heard by Commissioners—8,196.

For the department of Excise there is a separate Commissioner. Excise is one of the departments controlled by the Board of Revenue, but, subject to the superintendence of the Board, the responsible direction of the department is entrusted to the Commissioner, who sanctions all settlements under the Excise and Opium Acts; sanctions remissions of all irrecoverable balances not exceeding Rs. 500; all refunds, rewards to informers and captors up to Rs. 500 in each case; determines the numbers of shops, wholesale and retail, to be allowed in each district and their allocation; sanctions the appointments, transfers, punishments of all excise officers up to the rank of inspector, and generally controls the action of district officers in the administration of excise revenue.

The Commissioner of Excise also holds the post of Inspector-General of Registration. The District Judge

(and in Kumaun the Deputy-Commissioner) is the Registrar under the Registration Act for the districts within his jurisdiction, but the bulk of the work of registration is done by the sub-registrars subordinate to him.

The main duties of the Inspector-General are concerned with the inspection of registrars' and sub-registrars' offices, amendment of rules, transfers of sub-registrars, and the general supervision of the working of the department.

The post of Commissioner of Stamps is also held by the same officer. His principal duties are connected with the amendment and drafting of rules for the licensing of licensed vendors, the discount to be allowed to these, &c., the provision of stamps to district treasuries, and the general superintendence of the local administration of the department.

In the department of Land Records there is a Director, who is also Director of Agriculture. As Director of Land Records this officer is controlled by the Board of Revenue. As Director of Agriculture he is directly subordinate to the Local Government.

As Director of Land Records he is concerned with the interpretation and amendment of rules, the inspection of land records, control of budgets, sanctioning of staff, scrutiny of reports and returns. He is assisted by a Deputy-Director. Provincial surveys are also under the Director of Land Records. He is assisted by a Deputy-Director, but the programme of work is at present exhausted, and the appointment of this officer terminates shortly.

The Agricultural Department is in process of organization. At present the gazetted staff consists, besides the Director, of two Deputy-Directors, the Principal of the Agricultural College, an Economic Botanist, and an Agricultural Chemist. The province is being divided into circles, each of which will eventually have a Deputy or Assistant Director, who will advise and assist the public. The general supervision of the whole department rests with the Director.

Apart from the above-mentioned duties, the Director is also in charge of the system whereby the Government receives timely intelligence of the approach of scarcity, and supervises and compiles agricultural reports and returns. He controls the two superintendents of the Veterinary Department (who are concerned mainly with sanitation) ; he controls two of the Government gardens, and supervises the arboricultural operations of District Boards and the Public Works Department, and the registration of foreign and inland trade.

The Board of Revenue consists of two members, a senior and junior. It has two Secretaries and a junior or Under-Secretary. The Board is (under the Local Government) the controlling and supervising authority in all matters connected with the revenue administration, of which the most important are—

(1) the collection of land revenue, local rates, canal rates, excise and stamp revenue, and income tax ;
(2) suspensions and remissions of land revenue, local rates, canal rates, and remissions of excise license fees ;
(3) settlement of land revenue ;
(4) excise administration ;
(5) the working of the revenue and rent courts ;
(6) loans for agricultural purposes ;
(7) appropriation of land ;
(8) land records ;
(9) revenue establishment ;
(10) Government properties and estates under Government management ;
(11) pensions ;
(12) miscellaneous revenue matters, such as budgets and maps.

In addition the Board is the Court of Wards for the province, and, subject to the control of Government, has complete authority as regards the management of all estates of which charge has been assumed under the United Provinces Court of Wards Act.

The Board transfers all revenue officials up to and including tahsildars from one division to another ; appoints naib-tahsildars, by promotion of subordinate revenue officials, and excise inspectors ; selects for the approval of Government candidates for appointment as tahsildars or deputy-collectors or (by direct appointment) naib-tahsildars ; dismisses naib-tahsildars and excise inspectors and hears appeals from orders of dismissal in certain cases passed by Commissioners.

Finally, the Board is the supreme court of appeal under the Revenue and Rent Acts. The following statement shows the number of appeals and revisions disposed of by it in the year 1905–6 :—

Appeals under the Agra Tenancy and Oudh Rent Acts	656
Revisions under the same Acts ...	729
Cases under the Kumaun Rules ...	12
Appeals under the United Provinces Land Revenue Act	466
Revisions under the same Act ...	111
Appeals under the regulations of the Family Domains of the Maharaja of Benares	61
Total	2,035

It will thus be seen that each member disposed of about 1,000 appeals and revisions during the year.

As regards the distribution of work amongst the members a few words may be said. Judicial work is divided by commissionerships or districts, each member in the first instance dealing with appeals and revisions arising from specified local areas : the concurrence of both members is, however, necessary to the revision or amendment of the lower court's decree.

Non-judicial work is divided by departments, the distribution varying according to the composition of the Board. In practice though this is not required by law, the more important questions of policy or rules or general questions referred for the Board's consideration by Government are dealt with by both members.

In selecting candidates for tahsildarships and naib-tahsildarships, the Board sits as a committee. In selecting candidates for deputy-collectorships they usually act in consultation.

The general organization of the Public Works Department is the same as that in other provinces. The department is divided into (1) the Buildings and Roads Branch and (2) the Irrigation Branch, each of which is administered by a Chief Engineer, who is also a Secretary to Government.

In the Buildings and Roads Branches the charge unit is the district. All works in each district are carried out by the District Engineer (or Surveyor) working under the orders of the Executive (or Divisional) Engineer, who is responsible for the proper execution of every work or building. Hitherto the charge of an Executive Engineer has been (except in the case of the Allahabad division, which is sub-divided into two executive divisions) a group of districts corresponding with a Commissioner's division, but the size of these charges has just been considerably decreased. Divisions, again, are grouped into three circles, each in charge of a Superintending Engineer. The Superintending Engineer is not concerned with the actual execution of work, but he directs the executive operations within his circle. He sanctions finally new works and additions to the extent of Rs. 2,500 for works of the classes not debitable to imperial funds, of which he or the Chief Engineer is the Departmental Head, appoints lower subordinates, and transfers and posts within his circle assistant engineers and members of the subordinate establishment.

In addition to the three ordinary circles there is a fourth circle in charge of the Sanitary Engineer. This officer advises on all projects of sanitation, and in many cases prepares the projects. His services are placed free of charge at the disposal of municipalities in so far as inspection and advice are concerned ; but where a project is prepared or a work executed under his supervision a fee is charged and credited to the Government. He is aided by an assistant sanitary engineer and controls a staff engaged in the preparation of projects and the execution of works.

The Chief Engineer controls all the engineering operations in the province : scrutinizes projects, the estimated outlay on which exceeds the powers of sanction of Superintending Engineers, and as Secretary to Government sanctions all estimates over Rs. 500 (imperial funds)

and over Rs. 2,500 (provincial funds) which relate to original works, and all projects over Rs. 10,000 relating to District Boards. As Secretary to Government he prepares the budget showing the requirements for imperial military and civil works in the ensuing financial years, and in that capacity or as Chief Engineer all matters relating to establishments or promotions or discipline (where power as to these has not been delegated to Executive or Superintending Engineers) are referred to him for decision or for the orders of Government.

In the Irrigation Branch there are 21 divisions (19 revenue and two construction), each in charge of an Executive Engineer, a temporary division in charge of a manager, and four circles each in charge of a Superintending Engineer. The powers and functions of Executive and Superintending Engineers and of the Chief Engineer are the same as in the Buildings and Roads Branch.

This Branch is not concerned with the scrutiny and execution of projects received from local bodies, nor does it deal, as a rule, with projects relating to other departments.

For administrative purposes the forests are divided into two circles, each under the control of a Conservator. These, again, are sub-divided into divisions under deputy, assistant, extra deputy, or extra assistant conservators, and the sub-divisions of these divisions into ranges under rangers, assisted by foresters. The relations of the Forest Department with the people are controlled by the revenue officers under the authority of the Commissioner. The departmental control rests in his circle with the Conservator. The Inspector-General of Forests corresponds with Conservators, but may not, except as regards working plans, issue instructions to them.

The Conservator supervises the exploitation and improvement of the forests in his circle, the supply and sale of forest produce, the arrangements to meet the requirements of the agricultural community. He has wide powers of control in respect to the subordinate forest establishment; he appoints rangers and deputy-rangers, and makes promotions amongst deputy-rangers, promotions amongst rangers being made by both Conservators in consultation; appoints and promotes all foresters: controls the inter-divisional distribution of the whole subordinate forest establishment; and is authorized to make, within the total cost sanctioned by Government, variations in the temporary establishment of the different charges.

The protected forests of Kumaun are managed by the Deputy Commissioners of Naini Tal, Almora, Garhwal, under the control of the Commissioner of Kumaun, who stands to them in much the same relation as the Conservator to his Deputy Conservators.

The Police Department is organized on much the same lines as in the rest of India. As explained above, the district police are under a Superintendent, assisted in the larger districts by Assistant Superintendents and Deputy Superintendents, and controlled as regards the detection and investigation of crime, by the District Magistrate, the Commissioner of the division exercising a general supervision.

For the police employed on railways there are three separate Superintendents.

Immediately above the Superintendents are the Deputy Inspectors-General, of whom there are four. Three Deputy Inspectors-General are in charge of "ranges," each containing a certain number of districts, and the fourth is in charge of the railway police and the Criminal Investigation Department. In the main the Deputy Inspector-General is an inspecting officer, but he has certain administrative powers, *e.g.* as regards the appointment and punishment of sub-inspectors of the armed police, and constables and head constables on his range.

The Inspector-General is the Head of the Department, is the counsellor of Government in all matters connected with this branch of the administration, and is responsible for the efficient working, in general, of the police. He has wide powers as regards the subordinate police staff; selects (from the nominees of a divisional committee or in addition thereto) candidates for admission to the police training school; appoints and posts to sub-inspectorships or inspectorships passed pupils of the school; appoints all sergeants; promotes to inspectorships; may punish all officers not above the rank of inspector; and transfers all members of the force (up to inspectors) from one district to another. Transfers of Gazetted Officers (*i.e.*, those of or above the rank of Assistant or Deputy Superintendent) rest with the Local Government, but the Inspector-General of Police is consulted in connection with these.

The judicial administration follows the usual lines. The Courts of original civil jurisdiction are those of Munsifs, Subordinate Judges, Judges of Small Cause Courts, and District Judges. The limit of a Munsif's jurisdiction in suits is ordinarily Rs. 1,000, but the Local Government can enhance any particular Munsif's jurisdiction to Rs. 2,000. In Agra Subordinate Judges can decide suits without any limit of value; in Oudh they can decide suits up to Rs. 5,000 in value, but the Local Government can confer unlimited jurisdiction on particular Subordinate Judges. District Judges rarely try original suits, but their original jurisdiction has no monetary limit.

There are five Small Cause Courts, whose jurisdiction extends to suits valued up to Rs. 500. Individual Subordinate Judges and Munsifs are also invested by the Local Government from time to time with the powers of a Small Cause Court.

Appeals from the decrees of Munsifs and from those of Subordinate Judges where the value of the suit does not exceed Rs. 5,000 lie to District Judges and above that to the North-Western Provinces High Court and the Judicial Commissioner in Oudh.

Munsifs are appointed by the Local Government on the nomination of the High Court; the appointment of Subordinate Judges and Small Cause Court Judges, and their transfers and promotions, rest with the Local Government, which, however, is guided by the recommendations of the High Court and Judicial Commissioner.

The District Judges are also Sessions Judges, with the powers and duties defined, in the Criminal Procedure Code.

In Kumaun the Commissioner is a High Court for civil cases and a Sessions Judge for criminal cases, and the District Officers and their assistants exercise the functions of courts of original civil jurisdiction.

The Educational Department consists of a Director, Assistant Director, inspectors, professors, and head masters.

As explained above, all primary and secondary vernacular schools and all high schools, with the exception of one attached to the Queen's College, Benares, are managed by the District Boards: but it is intended that from April 1st the management of the chief high school in each district shall be transferred to Government. The only educational institutions which are directly managed by the department are the two Government arts colleges, the training school for teachers, the Lucknow Industrial school, and the reformatory school at Chunar. But the department through its inspectorate exercises a general, but too indefinite, supervision over the educational work of schools under District Boards; is required to see that the rules and orders contained in the educational code regarding qualifications of teachers, reports and returns, courses of study, grants, examinations, text books, &c., are observed, and reports on the fitness of schools for departmental recognition. The powers of the department in the matter of the inspection of schools managed by local authorities are about to be extended.

The Director as the Head of the Department is concerned with all forms of general education, and at present with industrial education as well. As regards the University of Allahabad he is Vice-President of the Sydicate and the mouthpiece of Government. As regards collegiate education he is chiefly concerned with the recommendation to Government of grants-in-aid and with plans and estimates for new buildings. As regards schools his duties are more varied. Subject to the control of Government, he prescribes curricula, is chairman of the Committee which chooses text books, draws up inter-school rules and regulations, fixes fees, lays down schemes of public examinations, checks and directs the work of inspectors, examines all schemes involving expenditure

above Rs. 1,000, and makes recommendations to district boards for the appointment, transfer, or promotion of the better paid teachers.

During the cold weather and part of the rains he is engaged in tours of inspection.

The Medical Branch of the administration differs in no essential respect from that of other provinces. Each district is in charge of a Civil Surgeon, who is superintendent of the sub-dispensaries therein and of vaccination. The Civil Surgeon is also Health Officer to the District Board and inspects and controls the medical management of District Board dispensaries. Every hospital and dispensary is under the immediate charge of an Assistant Surgeon or Civil Hospital Assistant. There is a medical school at Agra, from which passed candidates are selected for appointment as Civil Hospital Assistants. The whole department is under the control of the Inspector-General of Civil Hospitals, who is responsible for its efficiency, including the administration of medical relief in times of famine and scarcity.

In the direction of measures against plague he is assisted by a Chief Plague Officer and an Assistant Plague Officer, whose appointments are at present temporary.

Sanitary administration is under a Sanitary Commissioner assisted by two Deputy Sanitary Commissioners. His duties and those of his assistants consist chiefly in advising and aiding District Officers, Municipalities, and District Boards as regards all sanitary measures and operations, special (as in the case of outbreaks of cholera) and ordinary, and in directing and controlling the special staff employed for vaccination throughout the province.

There is a Sanitary Board for the province, the functions of which are to advise the Commissioner of the division on projects of a sanitary character proposed to be executed at the cost of municipal or district funds, to give administrative sanction itself to certain larger works (over Rs. 10,000) to be executed from District Boards funds, and to advise the Government on any other matter connected with sanitation which may be submitted to it for consideration. It consists of the following permanent members, of whom three form a quorum :—

(1) The Inspector-General of Civil Hospitals ... ... *President.*
(2) One of the two Secretaries in the department of Public Works as the Lieutenant-Governor may from time to time nominate ... } *Members.*
(3) The Sanitary Commissioner ... }
(4) The Sanitary Engineer ... ... *Secretary.*

Of the Jail Department little need be said. There are six central prisons for the detention of long-term prisoners, which are managed by whole-time superintendents drawn from the Indian Medical Service. At four stations where there are central prisons the Superintendent is also Superintendent of the district jail. Elsewhere district jails are managed by Civil Surgeons in addition to their other duties.

The department is under the control of an Inspector-General, who is responsible for its proper working in accordance with the rules and policy laid down by the Local Government. A very large portion of his time is occupied with inspections of the numerous jails in the province.

The Local Government is the Lieutenant-Governor.

For legislative purposes the Lieutenant-Governor is assisted by a Council, partly nominated and partly elected.

In all other matters he acts on his own responsibility and, subject to such restrictions as may be imposed by law or by the orders of the Government of India, has complete control over all departments and all officers in the province.

For the preparation and submission of work to him there are five Secretaries, assisted each by an Under-Secretary, of whom two are Secretaries in the Public Works Department.

J. M. Holms,
Chief Secretary.

The 24th January 1908.

APPENDIX II.

Note by His Honour the Lieutenant-Governor for the Royal Commission on Decentralization.

I should like, in the first place, to draw attention to the relative backwardness of these provinces in the matter of education. The conditions here are not comparable to those in Madras, Bombay, or Bengal. Of the total population, inclusive of Europeans and Eurasians, in India 75 per 10,000 know English ; the number in the United Provinces is only 40, or, excluding Christians, 26. The number returned as literate at the last census was, over the whole of India, 105 per 1,000 ; in Madras it was 128, in Bombay 125, and in Bengal 109 ; in the United Provinces it was 59. In the cities the figures were India 308, Madras 420, Bengal 339, Bombay 324, the United Provinces 196. We may regret this state of things, but it would be very unwise to overlook it. Where conditions of education are so unequal, it is evident that there must be great differences in administrative arrangements. The educated Indian community themselves recognize this. In the draft programme for the National Congress the United Provinces, which stand second to Bengal only in matter of population, are not classed, as regards the number of representatives on both the Standing and the Subjects Committees, with Madras, Bombay, and Bengal, but with the less advanced smaller provinces such as Eastern Bengal and Assam, the Punjab, and the Central Provinces.

2. In considering the question of the directions in which decentralization of authority is possible in India there are two influences which my experience in the Home Department Secretariat of the Government of India tells me cannot be left out of account. The first is the need for keeping the Secretary of State fully informed on any matters which may come before Parliament. It may at first sight appear that this requirement does not imply any considerable amount of centralization ; but no one can foretell what subject may provide the opportunity for a question in Parliament. The Government of India must be equipped with information to satisfy the Secretary of State. It takes some time for them to obtain, on a sudden call, information from the Local Government, which the Local Government has itself often to get from the officer on the spot, and consequently general directions have been issued which lead to a considerable number of reports being made in the year to the Local Government and the Government of India on subjects which some 10 or 15 years ago were never reported on. The number of such matters which will have to be reported on may be expected to rise rather than to decline as time goes on.

The second point is that, with the increase of education and the means of communicating readily with higher authority, the whole community in India has become less inclined to accept the decision of the officer on the spot, whether it is given in an executive or in a judicial proceeding. This tendency exhibits itself not only with regard to the educated classes, but also in respect of the community at large. Everyone now seeks to obtain a decision from the highest authority from which one can be got.

2. In spite of these two factors, however, statistics of correspondence do not of themselves seem to show that there has been any material centralization by the Government of India in matters relating to the United Provinces in the past 15 years, or any marked tendency to take power and authority in all directions

from this Government. It may be that there has been an undesirable increase of centralization in the relations between the Government of India and the Presidency Governments and the Government of Bengal, where questions of immediate interest to the Government of India are probably of more frequent occurrence than they are here. In 1891 the number of letters (I do not refer to returns) from the Government of India to this Government was 2,163, and of letters to the Government of India 1,224. In 1896 the figures were 1,907 and 1,132. In 1906 the numbers were 1,670 and 1,461 respectively. In the period from 1902 to 1906 the average was 1,948 and 1,301. The most noticeable features are a decrease in judicial references, due to increased powers as to the removal of prisoners having been given by law to the Local Government, and an increase in the references from the Foreign Department of the Government of India, probably accounted for by correspondence regarding Tibet.

4. At the same time, even though the history of recent years may not show an increasing tendency towards centralization, I think that a great deal might be done by relaxing restrictions which had their origin in conditions differing greatly from those of the present day and are embodied in the rules in the Civil Service Regulations, the Civil Account Code, and the Public Works Code. The powers of the Government of India, as well as those of the Local Governments, are, I think, too much restricted by these Codes and Regulations. While I think that in some respects, which are detailed in the evidence to be given by the Financial Secretary to the Government of these provinces, larger financial powers might be given to a provincial Government, I am not prepared to advocate a more complete separation than at present exists between imperial and provincial finances. A *quasi*-permanent settlement has recently been effected between the Imperial and provincial Governments, under which this Government is given a very reasonable amount of authority, and is protected against violent fluctuations of income by a guarantee of a certain minimum under land revenue and irrigation. I think, however, that the Government of India are inclined to interfere too much in the details of the budget and are too ready to alter figures entered by the provincial Government, which should have at its command better information upon which to frame its estimates. The budget also is not elastic enough ; in the interest of accurate forecasting the Government of India cut out savings ; it is desirable that the Local Government should have a small margin from which to meet unexpected and urgent demands. I do not advocate the grant to Local Governments of borrowing powers. They would in any case have to be limited to India, as the loan market in London must be left entirely to the Secretary of State, so far as borrowing for the Government of India is concerned. The loan market in India is of a very limited character, and is concentrated at the Presidency towns. I think it is only reasonable that the Government of India, who are responsible for the finances of the country as a whole, should be the one authority to borrow on behalf of the State and to regulate borrowings in India by semi-official bodies such as the Presidency Municipalities and the Port Trusts. I think myself that the rules of the Government of India regarding the borrowing by public bodies which limit repayments to a period of twenty years are too rigid.

5. There is one other matter in which I should like to see more freedom given. One of the greatest needs of the country, and particularly of the United Provinces, which have an excellent system of arterial lines, is the construction of light feeder railways, which would not only be of the greatest convenience to the people, who are fond of travelling and delight in visiting religious fairs, but also of immense benefit in bringing their agricultural produce to market. I should like to see District Boards given, as in Madras, the power to levy a railway cess in order to enable them to guarantee interest to private companies constructing such lines. In most cases it would never be necessary to levy the cess, but the power to levy it would afford sufficient security to induce private companies to provide the money for such projects. I have little doubt that they would pay. At present every such project has to appear in the railway programme, and its chance of appearing there, while so many projects of larger general importance are incomplete, is infinitesimal. I started the discussion of this proposal when Member of Council for Commerce and Industry, but it had not proceeded very far when I gave up office, and I fear that it has since been snuffed out.

6. I am in favour of an Act of delegation based on the principle of Act V of 1868, but elaborated to suit present conditions, instead of a separate Act of the Legislative Council of the Governor General dealing with each province.

7. I do not consider that the influence of the departments of the Government of India is, as a rule, in the direction of excessive rigidity or uniformity. I make, however, an exception in the matter of revenue policy. I think that the policy of the Revenue Department of the Government of India has been too much directed to drive all the Local Governments to framing their revenue administration in the same mould, and that the Government of India has been too ready to set aside local experience and local opinion upon matters of revenue administration with the object of securing uniformity. I may refer particularly to such matters as are dealt with in the correspondence regarding advances under the Lands Improvement Loans Act of 1883, and the Agriculturists' Loans Act of 1884 beginning with the Government of India's Resolution no. 6—204–16 dated November 30, 1905, and ending with their circular no. 6—260–1 dated 14th May 1907, forwarding elaborate rules regarding equated payments and accounts which seem to me to go into unnecessary details : in the Resolution no. 3—99–2 dated the 25th March 1905 and letter of same date regarding suspensions and remissions of land revenue, which laid down certain principles and called on all Local Governments to submit rules embodying them, and the subsequent correspondence ending with their letter of 27th May 1907 approving rules for this province in their Resolution no. 6—193–2 dated the 24th May 1906 and letter of same date regarding the exemption of assessment to land revenue of improvements made by private enterprise, pressing on Local Governments rules based on those in force in the Punjab regarding the reduction of assessment in the case of deterioration, which proved to be quite unsuitable to the United Provinces, the Government of India accepted the rules drafted by this Government : and in their letter no. 1130—176–3 dated the 27th July 1905, urging that, owing to the success of similar legislation in the Punjab, this Government should consider and report whether the time had not arrived to extend to other districts of the provinces legislation to restrict alienation of land similar to that which had been enacted to meet the special circumstances of Bundelkhand. I maintain that this was a matter for the Local Government to consider in the first instance, and that in the other matters the Government of India went into details which should have been left to the Local Governments. I have had the opportunity of seeing three revenue systems at work—the raiyatwari system, based on the Bombay revenue system, in Berar ; the Central Provinces system, based in a great measure on the system in force in the United Provinces, but differing from it in some important particulars ; and, thirdly, the system in force in the United Provinces, which itself differs, according as it is administered in the province of Agra or that of Oudh. To my mind there is no branch of the administration in which latitude is more seriously and consistently required than in that connected with the administration of the land revenue. I may mention that an elaborate Famine Code has had to be prepared for each province and forwarded for the approval of the Government of India. That for these provinces was prepared in 1905. Recent experience has shown that it is very inelastic, and a number of its provisions have had to be disregarded. My view is that this has been due to the Government of India having endeavoured to insist too rigidly on matters of detail based on the recommendations of different Famine Commissions.

8. Speaking generally, the tendency of the Imperial Secretariat does not appear to be to consider matters too much from a purely departmental standpoint, though at times, and in the case of individuals connected with the different departments, this tendency may become accentuated. Nor do I regard the Government of India as being too impersonal, provided always that care is taken to keep in contact with the Local Governments by personal communications. The Secretary of

State has laid down restrictions as regards the touring of Members of Council, and the Government of India have laid down restrictions as regards the touring of their Secretaries, which to my mind are harmful inasmuch as they tend to restrict personal communications between the Local Governments and the Supreme Government. I believe that a great deal can be done to facilitate the working of the administrative machine, both by the Heads of the Local Governments visiting the Government of India's headquarters occasionally and discussing matters in personal communication with the Heads of the different Departments, and also by the Members of Council and the Secretaries to the Government of India coming to the headquarters of the provincial Governments and talking over matters with them. My experience in the Government of India Secretariat leads me to think that there is no foundation for the suggestion that in disposing of matters that come before them, the Government of India are too much dominated by considerations of revenue. The Finance Department naturally insists on the financial aspect of any proposal being rigidly scrutinized : if it did not do so, it would be failing in its duty.

9. There is now a formidable list of Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments. I think that great caution ought to be exercised in extending this list. As a member of the Government of India I feel it my duty to vote against the appointment of an Inspector-General of Excise. I also, when Member of Council in charge of the Commerce and Industry Department, which dealt with museums, opposed the making of a proposal to the Local Governments that an Inspector-General of Museums should be appointed. That proposal was successfully opposed by the Local Governments. I have seen a suggestion for the appointment of an Inspector-General of Factories, but sincerely trust that it will not be carried out. The conditions of labour vary very greatly in different parts of India, and I think it would be very unwise to take the carrying out of the factory laws, whatever they may be, from the control of the Local Government and its own officers. On the other hand, seeing that the customs revenue is imperial, and in view of the necessity of imports being treated at different seaports in a uniform manner, it seems to me that there is a great deal to be said in favour of the creation of an appointment of Inspector-General of Customs.

10. Speaking generally, my personal experience is that the Heads of Imperial Departments do not attempt to interfere unduly with the authority of the Local Government. Both here and in the Central Provinces the local Director of Public Instruction has, to my knowledge, derived immense benefit from the advice of the Director-General of Education, and here we have been greatly helped by the Director-General of Archaeology. The Director-General of the Indian Medical Service does not interfere with the administrative authority of the Local Government ; but there are three matters in connection with medical arrangements in which the Local Government is hampered under existing regulations—(i) it has no word in the selection of the Inspector-General of Civil Hospitals in the province, (ii) it is not allowed to select or even recommend a member of the Indian Medical Service in military employment for service in the Civil Medical Department of the province—it has to take the nominee of the Director-General of the Indian Medical Service, and (iii) it has no power to send back to military work a medical officer in a permanent civil appointment who shows himself unfit to be retained in it—this can only be done by the Government of India. Nos. (i) and (iii) are part of the price that the Civil Governments have to pay for employing in civil medical offices medical officers belonging to a Service maintained in the first instance for military purposes. No. (ii) seems an unnecessary restriction. In the matter of fees earned by medical officers under its control, whether for attendance on native chiefs or on Indian gentlemen, the Local Government has no authority. It is centred in the Director-General of the Indian Medical Service and the Government of India. The Sanitary Commissioner with the Government of India has hitherto not interfered with Local Governments. He is just the kind of officer who should be able to assist us with advice given on the spot, but his tours to these provinces are like angels' visits. The danger of interference arises where business is done by written correspondence instead of at personal interviews. In paragraph 12 of the Resolution of 8th September, 1904, creating his appointment, occur the following words : "He will not be permitted to encroach in any respect upon the authority of Local Governments over the officers under their control. But he will be empowered to consult and confer with them informally upon matters connected with sanitation and will in this respect occupy a position closely analogous to that of the Director-General of Education. He should also correspond unofficially with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics, and purely technical questions." These restrictions were to my knowledge deliberately laid down, for I was the Member of Council in charge of the Home Department at the time. The Government of India recently (21st September, 1907) informed Local Governments that the restriction of correspondence between the Sanitary Commissioner with the Government of India and provincial Sanitary Commissioners to unofficial references had produced considerable inconvenience, and directed that these references should in future be made officially. I do not know whether this portends any change of attitude by the Sanitary Commissioner with the Government of India. There have been several occasions in the past year in which the Director of Criminal Intelligence at Simla has appeared to me to have interfered in the concerns of the Local Government, and I have had to complain to the Government of India. The Inspector-General of Agriculture rarely interferes, and often gives good advice, but what seems to me rather a glaring instance of assumption of authority on his part was recently brought to notice. He sent to the Director of Land Records in these provinces a scheme prepared by him for a uniform scheme for agricultural establishments for all provinces. This scheme was sent to the Director in the middle of November with the request that the opinion of the Local Government might be given before the assembling of the Agricultural Conference in January or February. It was wholly unsuited to these provinces, and it is the duty of this Government, not of the Inspector-General of Agriculture, to suggest what their needs are. There is undoubtedly a danger that the Head of an Imperial Department may, when advising the Government of India about a Local Government's proposal, adopt an attitude of criticism based too much on his desire to secure rigid uniformity, but the cases are fortunately rare when the Head of the Department acts as if he considered the Local Government incapable of appreciating what its own needs are and of initiating the reforms necessary to secure them,

11. Local Governments are not always sufficiently consulted by the Government of India as to the selection of the Heads of Departments, other than the Civil Medical Department already referred to, who are appointed by the Government of India for service with the Local Government. I refer to such appointments as Secretary and Chief Engineer in the Public Works department and Conservators of Forests. These officers are on an imperial list, but a Local Government ought to have an effective voice in the choice of any such officer who is to serve under it. Superintending Engineers are also selected by the Government of India. A Local Government cannot even appoint an officer to act as Superintending Engineer in a privilege leave vacancy lasting one month, without obtaining the sanction of the Government of India.

12. My opinion is that the initiative in administrative reforms on a large scale effected in recent years has been more due to the Government of India than to the provincial Governments, but a Local Government is constantly effecting reforms of some kind or another on its own initiative. I do not consider that it would be desirable to allow provincial Governments to develop their administration on their own lines, adopting or not at their own discretion suggestions of reform brought to their notice from other provinces. I feel convinced that, were this practice adopted, reform would be much more tardily secured than it is at present. It would, I fear, be natural to expect that the governing powers of one province would refrain from freely adopting suggestions of reform brought to their notice from other provinces. The Government of India have, in order to secure the adoption of reforms, to be very

careful in suggesting that a particular method which has been followed in a province named should be adopted in another. It is easy to say, "What can be done in Bombay cannot be done in Northern India," and so on ; and, moreover, the saying is often full of truth. There are, however, matters in which one province is better governed than another, and I think it is well that the Government of India should estimate the value of the experience in the better governed province and communicate it to other provinces, not by saying that such and such a measure has been successful here and must necessarily be successful there, but by working out, on the experience of the successful province, sound principles which can be recommended to others less forward in that particular branch of administration. Everyone, I should think, recognizes, now that the Government of India have by means of a committee pointed out that the Madras system of excise administration is considerably ahead of that in any other province. In these provinces we recognize that the system of primary education in the Bombay Presidency in particular is far in advance of that in the United Provinces, and that we do so is, I think, due to the action of the Government of India. The Government of India suggested to the Madras Government a reform which has always seemed to outsiders to be desirable, viz., the reduction in the size of the districts. I believe that I am right in saying that it took the Government of India a long time to get this reform carried out. Again, the policy of the Bombay Government in respect of suspensions and remissions of land revenue was for long regarded by most persons as too rigid. That policy has changed, but it might not have done so but for the influence of the Government of India. It would not be difficult to multiply instances of beneficial action taken in all parts of India by the Government of India in the direction of reform.

13. I would not curtail, in any substantial way, the right of appeal to the Government of India now granted to officers of Government against orders affecting them personally, except to a slight extent in raising the limit of pay. This power of appeal is a valued privilege. It is one which has become more and more valued with the spread of education. No subordinate authority ought to feel in the least aggrieved were the Government of India to take a different view to the one taken by it in the case of any such appeal, and I think it a valuable safeguard against possibly prejudiced views by Local Governments.

14. I do consider that the demands for returns and information from Local Governments has increased of recent years. The question is one that can be authoritatively answered from their own records by the departments of the Government of India. Believing that there has been an increase, I should attribute it, to a certain extent, to the requirements of the Secretary of State and, to a certain extent, to those of the Government of India. I think that it will be found to have been due to the latter more than to the former. I think that the system of reminders has been adopted by the Government of India to a very unnecessary extent, and that sufficient discrimination is not exercised in the forms that are used for the purpose of reminding Local Governments. This may seem to be a small matter, but it leads to a large number of letters in the course of a year.

15. I am generally very much in favour of giving increased powers to authorities under the control of the Local Government ; and I am confident that a great deal more can be done in the direction of devolving authority by the Local Government on Heads of Departments, &c., serving under it than can be done in the direction of delegation by the Government of India to the Local Government. I do not observe in the list of matters touching provincial Governments and their relations with subordinate authorities any mention of the Public Works Department. To my mind that is almost the most centralized department of all. One matter that comes into every proposal for delegation or devolution is the personal equation. One man is fitted for large devolution of authority : another, although in other ways not inefficient, may not be so exactly qualified to exercise authority devolved on him. Unless such devolution is accompanied by more rigid selection in the case of responsible officers, I fear that it must lead to considerable loss of efficiency.

16. Another matter in which a great saving of time and labour can be effected is by the substitution of unofficial references for official ones which involve a formal letter of reference and a formal answer. This system is certainly capable of being largely adopted between the Local Government and the Heads of Departments, especially the Board of Revenue. This matter had already come under my consideration before the Royal Commission was appointed, but on its appointment I deferred taking any action.

17. I am not in favour of curtailing the right of appeal to the Local Government now granted to officers of Government against orders affecting them personally, except in a slight alteration in the limits of pay. I do not consider that the influence of the provincial Governments is generally in the direction of excessive rigidity or uniformity. I do, indeed, admit that local needs may not always be appreciated at their full in the Secretariat, and that Secretariat officers are not always endowed with business aptitudes or sufficiently alive to the necessity for promptitude in the disposal of work. Knowledge of the world and common sense are as essential in a Secretary as administrative experience or a facile pen. The best means of correcting any tendency on the part of the Secretariat to be inappreciative of local needs is for the Head of the Government to make himself familiar with the whole of his province. No provincial Government to my mind—I write without any personal experience of a Governor in Council—need be too impersonal or too much dominated by considerations of revenue. I have been both a Chief Commissioner and a Lieutenant-Governor and I am unable to appreciate the difference, on the existence of which some people insist, between a Chief Commissioner and a Lieutenant-Governor in the matter of accessibility. When a Chief Commissioner I had three Civil Secretaries, one Public Works Secretary in the Roads and Buildings Branch, and one Public Works Secretary in the Irrigation Branch. The equipment in the United Provinces Secretariat is exactly the same. One's list of private visits by Indian gentlemen is a large one, and when in camp or passing through the country in a motor car, where one often stops on the side of a road for breakfast or lunch or a mishap to a tyre or the machinery, and where in each instance a large crowd from the neighbouring village promptly collects for a little talk, one gets many opportunities of talking to the people. I have just started the plan of holding divisional darbars each year, believing that they are of great advantage in bringing the Head of the Government into contact with the leading people of the province.

18. I do not myself understand how India could be divided up into a large number of small Governments. I see that as many as twenty-two have been suggested. I pity the Supreme Government when it had to estimate the value of the opinions of the different Chief Commissioners on each subject on which they might be invited. The inevitable result would be, I should say, that the Government of India would come to regard their opinion as the only valuable one, and that there would be more encouragement than ever to centralize.

19. I am in favour of maintaining the arrangement in force in these provinces under which there are a Board of Revenue and Divisional Commissioners. In the Central Provinces, where there are only five Divisional Commissioners, I found myself considerably hampered by not having some official corresponding to the Board of Revenue here. The Chief Commissioner has himself to exercise judicial functions in revenue matters. Here the Board of Revenue are the final court of appeal in revenue matters, and relieve the Government of much work in connection with land revenue administration, settlement, excise, revenue establishment, Court of Wards, Government properties, and separate revenue. The Local Government would be greatly embarrassed had it to deal direct with nine Divisional Commissioners on all such matters. I am in favour of bringing the Board of Revenue into more close connection with the Government, and of making the form of communication between these two authorities less official than it is at present, but I think that their duties should be confined to the subjects with which they at present deal. I think that the influence of the Commissioner in matters appertaining to departments other than the Land Revenue Department might be extended, but there are certain

departments from which I would exclude him. He can do much to facilitate the work of the Director of Public Instruction, but I think that his interference in police matters is more likely to impede than to facilitate the work of the department. I would do all I could to raise the status of the head of the Police Department, who has under him Deputy Inspectors-General, and not minimize his power by introducing the Commissioner.

20. Executive Officers have in these provinces sufficient opportunities for personal contact with the people. They tour about during the whole of the cold weather, and are always accessible when they are in their stations. The people come freely to the District Officer and his assistants and are not deterred from doing so by fear as is said to be the case in some other parts of India. For climatic reasons tours have ordinarily to be restricted to the cold weather, but communications are good and a District Officer should have no difficulty in getting over his district during the camping season. This year every available official on the district staff was in camp in October arranging for the distribution of advances aggregating a million sterling, to enable the people to sow their spring crop. The people were greatly encouraged by the interest taken in them, and I have been told on all sides that the effect in confirming them in their view that the "*Sarkar*" (Government) is their real friend was very great.

21. We have not here the difficulties that present themselves in other provinces as regards knowledge of the vernacular. A working knowledge of Hindustani will enable a man to make himself understood throughout the provinces, though in the hill districts, and the less civilized parts of districts like Mirzapur and in parts of Oudh, there are *patois* which he will have to learn. We have no such spectacle in these provinces, except sometimes in the High Court, as a witness belonging to them being examined through an interpreter. English is little known here (the proportion of the population, including Europeans, returned at the census as literate in English was only 24 per 10,000). A small portion only of a District Officer's work can be done in English. I see that it was stated by one witness who gave evidence in Madras that many officials would think it *infra dig.* to talk to the people in vernacular. This is not the case here; on the other hand, people who know English seem to prefer to be conversed with in that language. I do not, however, think that the officers now entering the service get to learn even Hindustani as well as their predecessors. There is not the same leisure for advanced study of native languages, although the Government of India give rewards to encourage such study, while recruits are now kept in England only for one year after passing their competitive examination, and certainly do not display the same keenness to learn the "a b c" of their work that men did when they entered the service at an earlier age. The ease with which Europe can now be visited has, of course, not been without its effect, and the members of the different European Services have become less tied to the country.

I may perhaps mention that when in the Central Provinces I was much impressed with the indifferent knowledge of Marathi possessed by a good many of the Central Provinces Commission. Some few knew it thoroughly, but the majority did not know it well enough. Even there more work is done in English than here, and, moreover, an officer coming out to the Central Provinces has to learn the Persian character, whereas the characters that will be of use to him are Marathi and Devanagri. A proposal was made while I was Chief Commissioner that they should be required to study Marathi before they come out to India, but it was, I believe, rejected.

22. In my opinion the tendency of recent years has been to keep the administrative staff too low. One hears complaints everywhere that there is not sufficient leisure for the administrative work of Commissioners, Collectors, Joint-Magistrates, Assistant Magistrates, and Deputy Collectors. This is largely dne to the enormous increase of case work. Revenue case work has greatly increased owing to the changes made in the last amendment of the Agra Tenancy Act (1901) as regards rent litigation. Moreover, with the spread of education and the increase in the number of lawyers, it has naturally resulted that all cases are tried more elaborately than they used to be, say, fifteen to twenty years ago. The number of suits and applications under the rent law in 1905–6 was 348,512, the appeals to Commissioners and Collectors (appeals in suits for arrears of rent over a certain sum go to the civil courts, as do certain other revenue appeals) 5,560: the corresponding figures ten years ago were 278,943 and 4,265. Sir James LaTouche represented to the Government of India the necessity for an increase both in the number of Joint-Magistrates and in the number of Deputy Collectors; but his demands have not been met in full. In asking for more Deputy Collectors in 1906 Sir James LaTouche wrote: "The Lieutenant-Governor has been deeply impressed with the accounts he has received of the extent to which officers are overworked, and numerous complaints have been received of litigants having to remain in attendance in courts far into the night." This really only touches one side of the question, for officers so over-burdened with case work can neither give proper time to their administrative work nor when in camp move about among the agricultural population as much as they should do. It must not be forgotton that more than three-quarters of the sub-divisional or administrative charges under the District Magistrates are now manned by Deputy Collectors, and they cannot do justice to their charges if they have so much case work. There seems to have been a tendency to keep the staff at a figure which can just manage to keep the case work down. That work has to be done, and it is done at the sacrifice of other important work. The increase of work generally in the province during the last quarter of a century is enormous. The total revenue of all kinds derived from the province (imperial, provincial, and local) was in 1878–9, 870 lakhs: it is now 1,130 lakhs. The expenditure on provincial and local matters was then 323 lakhs and is now 536. To my mind the administrative staff is not as strong as it should be. There is also another point that needs considering. The staff employed in administrative charges under the Magistrate and Collector has not so large a proportion of Europeans among it as it used to have. At the beginning of 1878 there were 248 officers, either in the Civil Service or in the Oudh, Jhansi, and Kumaun Commissions, available for duty in these provinces, after deducting the officers on deputation to the Government of India and other provinces. At the beginning of 1907 the number was 217. Of the former number all but three were Europeans: among the latter there were nineteen Indians. These figures represent the Service at its highest strength in the year, but the contrast is more noticeable if the figures are taken for July 1, the time of the year when it is most depleted. On July 1, 1878, there were 65 members of the above-mentioned Services available for sub-divisional charges: on the corresponding date in 1907 there were only 32 available for such purposes. The number of Deputy Collectors available for district work in 1878 was 106, of whom 17 were Europeans: the number in 1907 was 180, of whom 16 were Europeans. I consider it a grave mistake that the English element among those holding sub-divisional administrative charges has been allowed to fall so low. The manner of recruitment of the Civil Service, which will be referred to later on, has had something to do with this. The existence of so many separate departments nowadays assists the other influences at work to reduce the authority of the District Officer. Formerly the *raiyat* had one Governor (*hakim*) to deal with. He has now got many, but he would much prefer one. It was inevitable, however, that, as our administration became more and more advanced, the special departments should become more and more specialized and that their number should increase, and there can be no putting back of the clock in this direction.

23. The attached statement will show that in these provinces the average area of jurisdiction of the District Officer is smaller than in any other province. There is only one district in the plains with an area of over 5,000 square miles, viz. Mirzapur (5,223), and it is a sparsely populated district with a population of just over a million. The only really unwieldy district is Gorakhpur, which has an area of 4,596 square miles and a population of 2,957,074. Proposals are under consideration for the appointment of an additional Magistrate and Collector for this district. Some other districts, such as Allahabad and Cawnpore, are districts

of extensive area with much special work at head-quarters. It is intended to relieve the District Magistrate of municipal work at these places, and to appoint special official Chairmen to the charge of these two municipalities. The only other substantial change in administrative charges which, to my mind, will be demanded in the near future in these provinces is the re-establishment of a Commissionership in Jhansi to control the Bundelkhand area. This was formerly a separate charge, but, in connection with some administrative changes made in these provinces some years ago, it was, in order to effect economies for expenditure in other directions, absorbed and the districts brought under the control of the Commissioner of Allahabad. The Commissioner of Allahabad has now four districts in Bundelkhand and three districts in the Doab, including among them the very large districts of Cawnpore and Allahabad, to manage. Some re-arrangement of other divisions would be required, but I have personally no doubt that the Bundelkhand area, which is peculiarly liable to famine and has had five periods of scarcity within a decade, should be supervised by a Commissioner who has no duties outside it. The average area of a tahsildar's charge is about 500 square miles and the population 225,000. Generally speaking, the charges are not too large, but they are in some districts and particularly so in Gorakhpur.

24. Theoretically at present Commissioners are appointed solely by selection, and a Collector is not appointed unless he has shown the merit and ability necessary to justify his promotion to that post. Selection among Commissioners is far more real than among Collectors, and I think that it should be more real among the latter than it is. But, if it is to be so, it should be accompanied by some power on the part of the Government to retire members of the Indian Civil Service who are not fitted for the position of District Officer before they have completed their twenty-five years' service and on a smaller pension than £1,000 a year. The regulations regarding the recruitment and pensions of the Indian Civil Service require radical alteration in order to make them suitable to the conditions of the present day. The system on which the service is recruited is as follows :—

A list is made for each province of what are called the superior appointments (speaking generally, these are the posts the pay of which is over Rs. 1,000) : it is calculated that to fill 100 superior posts and provide men for vacancies caused by leave, &c., a Service of 194·5 officers is required, and that a member of the Service should reach a superior appointment when he has about eight years of service or at about the age of 32. In fixing the strength of the Service no regard is paid to the question of what inferior appointments should, on their merits, be held by members of it. The system of recruitment is based on the theory that practically every member of the Civil Service will qualify himself for a superior appointment. It would be remarkable if this were the case, but under present conditions it is very seldom that a man is debarred from succeeding to a superior appointment : he is often placed in one for which he is not really fit, but in which it is thought that he will do less harm than he will in another. On the rare occasions when he is not appointed to a superior appointment he is kept on in an appointment of the pay of Rs. 1,000. This is done because a member of the Service cannot be retired on a proportionate pension unless his health breaks down. It is both expensive, and unfair to the officer concerned, to retain a man in service in India on a pay of Rs. 1,000 a month or £800 a year till he has completed his service of twenty-five years, and then to give him a pension of £1,000 a year. That same pension is partly earned by a deduction of 4 per cent. on salary from the date on which an officer joins the service in India, and it follows that the more eminent an officer's service the more does he contribute towards the pension. There were good reasons for these regulations when they were made, but they are, in my judgment, unsuited to modern conditions and I venture to think that the time has long since gone by when there should be a uniform pension of £1,000 a year to all members of the Indian Civil Service who have served twenty-five years. Not many years ago a late Lieutenant-Governor of Bengal, who died in harness, was about to retire a few months after forty years' service on a pension of £1,000 a year, while another member of the Civil Service in the same province who had been tried as a Magistrate of a district and had to be removed from that office, was actually permitted to retire about the same time on a full pension of the same amount that the Lieutenant-Governor in question would have drawn had he lived to retire. I believe that the Indian Civil Service is the only Service in India, and I dare say in the world, in which pension bears no relation to pay. In other departments in India pension bears a strict relation to pay, with the provision that men who do specially good service become eligible for a special pension. Until the Service ceases to be recruited on the principle that every member of it will become eligible for a superior appointment, and provision is made enabling Government to retire officers unfit for such promotion on a lower pension regulated by the amount of service rendered, there is no hope that the principle of selection for superior appointments will be adequately enforced in practice.

25. It is most important to restrict the transfers of the district staff, and especially of the District Magistrate, as much as possible. If you take a district and look at the names of different officers who have held charge of it within a given period you may very easily come to the opinion that transfers in it have been much too numerous, and I do not deny that they often have been. In a country like India, where sudden illness is very common, transfers must be more frequent than they could be elsewhere. The Government of India issued special orders in this matter in 1901, and I believe that Local Governments have done very much to reduce the number of transfers. In 1901 the Government of India prescribed quarterly lists to exhibit instances in which officers had been transferred from other districts to fill short privilege leave vacancies. They have recently (2nd December last) directed the discontinuance of these returns on the ground that the principles laid down are fully understood and that the Local Governments are alive to the great importance of maintaining them.

26. There are eighty-nine municipalities in the provinces. In eighty-seven of them the members of the Municipal Board are mainly elected. Out of 1,217 members 937 are elected, 144 appointed by name, and 136 by virtue of their offices. It is not, I think, possible to advocate any large enhancement of the powers of these Boards, but the Secretary in the Finance Department will make some proposals of minor moment in this direction. Till the District Boards Act of 1906 was passed the Local or *tahsil* Board was the primary agent of administration. My predecessor, Sir James LaTouche, who had exceptional experience of the conditions existing in the province and knowledge of the people resident in it, determined that this arrangement had not worked well in practice, as it was not possible to find in each *tahsil* a sufficient number of public-spirited and capable men ready to take up and carry out the duties of a member of a Local Board, and the Act of 1906 abolished these Boards and made the District Board the direct administrative authority, leaving power to appoint a local committee, with the tahsildar as *ex officio* Chairman, wherever necessity may arise. This power has not yet been exercised. The District Boards are forty-eight in number. There are 628 elected, 271 nominated, and 57 *ex officio* members. The voters at the elections are in each *tahsil* from 25 to 100 persons, nominated by the Collector, who must be possessed of certain qualifications in respect of landed property and education. The complaint generally made is that the Boards have not sufficient control over the expenditure of their own money. This is mainly due to the fact that they have nearly all to be subsidized by Government. Moreover they do not at present share in the financial distress at such times as the present except in so far as the needs of Government may require it to curtail the amount of its contributions to them. The reason is that, while the Government suspends and remits revenue, it is the practice to collect the cesses on the land, which constitute the chief resources of the District Boards. Their own receipts in 1906-1907 were about 53¼ lakhs, and their expenditure 70¼ lakhs. The Government contributed 18¾ lakhs from provincial revenues. I am not in favour of making over the control and supervision of smaller municipalities to District Boards, but I have considered whether it might be feasible to allow them to exercise these functions in respect of notified areas, and small towns under Act XX of 1856. On the whole I am opposed

to the proposal. My experience has taught me that it is the individual rather than the committee that can be trusted to do work in India. In these small towns you may often find one man out of the committee prepared to work. It would be undesirable to introduce a committee such as the District Board to check his enthusiasm. The Financial Secretary will speak as to the decentralization with regard to District Boards that does seem possible.

27. I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers in these provinces. They are certainly not ripe for this development even if other provinces are. I do not quite understand what is contemplated in the way of the numbers, constitution, and functions of such bodies. I see that very varying proposals have been made as to the number of members who should compose, and of the business that should be entrusted to, them. Again, some of those who advocate their creation urge that the District Officer should not be able to discard their advice, while others would empower him to set it aside. The general argument in favour of them seems to be that the existing machinery of District Boards is not in touch with particular local grievences, and that at any rate they would not do much harm. It is not, I think, true that in these provinces the members of Municipal and District Boards are not acquainted with local needs and grievences, and the practical question from the point of view of decentralization is not whether such Councils can be established without doing harm, but whether they will do actual good, and particularly whether they will relieve the District Magistrate of any work. On the other hand, the District Magistrate has already at hand for advice when he wants it, the Municipal Committees and District Boards, besides honorary magistrates, gentlemen on the darbar list, and other leading men who may not belong to either of these bodies; the difficulty in the rural tracts would be to get other representatives of public opinion, and it is not desirable that the town influence should be overpowering on such Councils, while, should they be established, much work would certainly be done twice over.

28. A great deal is done in the direction of entrusting to non-official agency the settlement of criminal and civil disputes. There are 435 Honorary Magistrates, of whom 185 sit singly and 250 on 52 benches. They dispose of 20 per cent. of the litigation in the criminal courts (26,394 out of 122,860 cases in 1906). There are also honorary munsifs and village munsifs. Honorary munsifs disposed of 3,275 cases (mainly in Oudh) in 1906, and village munsifs of 23,018. The question of forming benches of village munsifs with larger powers is under consideration. So is that of Honorary Assistant Collectors to try rent cases.

I do not think it possible to entrust village communities with revenue, police, sanitary, educational and other matters such as the disposal of petty criminal and civil cases. The growth of partitions of revenue-paying estates, and the general weakening of the authority of the village headman (*lambardar*), show only too clearly how, in spite of the efforts of Government, the old order is changing. The tendency is for individuals to ignore their representative and to demand to have direct dealings with the officers of Government. We have tried to retard, but we cannot arrest this process. To every one's regret village communities are losing the strength and coherence that they had in the old days, and they are not now equipped so as to undertake administrative duties. It would be still less desirable to give them judicial functions in civil and criminal cases. Caste panchayats can only deal with cases between members of the same caste. The village community never concerned itself much with the rights of those considered to be outside the pale. The high caste zamindar will still not permit the *chamar* or the sweeper to draw water from the village well, and exercises many petty tyrannies over those lower to him in position and prestige. It would be impossible to expect that justice would be administered between parties who according to village tradition stand on such a different plane.

J. P. HEWETT,
Lieutenant-Governor,
United Provinces.

The 18th January 1908.

Statement showing the average area of districts and the average population in the following.

	Total number of districts.	Total area in square miles.	Total population.	Average area per district.	Average population per district.	Remarks.
Madras (including the agencies of Godavari, Ganjam, and Vizagapatam).	*22	122,460	36,867,218	5,566	1,675,783	* Taken from Civil Lists.
Bombay	25	†122,984	†18,515,587	4,919	740,623	† This includes the area and population of Bombay city.
Bengal	33	114,107	50,064,977	3,458	1,517,120	
Eastern Bengal and Assam (including the States of Hill Tipperah and Manipur).	27	97,863	30,503,669	3,625	1,129,765	
Punjab	29	97,209	20,330,339	3,352	701,046	
Central Provinces	22	100,478	11,956,481	4,567	543,476	
United Provinces	48	107,164	47,691,782	2,232	993,579	

APPENDIX III.

No. $\frac{90}{111-378}$ OF 1908.

From The Hon. Mr. J. M. HOLMS, C.S.I., Chief Secretary to Government, United Provinces, to the SECRETARY of the ROYAL COMMISSION on DECENTRALIZATION.

Dated Allahabad, the 13th January, 1908.

GENERAL ADMINISTRATION DEPARTMENT.

SIR,

I AM directed to forward the suggestions of the Local Government in the matter of decentralization, asked for in your letter No. 52 dated the 21st November 1907. They are arranged in the order of the heads of enquiry forwarded by you.

2. Except in a few matters of comparatively small importance, the Lieutenant-Governor is not dissatisfied with the financial relations now existing between this Government and the Government of India. In order to encourage the construction of light railways, a question to which he attaches great importance, he would be glad if District Boards were given the power to levy a railway cess, on the security of which such lines could be made by private companies. He considers also that the Civil Account Code should provide for loans being made by Local Governments for industrial or commercial objects, as well as for the purposes to which loans are at present restricted. He sees, however, no object to be gained by conferring

on Local Governments the power of independent borrowing.

The budget arrangements, he thinks, might be modified. A Local Government might be left with more freedom than it has at present to distribute the funds assigned to it among the different heads of expenditure. Moreover, with the object of securing more accurate estimates, the Government of India frequently reduce the budget by anticipating savings. This procedure leaves out of consideration the fact that there are unavoidable payments, the necessity of which cannot be foreseen, and for which the Local Government should be able to provide without obtaining the sanction of the Government of India, which is necessary when the total budget is exceeded ; to meet such demands it is desirable to include a lump sum, which need not be very large, as a margin in the budget. These, however, are the only criticisms which the Lieutenant-Governor has to offer in this connection. The adoption of the principle of a *quasi*-permanent settlement has materially altered the position ; the Local Government has been given an increased share in expanding revenues ; and, lastly, to secure it against violent fluctuations of income, which would be fatal to any degree of financial independence, it has been guaranteed a minimum under the variable heads of land revenue and irrigation. In this way it enjoys as large a measure of independence as the circumstances of the case permit.

It appears, however, to the Lieutenant-Governor that the powers of the Local Government are unduly restricted on matters of detail. It is remarkable, for instance, that the grant of an extraordinary pension of two or three rupees to the widow of a chaukidar should require the sanction of the Government of India. So long as the provincial settlement was quinquennial, and so long as the resources of the Local Government depended chiefly on fixed assignments from imperial revenues, it was inevitable that its powers should be severely restricted, and that delegations of power should be obtained with difficulty. To such conditions the Civil Service Regulations and Civil Account Code are adapted, and it is to these codes that objection has now for the most part to be taken. In the appendices attached to this letter proposals are made for the amendment of some of their provisions, but in this place it is not necessary to do more than outline the general principles that ought to be followed. It has hitherto been held that a Local Government can do only what it is specially empowered to do, and that everything for which there is no special sanction requires the orders of the Government of India. It has been held also that a Local Government cannot delegate to a subordinate authority any of the financial powers which it possesses. It will be in accordance with the modern practice of the Government of India if a radical change in these principles is now effected, and if it is recognized that the Local Government has power to deal with all cases except those in which its authority is specifically restricted, and to delegate its powers except where delegation is specifically prohibited.

That there is room for large delegations of powers to officers subordinate to the Local Government there can be no question. The matter of transfers in budgets may be taken as an example. In a very large number of cases such transfers require the sanction of the Local Government. But it is the fact that, with few exceptions, these transfers are dealt with as routine cases and sanctioned as a matter of course, and the form of the proceedings itself goes far to show that the intervention of Government is unnecessary. The explanation lies in the circumstance that budget provision is in itself no authority for expenditure. The real check is that, apart from the budget, all expenditure has to be sanctioned by such authority as in each case is considered qualified to accord the sanction, and that in all matters of real importance the power of sanction is reserved to the Government. The question of budget provision is therefore a subsidiary one, and this Government would deal with it very freely. The fact again that a large number of cases are of such a nature as to require a reference to the Audit Office might be utilized in order to obviate the necessity of a reference to Government. At present, if the Local Government and the Accountant General disagree about a matter, it is referred for the decision of the Government of India. By an extension of the same principle the powers of subordinate officers might be largely increased if it were provided that the Accountant General should have power to refer doubtful cases to the Local Government, and it would be possible in this way to dispense with the intervention of the Government in many of the routine cases relating to pensions which are at present reported to it for orders.

3. It should be left to the Local Government, by issuing detailed instructions to its officers, to give effect to the general lines of policy laid down by the Government of India. In certain cases the powers of this Local Government, even when expressly authorized by law to issue rules under an Act, have been curtailed in this direction by the Government of India either recommending a standard form of rules for adoption or desiring the submission to them of the detailed instructions framed by this Government. Instances of this are the orders issued in the Revenue and Agriculture Department of the Government of India in the last year or two regarding the three matters of agricultural advances, remissions and suspensions of land revenue, and the exemption of improvements from assessment to land revenue.

In this connection I am to refer to the restriction, by executive order of the Government of India, of financial powers already possessed by the Local Government under the Civil Service Regulations. Two instances may be quoted, in both of which the power given to the Local Government by Article 78, Civil Service Regulations, to make temporary arrangements subject to certain conditions was fettered, at the cost of considerable inconvenience to the administration. In the first instance certain orders of the Secretary of State conveyed when sanction was accorded to the revision of the cadre of Deputy Collectors were interpreted as fettering the authority of this Government to appoint officers temporarily as Deputy Collectors in case of need : the recent orders of the Secretary of State in his despatch No. 100 dated the 10th July 1907 and of the Government of India in their letter No. 1069 dated, the 20th September 1907 have, however, given considerably more discretion to the Local Government. The second instance relates to the appointment of additional Civil Assistant Surgeons as a temporary measure, and finds place in the appended list of detailed proposals under this head (Appendix No. 3)

4. The present statutory law requires in many cases the previous sanction of the Government of India to the making of rules by the Local Goverment which the Local Government should be able to issue without such sanction. If deemed desirable, specific provision might be made for the Local Government issuing such rules "subject to the control of the Government of India." A noticeable instance in which the sanction of the Goverment of India to the making of rules by the Local Goverment seems to be unnecessarily required is the Excise Act (XII of 1896). Appendix No. 4 contains detailed proposals for the relaxation of restrictions imposed upon the Local Government by law or by rules having the force of law. This relaxation can probably best be effected by a general Act of delegation.

5. The full power of superintendence and control conferred by statute (the Government of India Act, 1833, 3 and 4 Will. 4, chap. 85) upon the Government of India over Local Governments necessarily includes an authority to revise the orders of the Local Government passed in matters of administration, and it appears to be with this object that rules have been issued by the Government of India to regulate the manner in which memorial by way of appeal against the Acts of a Local Government are to be drawn up and presented to the Government of India. In 1906, apart from appeals by Government officers against orders affecting them personally and apart from petitions for special Mutiny pensions or rewards, fifty-eight petitions were received by this Government for transmission to the Government of India, of which twenty-five were withheld. These were chiefly appeals against administrative orders of this Government ; they were most numerous in the Judicial Department and in the Political Department, where they were mainly in connection with political pensions. The Lieutenant-Governor would not curtail the right of appeal to the Government of India now existing, nor would he require the production of a certificate from the authority passing the order appealed against.

6. In 1906 the appeals to the Government of India made by officers of Government against orders affecting them personally numbered only thirty-five in all departments; of these twenty-two were withheld by this Government under the rules. There is clearly no need to curtail the right of appeal.

7 In Appendix No. 7 are entered detailed suggestions for giving extended powers regarding matters relating to Court of Wards estates to the officers mentioned. A further suggestion which commends itself to the Lieutenant-Governor may be referred to. Under the existing rules a Collector has only one month for the preparation of the reports of his district, and the Commissioner a very little longer time to deal with all the reports of his division. Where the number of estates is small the period is probably sufficient, but where they are numerous the preparation and checking of the statements generally take up the whole period, and neither the Commissioner nor Collector has really time for the full consideration of the reports. It is suggested therefore that in the case of those estates for the control of which the Commissioner is primarily responsible, (*i.e.* those with a gross income of less than Rs. 50,000, for the management and liquidation of the debts of which satisfactory arrangements have been made) all that should go to the Board would be the prescribed statements as passed by the Commissioner for inclusion in the provincial report. The reports themselves should remain in the Commissioner's office, and the Commissioner, when inspecting his districts during the cold weather tour, should go through these reports on the spot and issue such orders on them as may be necessary. The provincial report would be confined to the affairs of the larger and more important estates, the management of which rests with the Board.

In another respect improvement is possible. The rules of the Court of Wards Manual in their present form are over-elaborate, and some have been found to be practically unworkable in certain estates. Their revision will be undertaken with a view of securing more elasticity and of dispensing with registers and accounts not required for all estates.

8. The control of Commissioners and Collectors over expenditure in their divisions and districts can be substantially increased in at least two directions. Detailed proposals will, in the first place, be made enlarging the powers of these officers in the matter of budget transfers. Secondly, the power of entertaining temporary establishment can be extended, particularly in the case of Collectors, and each officer who is entrusted with such power should be given a grant sufficient to cover the expenditure which he is likely to incur. The Lieutenant-Governor considers also that District Officers as well as Commissioners should have small allotments assigned to them for general purposes, apart from the cost of temporary establishments. Detailed suggestions will be found in Appendix No. 8.

9. The Lieutenant-Governor would not curtail the right of appeal to the Local Government granted in respect of administrative action, nor would he require a certificate from the authority passing the order appealed against before such an appeal is admitted.

10. In 1906 there were 294 appeals made to the Local Government by officers of Government against orders affecting them personally, mostly in the Police Department (120), in the Revenue Department (70), and in the Financial Department (49). A large number of these, however, were appeals which were not admissible under the rules.

At present no appeal lies to Government against—

(1) An appellate order confirming an order of dismissal or other punishment in the case of officials drawing Rs. 30 a month or under;

(2) An appellate order passed by the Board of Revenue in second appeal in the case of an official of the Revenue Department drawing a salary of over Rs. 30 a month.

The limit might be raised from Rs. 30 to Rs. 50.

The question is under consideration of empowering Heads of Departments and Commissioners in certain cases to withhold and pass final orders on petitions presented to them for transmission to Government appealing against the exercise by departmental officers of discretion vested in them. An instance may be mentioned. A head constable was recommended for the police training school. The Deputy Inspector-General of Police, whose duty it was to select from the men recommended those who should be sent to the school, did not select this man. He appealed to Government against the Deputy Inspector-General's order, and in the alternative asked that the age limit which would bar his selection in the following year might be relaxed in his favour. The Inspector-General should have power to withhold such a petition.

11. The provisions of chapter X of the United Provinces Land Revenue Act, which allow second and in some cases third appeals against certain orders which affect tahsildars, naib-tahsildars, kanungos, patwaris, and *lambardars* are unnecessarily complicated and cause useless work. Detailed suggestions are contained in Appendix No. 11. The simplest way to give effect to them seems to be to exclude orders regarding these officers and persons from section 210 (2) of the Act and empower the Board to make rules under section 234 to regulate appeals from such orders.

12. In the United Provinces the average area of a district is 2,232 square miles, though Gorakhpur, Mirzapur, and two of the scantily popolated districts of the Kumaun division are much larger. The average population is close on a million, though that of Gorakhpur approaches three millions. The average *tahsil* has an area of 493 square miles and a population of 219,777. No general reduction in the area of district or *tahsil* is required, though in Gorakhpur the question of reducing the area of the *tahsils* and of relieving the District Officer by giving the powers of a Collector to a selected Assistant Collector is under consideration. Proposals are being prepared to relieve the District Officers of the heavy districts of Allahabad and Cawnpore by the creation of separate posts of Chairmen of the municipal boards at the headquarters of these districts.

Owing to the large increase of late years in rent and revenue case work a heavy burden has been put on Deputy Collectors, and in their letter No. 2654 of 25th June 1906 this Government asked that the cadre should be increased by seventeen appointments in addition to an increase of two in the men under training. The Government of India, however, obtained sanction to an increase of eleven only in addition to two more on probation. Again, in the letter of this Government No. 2653 of 25th June 1906 it was represented that the total strength of the Indian Civil Service in the United Provinces should not fall below the strength of 234 against 226 suggested by the Government of India, the minimum number of Indian Civil Service men necessary for posts in districts subordinate to the District Magistrate being taken in arriving at this total. Had it not been for the necessity of reducing the proportion of inferior appointments, so as to secure a flow of adequate promotion, proposals would have been made for a larger number of Joint-Magistrates. The proposal submitted, on which no orders have yet been received, allowed, for example, for only two Indian Civil Service Assistants in the whole of Oudh. The strength of the Service on the 1st October last was only 225.

The Lieutenant-Governor is not satisfied that the present staff of Deputy Collectors is sufficient for the ordinary administrative duties of a Sub-Divisional Officer to be efficiently carried out in addition to heavy case work. The expedient of appointing temporary Deputy Collectors from the ranks of tahsildars, which the recent more liberal interpretation of their rules by the Government of India has enabled this Government to make use of to cope with arrears of rent work in certain districts, is an unsatisfactory one. And the Lieutenant-Governor is of opinion that the reduction in the number of Joint-Magistrates has gone too far.

As instances of the increase of case work referred to may be noticed a rise last year in suits for arrears of rent by 40 per cent. in Agra over the normal of the years before the Tenancy Act of 1901, and an increase from the average of 2,364 partitions—cases which occupy a very large amount of time—in the three years before the Land Revenue Act of 1901 to 4,013 last year.

13. Transfers of Executive Officers have been less frequent of late years than they used to be. The principle is now recognized that an officer returning from leave, who is not a permanent Collector, has no

claim to oust an officer junior to him who is officiating in charge of a district, and he must, as a rule, wait till a suitable vacancy occurs.

A comparison of the officers holding charge of divisions and districts on 1st April 1907 and 1st January 1908 shows that seven of the nine Commissioners and thirty-one of the forty-eight District Officers have been exchanged. In nearly every instance in which there has been a change a good reason will be found for it. In estimating the effect of the transfers the figures obtained by adding up the number of officers in a particular charge between particular dates is in many cases misleading.

On 1st July 1906 the number of Indian Civil Service men available to hold charge of sub-divisions was only thirty-four, and on 1st July 1907 thirty-one. With this small number of men frequent transfers of Joint-Magistrates are unavoidable. There are certain districts in the province which cannot be left without a Joint-Magistrate, and if a man from one of them has to go on leave or acts as District Officer it is necessary to transfer a Joint-Magistrate from elsewhere to fill his place.

In the case of Deputy Collectors the limitations which up till recently have been placed on the power of the Local Government to create temporary posts have necessitated transfers to fill the place of men having suddenly to take leave or being appointed to posts outside the province. With a larger cadre and with greater power to make temporary appointments transfers should be less frequent. If, however, it is the Treasury Officer who has to take leave a transfer will often be unavoidable, as another Deputy Collector qualified to hold charge may not be available in the district, and a tahsildar appointed as a temporary Deputy Collector is never qualified.

14. There are no Sub-Divisional or Local Boards in this province, and this Government is concerned therefore only with District Boards and district municipalities. The general position with regard to the control of these bodies and to their powers appears to the Lieutenant-Governor to be sound. The Government receives reports and exercises a general control, but the real directing officer in the case both of District and Municipal Boards is the Commissioner and very little delegation of the power and control appears to be possible. In the matter of the powers which they themselves exercise there is a considerable difference between Municipal and District Boards. Municipal Boards have their own funds and their own staff and it is only in exceptional cases that they depend on outside assistance. District Boards are still to a large extent subsidized from provincial revenues, and it is important to observe that as a consequence of their place in the general scheme of the administration they have to depend very largely in the discharge of their functions on several of the ordinary departments of Government. It is impossible in these circumstances for District Boards to be independent, and it is only to a very limited extent, in the opinion of the Lieutenant-Governor, that the powers either of District Boards or of municipalities can be increased. Detailed suggestions are contained in Appendix No. 13.

15. The Lieutenant-Governor is not in favour of making over the control and supervision of smaller municipalities to District Boards. It might be feasible to allow District Boards to exercise these functions in respect of notified areas and small towns under Act XX of 1856, but the interests of such places are probably best served by the appointment, as at present, of small committees of local men, who are more directly concerned in their well-being than a body such as the District Board, whose members come from all parts of the district.

16. Finally, there are a few matters to which the Lieutenant-Governor desires to call attention.

The method of working adopted in offices at the headquarters of Government is frequently capable of amendment. There is a tendency to treat each office as though it were isolated from the rest, and communication possible only by means of formal letters. The result is the duplication and reduplication of the work of noting and drafting and the Lieutenant-Governor considers that the system of unofficial references and exchange of files between offices is capable generally of great extension and would lead to an appreciable decrease of the work at headquarters.

Apart from delegations of powers in specific instances, which have already been dealt with, there is the general question of the relations between the Local Government and its subordinate officers to be considered. Our object is to increase the responsibility and freedom of action of local officers, but it is necessary at the same time to maintain the control of Government and the question is in what way this control can best be exercised. This question is a difficult one. It is not desirable that the Government should be cut off from all knowledge of what is happening in districts and departments, and it is only by means of reports that it can receive information. Reports therefore must be admitted to be a necessary element in the scheme of administration, and a useful purpose is served by their co-ordination and the review of varieties of practice. The Lieutenant-Governor does not think that the Government interferes unnecessarily or carries the practice of reviewing to excess. At the same time the exercise of control and the communication of knowledge are best secured by an officer who goes round and checks and advises on the spot. Our system lays stress on reports rather than on personal communications, and the Lieutenant-Governor thinks it should be possible by attaching greater weight to local inspections and insisting on their being effective to reduce the work of reporting everything to headquarters.

17. Lastly, the Lieutenant-Governor suggests an examination of the general system of work and correspondence in the offices of the Accountant-General. He would not in any way relax the stringency of the audit, but the department in which the audit is conducted imposes a heavy burden on district offices and the Lieutenant-Governor is far from being satisfied that the whole of this burden is necessary. He is not in a position at present to make any definite recommendations for lightening it. The Accountant-General's is a specialized department with the interior economy of which only Audit Officers are familiar, but the opinion is strongly held that in no other office is there greater scope for reduction of work. If, as the Lieutenant-Governor believes, the success of any scheme of decentralization is contingent on a large increase of staff, the reduction of work becomes a matter of the first importance, on financial as well as on administrative grounds, and the question of work in the audit department requires careful consideration.

I have the honour to be,
Sir,
Your most obedient Servant,
J. M. HOLMS,
Chief Secretary.

APPENDIX I.

Suggestions as to what delegation of further financial powers to the Government of the United Provinces is possible and desirable as regards the creation of new appointments, the enhancements of salaries, &c.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Creation and abolition of permanent and temporary appointments.	Article 283 (3) and (4), Civil Account Code.	The Local Government should have power to create, abolish, &c., permanent appointments with a pay of not more than Rs. 500 a month and to sanction temporary appointments and deputations with a greater pay for not more than twelve months. The present limits are Rs. 250 and six months. This would be subject to restrictions on the power of the Government of India as to the creation, abolition, &c., of appointments, and it would carry with it the power to sanction house rent allowance, local allowance, &c., up to this limit.
Ditto ...	Additions to salary.	Articles 72 and 74, Civil Service Regulations.	The Local Government should have power to sanction an honorarium or the acceptance of a fee from a private person not exceeding Rs. 1,000 instead of Rs. 500, the limit at present imposed.
Ditto ...	Officiating allowance to an officer without a substantive appointment.	Article 144, Civil Service Regulations.	The Local Government might be given the power to grant to an officer without a substantive appointment officiating in a permanent post an allowance exceeding half the pay of the post. At present this power is reserved to the Government of India where the pay of the appointment is not less than Rs. 100 per mensem.

APPENDIX II.

Suggestions as to what delegation of further financial powers to the Government of the United Provinces is possible and desirable in regard to restrictions imposed by the Civil Service Regulations or the Civil Account Code not relating to the creation of appointments, &c.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Pensions—Temporary service.	Article 368, Civil Service Regulations.	The Local Government should be given the power, at present exercised by the Government of India, of allowing temporary service to count for pension if the pension does not exceed Rs. 10 a month.
Ditto ...	Pensions—Exceptional promotion from inferior to superior service.	Article 399, Civil Service Regulations.	The Local Government should be given the power, at present reserved to the Government of India, of specially considering the claims to pension of an officer exceptionally promoted for meritorious service.
Ditto ...	Pensions—Inferior servant who performs duties of superior servant.	Article 402 (*a*), Civil Service Regulations.	The Local Government should have the power to decide whether a Government servant who bears an inferior designation, but performs duties ordinarily performed by a superior servant, should be allowed to count his service as superior.
Ditto ...	Pensions — Overstayal of leave.	Article 420 (*b*), Civil Service Regulations.	The restriction placed on the power of the Local Government to declare that an overstayal of leave does not involve forfeiture of past services, whereby such declaration must be made within a year, should be removed.
Ditto ...	Pensions—Condonation of interruptions in service.	Article 422, Civil Service Regulations.	At present condonation of an interruption in service exceeding three months, except where the pension proposed does not exceed Rs. 50 a month, requires the sanction of the Government of India or of the Secretary of State even although the pension is a provincial charge. In *all* cases where the pension is a provincial charge the Local Government should have power to condone interruptions in service whatever their duration.
Ditto ...	Compensation pensions on discharge.	Article 429, Civil Service Regulations.	The restriction that a compensation pension granted in a case of discharge or reduction of establishment may not exceed the saving effected without the sanction of the Government of India might be relaxed.
Ditto ...	Ditto ...	Article 434, Civil Service Regulations.	A reference is required to the Government of India when it is necessary to discharge an officer in consequence of a change in the nature of the duties of his office. This should be abolished.
Ditto ...	Ditto ...	Article 435, Civil Service Regulations.	A reference is required to the Government of India when of two appointments held by one officer, one is abolished and the other retained. This rule should be abolished.
Ditto ...	Special pension to certain officers.	Articles 475 and 642, Civil Service Regulations.	The Local Government might be given the power, at present reserved to the Government of India, of granting to certain officers holding definite appointments, e.g. Deputy Inspector-General of Police, an extra pension of Rs. 1,000 a year.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Wound or extraordinary pension, or gratuity in special cases.	Article 732. Civil Service Regulations.	The Local Government should be given the power, at present exercised by the Government of India, to relax in special cases, e.g. when an officer is wounded in an encounter with dacoits, the condition of service with a military force required to make him eligible for a wound or extraordinary pension admissible under article 730, Civil Service Regulations.
Ditto ...	Wound or extraordinary pension or gratuity to an officer killed or injured in the performance of a duty attended with extraordinary bodily risk.	Articles 739 and 740, Civil Service Regulations.	The Local Government should have power to grant in ordinary cases a gratuity not exceeding six months' pay or Rs. 1,000, whichever is greater, and under special circumstances a pension not exceeding Rs. 25 a month according to the scale prescribed. At present, if the pension exceeds Rs. 10 a month or the gratuity Rs. 600, the sanction of the Government of India is required.
Ditto ...	Extraordinary pension or gratuity in cases not covered by the rules.	Article 743, Civil Service Regulations.	The Local Government should have the power, at present exercised by the Government of India, to grant in such cases a gratuity not exceeding Rs. 1,000, or where injury or death is due to devotion to duty, a pension not exceeding Rs. 25 a month or a gratuity of equivalent amount.
Ditto ...	Contributions for pension.	Articles 776 and 802, Civil Service Regulations, and G. G. O. No. 962P. (Finance Department), dated the 17th February 1906.	The Local Government should have increased powers in accepting arrears of pensionary contributions, say up to a period of two years.
Ditto ...	Pensions—Relaxation of rule.	Article 924, Civil Service Regulations.	The Local Government might be authorized, as the Government of India is at present, to grant pensions not exceeding Rs. 10 a month or equivalent gratuities where nothing is admissible under the rule, provided that the spirit of the regulations is observed.
Ditto ...	Conversion of gratuities into annuities.	Article 941, Civil Service Regulations.	The Local Government should be granted the power, now reserved to the Government of India, of converting gratuities into annuities.
Ditto ...	Overstaying leave	Article 229, note (2), Civil Service Regulations.	The Local Government should have power to grant extensions of leave on medical certificate up to a week. This is at present reserved to the Government of India.
Ditto ...	Wound leave to officers not serving with a military force.	Article 733, Civil Service Regulations.	The Local Government should be given the power, at present reserved to the Government of India, of relaxing in certain special cases the condition as to service with a military force so as to make an officer eligible for wound leave.
Ditto ...	Interpretation of rules.	Article 4, Civil Service Regulations.	This power at present rests with the Government of India. It should be left to the Local Government, and the Accountant-General should be given power to refer to the Government of India any case where he thinks the interpretation is clearly wrong.
Ditto ...	Health certificates.	Article 50, Civil Service Regulations.	The Local Government should have the power, at present exercised by the Government of India, to accept a health certificate in other than the prescribed form.
Ditto ...	Extension of joining time.	Articles 180 (*b*) and 181, Civil Service Regulations.	The restrictions placed on the power of the Local Government to extend joining time beyond the period admissible by rules should be removed.
Ditto ...	Service before discharge.	Article 205 (*a*), Civil Service Regulations.	The Local Government should have the power, at present reserved to the Government of India, to allow service before discharge on reduction of establishment to count towards leave.
Ditto ...	Officers under training.	Articles 411 and 1083, Civil Service Regulations.	The Local Government shall have full power to grant travelling and other allowances to officers deputed for training either prior or subsequent to their joining an appointment and to allow the period of training to count towards pension. At present only in certain specified cases does such training count towards pension.
Ditto ...	Transfer to foreign service.	Article 753, Civil Service Regulations.	The Local Government should be given the power in special cases to waive the condition precedent of transfor to foreign service, a power at present, save where the transfer is for less than one year, exercised by the Government of India.
Ditto ...	Power to count foreign service towards increment.	Article 787, Civil Service Regulations.	The Local Government should be given, except in cases where the transfer is sanctioned by the Government of India, the power, at present reserved to that Government, of allowing foreign service to count towards increment.
Ditto ...	Travelling allowance, Officers who do not receive—.	Article 1040, Civil Service Regulations.	The Local Government has to report its proceedings to the Government of India for confirmation when it adds to the list of officers who are not entitled to travelling allowance for ordinary journeys within their jurisdiction. This restriction should be removed.
Ditto ...	Permanent monthly travelling allowance and conveyance allowance.	Articles 1048 and 1075, Civil Service Regulations.	The Local Government should be given the power, at present reserved to the Government of India, of sanctioning such allowances.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Permanent travelling allowance for forest officers.	Article 1049 (*b*), Civil Service Regulations.	The Local Government may be empowered to increase by a quarter or half the scale of permanent travelling allowance granted to forest officers where a charge is unusually extensive or travelling costly. This power now rests with the Government of India.
Ditto ...	Travelling allowance on joining first appointment.	Article 1083, Civil Service Regulations.	The Local Government should have full power to sanction travelling allowance to an officer joining his first appointment. At present, except in certain special cases, the sanction of the Government of India is required.
Ditto ...	Travelling allowance in special localities.	Article 1139, Civil Service Regulations.	The Local Government should possess the power, at present reserved to the Government of India, of allowing special rates of travelling allowance in certain localities.
Ditto ...	Remission of allowances wrongly drawn.	Article 279A Civil Account Code.	At present the sanction of the Government of India or of the Secretary of State is required to the remission of such an allowance where less than six months has elapsed between the date on which the allowance was drawn and the date of challenge. Provided that the amount was drawn in good faith, the power to remit such sums should be granted to the Local Government.
Ditto ...	Disposal of escheated property.	Article 280, Civil Account Code.	The Local Government should have power to dispose of escheated estates or property up to a limit of Rs. 10,000 instead of the present limit of Rs. 1,000.
Ditto ...	Alienation of general revenues in favour of a local or special fund.	Articles 283, 4, (9), Civil Account Code.	The rule requiring the sanction of the Government of India to such alienation should be relaxed. (In a recent case, when law classes previously held at a Government college were made over to the control of the Allahabad University, the alienation of the fee receipts had to be referred to the Government of India because the receipts from law classes elsewhere had exceeded the expenditure.)
Miscellaneous ...	Churches — Departure from ordinary scale of grants.	G. G. O. (Home department) No. 178 dated the 21st May 1897, part V, rules XIX and XX [issued apparently under article 283, (15) Civil Account Code].	The scales of accommodation and expense for churches laid down by the Government of India may not be exceeded without a reference to that Government. Within certain limits the Local Government might be granted a discretion in this matter, e.g. in the case noted in rule X, note 4, where abnormal rates prevail.
Ditto ...	Churches — Compensation for sittings.	G. G. O. (Home department) No. 178 dated the 21st May 1897, part V, rule XXXVIII.	Charges for compensation for sittings in churches which are not the property of Government require, when first claimed, the sanction of the Government of India. The rules are quite clear, and where the charge is provincial the Local Government might be empowered to sanction these.

APPENDIX III.

Suggestions as to how far, and in what matters, larger administrative powers should be given to the Government of the United Provinces in the application to local conditions of general lines of policy laid down by the Government of India.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Alienation of State lands.	G. G. O. (R. and A.) No. 5/329 dated the 20th June 1881 and G. G. O. (R. and A.) No. 243 dated the 22nd March 1873 (page 75 seq., department I, Manual of Government Orders).	Delegation to the Local Government of power to sanction— (*a*) Sales of land on favourable terms for a public purpose up to a limit of Rs. 10,000 instead of Rs. 1,000. At present such sales, where the full value of land exceeds Rs. 1,000, require the sanction of the Government of India. (*b*) Sales or exchanges of land for full value up to Rs. 25,000 instead of Rs. 10,000. At present such sales or exchanges, when the value exceeds Rs. 10,000, require the sanction of the Government of India. (*c*) Grants of land— (i) up to Rs. 10,000 in value instead of Rs. 3,000, when given as a site for the construction of Government schools, hospitals, dispensaries, and other public works at the cost of recognized local funds; (ii) up to Rs. 5,000, instead of Rs. 500, when given for any other public purpose or to a private individual for services to be performed to the State; (iii) up to Rs. 2,500, instead of Rs. 100, when the services are to be performed to the community. At present such grants require, in case (i) when the value exceeds Rs. 3,000, in case (ii) when the value exceeds Rs. 500, and in case (iii) when the value exceeds Rs. 100, the sanction of the Government of India.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Mines	G. G. O. (R. and A.) No. 18 — 17 – 2 dated the 20th May 1899 and G. G. O. (R. and A.) No. 23—111–1 dated the 23rd October 1895 (page 53 seq., department I, Manual of Government Orders).	Delegation to the Local Government of power— (i) to grant mining leases without restrictions as to the area of individual blocks or as to the total area which may be held by the lessee or those joint in interest with him. At present the area of a block over which a mining lease is granted by the Local Government may not exceed a maximum prescribed by the Government of India, and the total area held by a lessee or those joint in interest with him may not exceed 10 square miles (rule 19). (ii) to sanction the length of the block for which a lease is given being more than four times its breadth (rule 20). (iii) to include in the terms of a mining lease a covenant for renewal (rule 21). At present (ii) and (iii) require the sanction of the Government of India. (iv) to fix the rents and royalties to be paid under all mining leases. At present these are fixed by a scale prescribed by the Government of India (rule 22).
Appointment ..	Appointment of provincial Service Officers in reserved posts.	G. G. O. No. 347 dated the 15th May 1901.	The Local Government should be authorized to appoint a provincial Service Officer to officiate in any vacancy in a reserved post for a period not exceeding three months, whether the transfer of an officer is involved or not. At present such appointments can be made by the Local Government only for periods not exceeding six weeks, and the officers selected must be actually on duty at the place where the vacancy occurs.
Ditto ...	Appointment of temporary Civil Assistant Surgeons.	G. G. O. No. 1037 dated the 14th September 1907.	The Local Government should be allowed to exercise the power given to it under article 78, Civil Service Regulations, to appoint temporary Civil Assistant Surgeons in case of need, as, for example, when they are required to replace in the charge of headquarter dispensaries permanent Civil Assistant Surgeons temporarily appointed to the civil medical charge of districts resulting from the grant of leave to Commissioned Medical Officers. The exercise of this power was objected to on the ground that a reserve of Civil Assistant Surgeons had been fixed to meet all emergencies.

APPENDIX IV.

Suggestions as to how far, and in what matters, restrictions as to details imposed upon the Government of the United Provinces by law, or by rules having the force of law, can be relaxed with advantage.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Destruction of records.	Act III of 1879 ...	Delegation to the Local Government of power under section 5 to make rules under the Act without the sanction of the Government of India.
General ...	Appointments to the Local Legislative Council.	Section 45, Indian Councils Act, 1861.	At present appointments require the sanction of the Government of India. They might be made by the Local Government.
Separate Revenue (Excise).	Rules as to spirits, intoxicating drugs, &c.	Act XII of 1896 (the Excise Act).	The Local Government should have power to make rules as to many matters, especially in regard to drugs, to which the sanction of the Government of India is now required. [This question will be dealt with when a new Excise Act (based on the draft prepared by the Excise Committee) is passed by the Local Legislative Council. The new Act will allow of decentralization in many respects in matters of excise.]
Ditto ...	Rewards in opium cases.	Section 13 (*b*), Act I of 1878 (Opium Act).	This sub-section should be repealed. Instructions as to rewards should be given by executive order of the Local Government, as has been done in the case of rewards in excise cases, relating to liquor and drugs, according to the principles laid down by the Government of India.
Separate Revenue.	Rules as to process-serving establishment.	Sections 20, 22, and 23 of the Court Fees Act.	At present these rules, whether made by the High Court or by the Board of Revenue, require the approval of the Local Government and of the Government of India. The approval of the Local Government should be sufficient.
Municipal ...	Withdrawal of the Municipalities Act.	Section 191, U. P. Municipalities Act, 1900.	At present the sanction of the Government of India is required to the withdrawal of the Act from any town. This power should be vested in the Local Government.
Ditto ...	Imposition of taxes.	Section 59 — II, U. P. Municipalities Act, 1900.	The Local Government is empowered to sanction the imposition only of certain taxes in a municipality, and may not, save with the sanction of the Governor-General in Council, impose any other tax, e.g. a tax on circumstances and property. The Local Government should receive full power.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Abolition or reduction of taxes.	Section 66, U. P. Municipalities Act, 1900.	Where the Local Government wishes to abolish or reduce a tax otherwise than in accordance with the wishes of the municipal board it has to obtain the sanction of the Governor-General in Council. The Local Government should have full power in this respect.
Ditto ...	Cantonment boundaries.	Section 4, Cantonments Act, 1889.	The power of declaring the limits of a cantonment is at present exercised by the Government of India. The Local Government should be empowered to make changes in boundaries where both the Local Government and the General Officer Commanding the division are agreed.
Ditto ...	Cantonment taxation.	Section 17, Cantonments Act, 1889.	The sanction of the Government of India is required to the imposition, abolition, or modification of any tax in a cantonment. The general scheme of taxation for a cantonment or the abolition of any tax should be sanctioned by that authority, but the Local Government should be empowered, subject to the control of the Government of India, to modify any tax already sanctioned, e.g. to make changes in an octroi schedule where octroi has been imposed in a cantonment. Rules for the assessment and recovery of such taxes (for which at present the sanction of the Government of India is required) should be made by the Local Government subject to the control of the Government of India.
Ditto ...	Cantonments—Exemptions from taxation.	Section 20, Cantonments Act, 1889.	The power of exemption from cantonment taxation is at present vested solely in the Government of India. The Local Government should be given power, on the recommendation of the cantonment committee made through the local military authorities and subject to the control of the Government of India, to grant exemptions either individually or generally from cantonment taxation.

APPENDIX V.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to revenue should be given to the Board of Revenue.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Government properties.	Board's circular No. 1—XI, rule 1.	Delegation to the Board of Revenue of power, at present reserved to Government, to sell (*a*) small escheats for full value, and (*b*) land bought in by Government, when put up for sale on account of arrears of land revenue, provided that in either case the land is under 20 acres and is not in or near a town.
Ditto ...	Alienation of State lands.	G. G. O. (R. and A.) No. 5/329 dated the 20th June 1881 and G. G. O. (R. and A.) No. 243 dated the 22nd March, 1873 (page 75 seq., department I, Manual of Government Orders).	Delegation to the Board of Revenue of power, at present reserved to the Local Government, to sanction sales or exchanges of land for full value up to Rs. 500.
Ditto ...	Special staff for measurement of alluvial mahals.	Board's circulars No. 7—I, rule 30; 8—I, rule 4, and rule 25 of the Bundelkhand rules.	Delegation to the Board of Revenue of power, now reserved to the Local Government, to sanction expenditure above Rs. 100 on special staff required to measure alluvial *mahals*. This will involve the grant to the Board of a provincial allotment to cover such expenditure and also expenditure below Rs. 100 when this has not been budgeted for by the Collector.
Separate Revenue (Excise).	Retail licenses for sale of foreign spirit.	Rule 43 (12), Excise Manual.	Power to open new shops for the sale of foreign spirit during the currency of a settlement, which is at present reserved to the Government, might be delegated to the Board of Revenue.
Ditto ...	Distilleries and breweries—Exemption from restrictions.	Rules 105 and 135, Excise Manual.	The power to exempt persons working distilleries and breweries from the restrictions and conditions of any of the rules should, where the exemption is temporary, say for one month, be delegated to the Board. This power is at present vested wholly in the Government.
Ditto ...	Duty-free issue of spirits of wine and methylated spirits.	Rule 117, Excise Manual.	The power to sanction the issue of spirits of wine and methylated spirits duty free to hospitals and dispensaries and to Government officers should be delegated to the Board. At present the Government prescribes the maximum quantities to be so issued to each officer. (This is not possible under sections 7 and 66 of the Excise Act, 1896, and section 1 of Act XVI. of 1863, but amendment is contemplated.)
Ditto ...	Forms (Opium)	Rule 425, Excise Manual.	The Board should be empowered to prescribe forms relating to opium without the sanction of the Government.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to revenue should be given to the Commissioners of divisions.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Suspensions and remissions of land revenue.	Board's circular No. 6—III, rule 7.	The power to suspend and remit land revenue, at present reserved to Government, might be given to Commissioners in certain cases. But this will involve the amendment of section 51 of the Agra Tenancy Act (U. P. II of 1901), as at present suspensions and remissions of revenue in the Agra province by any authority other than the Local Government do not carry with them suspensions and remissions of rent in the Agra province. The section has been noted for amendment.
Ditto ...	Remissions of *takavi* advanced under Acts XIX of 1883 and XII of 1884.	Board's circular No. 1—VI, rule 53.	Delegation to Commissioners of power to remit up to Rs. 50 in each case and Rs. 1,000 in any one year (instead of the Board, which has power to remit up to Rs. 250 in individual cases, subject to a maximum of Rs. 10,000 in a year).
Ditto ...	Pensions... ...	Board's circular No. 2—VI, rules 10, 11, 16, 19, and 21.	Delegation to Commissioners of power to sanction, subject to an appeal to the Board— (1) the continuance of hereditary and transferable pensions (instead of the Board) ; (2) the division of such pensions among joint holders (instead of the Board) ; (3) the grant of a certificate to institute a suit in a civil court as regards a pension (instead of the Board) ; (4) the payment of arrears of hereditary and transferable pensions for periods not exceeding six years (the Commissioner can now sanction up to two years : the Board for longer periods) ; (5) the transfer of pensions referred to in (4) from one district to another (instead of the Board).
Ditto ...	Irrecoverable balances.	Board's circular No. 1—XI, rule 25. Board's circular No. 3—XI, rule 24.	Delegation of power to Commissioners to remit up to Rs. 500 irrecoverable rental balances in Government estates and all irrecoverable balances in estates under direct management (except those governed by rules in the Legal Remembrancer's Manual). At present Commissioner may remit up to Rs. 100 and the Board up to Rs. 1,000.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to revenue should be given to Collectors and Deputy Commissioners.

Revenue ...	Pensions ...	Board's circular No. 2—VI, rule 10.	Delegation of powers to District Officers to sanction payment of arrears of hereditary and transferable pensions for periods not exceeding two years (instead of Commissioner).
Ditto ...	Extra assistants to revenue accountants for *takavi* work.	Item 3 of statement appended to G.O. (Financial department) No. 3586/X-472 dated the 18th August 1906.	Delegation to District Officers of power, at present exercised by Commissioners, to sanction extra assistants to revenue accountants for *takavi* work subject to the standard laid down by the Board for the entertainment of such assistants. Commissioners to be given a lump allotment for the purpose.
Ditto ...	Special staff for measurement of alluvial *mahals*.	Board's cirulars No. 7—I, rule 30 ; 8—I, rule 4, and rule 25 of the Bundelkhand rules.	Delegation to District Officers of power, at present exercised by Commissioners, to sanction expenditure up to Rs. 100 on the special staff required to measure alluvial *mahals*, provided provision has been made in the district budget.
Ditto ...	Irrecoverable balances.	Board's circular No. 1—XI, rule 25. Board's circular No. 3—XI, rule 24.	Delegation of power, at present, exercised by Commissioners, to Collectors to remit up to Rs. 100 irrecoverable rental balances in Government estates and all irrecoverable balances in estates under direct management (except those governed by rules in the Legal Remembrancer's Manual).

APPENDIX VI.

Suggestions as to how far, and in what respects, extended powers regarding matters of general administration should be given to the Board of Revenue.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Acquisition of land.	Land Acquisition Act (I of 1894).	Delegation to the Board of Revenue of powers at present vested in the Government under— (*a*) section 3 (*c*) to appoint officers to perform the functions of a Collector under the Act ; (*b*) section 17 (1) to direct Collectors to take possession of land in cases of urgency, though no award has been made under section 11 ;

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Acquisition of land.	Land Acquisition Act (I of 1894).	(*c*) section 31 (3) to authorize Collectors to award compensation other than money ; (*d*) section 35 (1) to direct Collectors to procure temporary occupation and use of waste or arable land needed for any public use, or for a company, for any term not exceeding three years ; (*e*) section 48 (1) to withdraw from the acquisition of any land of which possession has not been taken ; (*f*) section 49 (2) to order the acquisition of the whole of the land of which the land first sought to be acquired forms a part where the claim made under section 23, sub-section I (thirdly), is considered to be excessive or unreasonable.

Suggestions as to how far, and in what respects, extended powers regarding matters of general administration should be given to Commissioners of divisions.

Revenue ...	Acquisition of land.	Land Acquisition Act (I of 1894).	Delegation to Commissioners of powers, at present reserved to the Local Government,— (1) to issue under section 4 the preliminary notification as regards land likely to be needed for any public purpose, and (2) to make under section 6 the declaration that land is required for a public purpose : Provided that in both cases the value of the land is not likely to exceed Rs. 1,000 ; the Commissioner obtaining the orders of Government if the case presents any special features. This delegation should apply also to land acquired for municipal and district boards under section 57, U. P. Municipalities Act, 1900, and section 49 of the U. P. District Boards Act, 1900.
Ditto ...	Powers to officers	Agra Tenancy Act (II of 1901) and U. P. Land Revenue Act (III of 1901).	Commissioners might be empowered to grant enhanced rent and revenue powers to assist collectors in their divisions, strictly in accordance with the rules laid down by Government to regulate the grant of such powers and to notify them. This will involve an amendment of the law [section 15 (1), U. P. Act III of 1901, and section 172, U. P. Act II of 1901], which confines this power to Government.
Ditto ...	*Kurk amins.*	Board's Circular No. 22—II.	Delegation to Commissioners of power, at present reserved to the Local Government, to sanction the entertainment of temporary *kurk amins* within the limits of a lump allotment to be placed at their disposal for this purpose.
Appointment ...	Leave, transfers, and promotions of gazetted officers.	Pages 19 and 20, department II, Manual of Government Orders. See article 841 (*a*), Civil Service Regulations.	Commissioners (instead of Government) to be empowered to grant and notify privilege leave to deputy collectors serving in districts where the staff is not in excess of sanctioned scale and no substitute is needed. The reserve must be in the hands of Government.
General ...	Exemption of subordinate officials from the educational test.	Page 161, department III, Manual of Government Orders.	At present exemptions require the sanction of Government. Power of exemption might be delegated to Commissioners in specified districts where it is shown to be necessary on the ground of difficulty in obtaining men who have passed the required examinations.
Judicial (Criminal).	Power to appoint honorary magistrates and accept their resignations.	Section 14, Criminal Procedure Code.	The Local Government to be given authority to delegate the power to Commissioners.
Ditto ...	Passing of sentences of whipping.	Section 32, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Appointment of village headmen.	Section 45 (3), Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to issue order in urgent cases of nuisance or apprehended danger.	Section 144 (5), Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to enquire and report on suicides, &c.	Section 174, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Cognisance of offences by Magistrates.	Section 190 (1), Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to commit for trial.	Section 206, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to try summarily.	Section 260, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Appointment of visitors of prisons.	Section 60 (2), Prisoners Act (IX of 1894).	Power to appoint non-official visitors, exercised by the Local Government, to be delegated to Commissioners.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Appointment and removal of members of a Municipal Board.	Sections 9, 10, 15, and 16, U.P. Municipalities Act, 1900. Rules, pages 87 and 88, Municipal Manual.	The power to appoint members, except in the case of casual vacancies in smaller municipalities, has hitherto been reserved to the Government : so also the power to remove members who have become incapable of acting, &c. The power of appointment and removal should be vested in the Commissioner, who might refer any case which appeared to require the orders of Government.
Ditto ...	Approval of election of Chairman of a Municipal Board.	Sections 20, 23, and 25, U. P. Municipalities Act, 1900.	The Commissioner should receive the power, at present exercised in the more important municipalities by the Government, of approving the election of a Chairman or appointing a Chairman when a vacancy has lasted for more than three months. With this would go the power to accept the resignation of a Chairman so elected or appointed. (This will not affect municipalities for which the Chairman is regularly appointed.)
Ditto ...	Removal of Vice-Chairman of a Municipal Board.	Section 24, U.P. Municipalities Act, 1900.	The power to remove a Vice-Chairman who has become incapable of acting, &c., which is at present reserved to the Government, should be delegated to Commissioners.
Ditto ...	Grant of gratuities and annuities to municipal servants.	Sections 42 (2) to (5), U. P. Municipalities Act, 1900.	Power to sanction the purchase of an annuity for, or to grant an extraordinary pension or gratuity to any municipal servant, which is at present reserved to the Government, might be delegated to Commissioners, with a discretion to refer doubtful cases to Government for orders.
Ditto ...	Municipal rules of regulation and control— Hackney carriage rules—Lodging house rules — Vaccination rules.	Sections 133, U. P. Municipalities Act, 1900. Hackney Carriage Act, 1879, sections 3 and 5. U. P. Lodging House Act, 1892, section 8.	Rules made by boards under the Hackney Carriage Act, under the Lodging House Act, under the Vaccination Act, and under chapter VII of the U. P. Municipalities Act, 1900, for the regulation of traffic, slaughter houses, water sources, &c., at present require the confirmation of the Government and publication in the Government Gazette. The approval of the Commissioner, with local publication where possible, should be sufficient.
		Vaccination Act, 1880, section 19.	The application to municipalities of certain sections of chapter VII of the U. P. Municipalities Act, 1900, would continue to require Government sanction, but the Commissioner might sanction the application of rules framed by a municipality under the Hackney Carriage Act to adjacent roads and railway stations.
Ditto ...	Transfers of municipal property.	G. O. No. 274/XI—108C. dated the 5th February, 1901 (page 97 of the Municipal Manual).	The Commissioner may not at present sanction any transfer of immovable property belonging to a Municipal Board save where the capital value of the property does not exceed Rs. 500 or where the property is given on a lease without a premium and at a reasonable rent for a term not exceeding thirty years. The Commissioner should be given full power to sanction transfers of immovable property vested in a Municipal Board, and he should direct whether the whole or part of the compensation received by the Board, where such immovable property is acquired under the Land Acquisition Act, 1894, should be invested. At present this power rests with the Local Government.
Ditto ...	Municipal budgets.	Rules 20 to 24, Municipal Account Code.	Commissioners pass orders on all municipal budgets, but send to the Government with their orders the budgets of the first class municipalities and of those which are in debt to the Government. District Magistrates should pass the budgets of less important municipalities, while other budgets should be passed by Commissioners, and the Government should see the budgets only of a few specified municipalities.
Ditto ...	Irregular expenditure by Municipal Boards.	G. O. No. 1756/XI—626B. dated the 4th June 1903.	At present the sanction of the Government is required to overrule any objection by the Local Audit Department or to write off the item objected to. The sanction of the Commissioner should suffice except in cases where he considers the sanction of the Government to be necessary.
Ditto ...	Collection of taxes by a farmer.	G. O. No. 274/XI—108C. dated the 5th February 1901 (page 111, Municipal Manual).	The sanction of the Local Government is required to the farm of a tax and to the period for which the farm will hold good. The sanction of the Commissioner should be sufficient.
Ditto ...	Composition for municipal taxes.	Section 64, U. P. Municipalities Act, 1900, and rules on page 114, Municipal Manual.	At present the confirmation of the Local Government is required to a composition made for octroi and certain other taxes. This power should be delegated to Commissioners subject to a scale prescribed.
Ditto ...	Establishment of a branch octroi office.	Rule 30, Municipal Account Code.	The previous sanction of the Local Government is required to the establishment of a branch octroi office. The Commissioner may be authorized to sanction this after consulting the Accountant-General in the Local Audit Department.
Ditto ...	Refunds of octroi duty.	Rules 73(9), Municipal Account Code.	In a municipality where octroi is newly imposed, the Local Government prescribes the period up to which refunds of octroi shall not be given. This power shall be delegated to Commissioners.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Establishment of a bonded warehouse.	Rule 109, Municipal Account Code.	The power to exempt a municipal board from the rule requiring it to maintain a bonded warehouse, which is at present vested in the Local Government, should be granted to Commissioners subject to the condition that they obtain the opinion of the Accountant-General in the Local Audit Department before passing orders.
Ditto ...	Taxation in notified areas.	Section 194 (1) (*a*), U. P. Municipalities Act, 1900.	The Local Government may impose in any notified area any tax which could be imposed there if the notified area were a municipality. Any subsequent modification of the rate of tax must also be sanctioned by the Local Government. The Government should retain the power to determine the general scheme of taxation in any place which is constituted a notified area, but all details, such as changes in the octroi schedule where octroi exists, might be left to the Commissioner.
Ditto ...	Cantonments—Leases extending over twelve months.	Cantonment Code, 1899, section 60.	For leases of land other than building leases extending over twelve months the concurrence of the Local Government must be obtained by the General Officer Commanding the division. The concurrence of the Commissioner should be sufficient.
Ditto ...	Cantonments—Erection of public buildings or buildings reserved for civil officers.	Cantonment Code, 1889, section 258.	Land in a cantonment cannot be given for such buildings without the concurrence of the Local Government. The concurrence of the Commissioner should be sufficient.
Ditto ...	Cantonments—House accommodation.	Section 10, Cantonments (House Accommodation) Act, 1902.	After the Act has been applied to any cantonment no house can be occupied for the purposes of a hospital, bank, hotel, shop, or school or by a railway administration without the previous sanction of the General Officer Commanding the division, given with the concurrence of the Local Government. The concurrence of the Commissioner should be sufficient.
Local Self-Government.	Appointment of members of District Boards.	Section 4 (2) (*b*) United Provinces District Boards Act, 1906.	Power to appoint non-elected members of District Boards, which is at present reserved to the Government, might be delegated to Commissioners of divisions.
Ditto ...	Removal of members.	Section 10, United Provinces District Boards Act, 1906.	Power to remove any member of a District Board who refuses to act, or becomes subject to some serious disqualification, might be delegated to Commissioners of divisions. It is at present reserved to the Government.
Ditto ...	Approval of election of Chairman.	Section 13, United Provinces District Boards Act, 1906.	Power to accept the election of a Chairman by a District Board—or, where an election has not taken place in due time, to appoint a Chairman—a power at present reserved to the Government, might be delegated to Commissioners of divisions. Cases in which the Commissioner does not accept the nomination might be referred to the Government.
Ditto ...	Purchase of annuities and grant of extraordinary pensions and gratuities to District Board employés.	Section 32, United Provinces District Boards Act, 1906, and rules 28 and 30 on page 84, District Board Manual (G.O. No. 1743—IX-24 dated the 31st October 1906).	Power to sanction the purchase of an annuity for, or to grant an extraordinary pension or gratuity to, any District Board servant, which is at present reserved to the Government, might be delegated to Commissioners of divisions, with a discretion to refer doubtful cases to the Government for orders.
Ditto ...	Public Works ...	Rule 12 on page 307, District Board Manual (G.O. No. 1742—IX-24 dated the 31st October 1906).	District Board works costing over Rs. 10,000 require the administrative sanction of the Government. The limit of the works which may be sanctioned by the Commissioner might be raised.
Miscellaneous ...	Remissions of ferry lease money.	G.O. Nos. 2104—XI-884 C. dated the 8th September 1900 and 813—XI-108 C. dated 22nd March 1901.	Power to sanction all remissions of ferry lease money might be delegated to Commissioners of divisions. At present only the Government is authorised to sanction remissions exceeding 20 per cent. of the lease money of any individual ferry or a reduction made before the expiry of the lease.
Ditto ...	Auction of ferry leases.	Section 8, Northern India Ferries Act, 1878.	The approval of the Government is at present required to the letting by public auction for a term exceeding five years or otherwise than by public auction for any term. This power should be delegated to the Commissioner.
Ditto ...	Cemeteries—Erection of monuments.	G. G. O. (Home Department) No. 178 dated the 21st May 1897, part I, rule XVI.	The sanction of the Local Government is required to the erection of a monument exceeding 8′ × 4′ in a Government cemetery. The Commissioner should be the sanctioning authority.

Suggestions as to how far, and in what respects, extended powers regarding matters of general administration should be given to Collectors and Deputy Commissioners.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	District ministerial establishments.	Board's circular No. 1—IX, rule 3.	Delegation to District Officers of power to make appointments and promotions to all posts under them, except those of head clerks and treasury head clerks, without the sanction of the Commissioner, at present required in respect of appointments for periods exceeding three months to posts carrying a salary of over Rs. 50.
Ditto ...	Temporary vacancies among tahsildars.	Board's circular No. 4—IX, rule 42.	Delegation to District Officers of power to appoint up to three months subject to the condition that a listed candidate, if available, is appointed. At present vacancies lasting for more than a month are filled up by listed candidates appointed by the Board of Revenue.
Ditto ...	Appointment of extra money testers.	Board's circular letter No. $\frac{7}{IX—3}$ dated the 26th February 1894 and item 5 of the statement attached to G.O. (Financial department) No. $\frac{3586}{X—472}$ dated the 18th August 1906.	Delegation to District Officers of power (at present vested in Commissioners) to appoint extra money testers— (1) at headquarters treasuries on the conditions laid down in the order printed at page 34 of the Manual of Government Orders, department X ; (2) at certain *tahsil* treasuries when required : Provided that in both cases the appointments are within the limit of the amounts placed at their disposal.
Ditto ...	(1) Extra record room establishment. [Copyists and weeders (English and vernacular), arrangers, and bundle lifters.] (2) Messengers for collection of supplies for troops. (3) Process serving establishment— (*a*) extra peons for collection of arrears of revenue ; (*b*) extra rent suit process servers.	Board's circular No. 2—III, rule 13. Board's circular No. 2—IX, rule 4. Board's circular No. 25—IX, rule 3. Board's circular letter No. $\frac{7}{IX—3}$ dated the 26th February 1894 and items 4, 6, 7, and 14 of statement appended to G.O. (Financial department) No. $\frac{3586}{X—472}$ dated the 18th August 1906.	Delegation to District Officers of power, at present vested in Commissioners of divisions, and as regards English weeders in the Board of Revenue, to sanction the entertainment of these extra establishments so long as the allotment made under each head is not exceeded.
Ditto ...	Mines	G. G. O. (R. and A.) No. 18—17-2 dated the 20th May 1899 and G. G. O. (R. and A.) No. 23—111-1 dated the 23rd October 1895 (page 53 seq., department I, Manual of Government Orders).	The Collector should be empowered to grant a prospecting license without the certificate of approval by the Local Government of the applicant now required by rule 11 (3). This certificate may be dispensed with.
Ditto ...	Ditto ...	Ditto ...	The Collector need not be required to report his refusal of a prospecting license to the Local Government (rule 13).
General... ...	Licenses to possess petroleum other than dangerous petroleum in bulk granted under section 11, Act VIII of 1899; and licenses to possess or transport dangerous petroleum above 40 gallons granted under section 5 or section 6, Act VIII of 1899.	Rule 16, page 108, department III, Manual of Government Orders.	The first license should be issued by Government, but subsequent annual renewals might be granted by District Magistrate. At present all such licenses are issued under the signature of an Under-Secretary to Government.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Boundaries of a municipality.	Sections 4 to 7 and 188, U. P. Municipalities Act, 1900.	The present law requires the Local Government to define the limits of an area to which the Act may be applied. The limits of areas subsequently included in, or excluded from, those limits must also be notified by the Local Government. The Local Government should continue to apply the Act to any town, but the power to fix or to alter the boundaries within which the Act should apply should be delegated to the District Magistrate. (The provisos to sections 4, 6, and 188, requiring the previous sanction of the Governor General in Council in the event of the area affected being part of a cantonment, should not be changed.)
Ditto ...	Conservancy arrangements in police lines within municipalities.	G.O. No. 1414/XI—925B. dated the 4th June 1900 (page 163, Municipal Manual).	It has been customary to refer to the Government the question of the charge to be made by a Municipal Board for the conservancy of the police lines. The District Magistrate should be authorized to accept such a charge on behalf of the Government.
Ditto ...	Municipal budgets.	Rules 20 to 24, Municipal Account Code.	District Magistrates should be given the power of passing the budgets of all municipalities with a population of less than 50,000 with certain special exceptions, e.g. Mussooree and Naini Tal. At present all municipal budgets are submitted for sanction to Commissioners.
Ditto ...	Transfers of municipal property.	G.O. No. 274—XI—108C. dated the 5th February 1901 (page 97, Municipal Manual).	A Municipal Board may not without the sanction of the Commissioner or of the Government transfer any immovable property vested in itself except by way of a lease without a premium and at a reasonable rent for a term not exceeding five years. The District Magistrate should be empowered to sanction any transfer where the capital value of the property does not exceed Rs. 500 and in other cases the grant of a lease without a premium and at a reasonable rent for a term not exceeding thirty years.

APPENDIX VII.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to the Court of Wards should be given to (a) the Board of Revenue, (b) Commissioners, (c) Collectors and Deputy Commissioners.

Section 41, United Provinces Act III of 1899, which will need alteration.

a. To delegate to the Board of Revenue as Court of Wards the power, now vested in Government, to release all estates except those in which the liquidation of debts has not been completed, or of which the liquidation is impracticable within a reasonable period.

b. To delegate to Commissioners powers, now exercised by the Board :—

Rule 37, Court of Wards Manual. (1) To allow Court of Wards managers to take charge of other estates which are, or may come, under Government management for any reason ;

Rule 95, Court of Wards Manual. (2) to pass orders on proposals for renewal of bonds for arrears of rent ;

Rule 221, Court of Wards Manual. (3) to make over, or refuse to make over, particular records to proprietors ;

Rule 360, Court of Wards Manual. (4) to sanction additional allotments up to 10 per cent. on the gross income in the case of budgets passed by the Board, the Board being informed (Commissioners can already sanction transfers up to Rs. 2,000.)

Rule 362, Court of Wards Manual. (5) to transfer from one head to another in the budgets of estates with an income of Rs. 50,000 and over ;

Rule 188, Court of Wards Manual. (6) to sanction the institution or defence of civil suits in which less than Rs. 10,000 is involved ;

Rule 113, Court of Wards Manual. (7) to sanction investments or purchases of property up to Rs. 10,000 ;

(8) to deal with and settle questions of account raised at the audit of Court of Wards accounts.

c. To delegate to Collectors powers, now exercised by Commissioners :—

Rule 357, Court of Wards Manual. (1) to transfer from one sub-head to another of the same head in the budget ;

Rule 73, Court of Wards Manual. (2) to appoint to all posts in Court of Wards estates under their charge except to those of managers and assistant managers and of head clerks, general superintendents, and *peshkars* in special managers' officers ;

Rule 343, Court of Wards Manual. (3) as regards estates with an income not exceeding Rs. 10,000 per annum.

APPENDIX VIII.

Suggestions as to the possibility and desirability of allowing Commissioners and Collectors to control, to a greater extent than at present, expenditure in their divisions or districts and the extent to which this can be done.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Entertainment of temporary establishment.	Article 78, Civil Service Regulations.	The power of sanctioning temporary establishment can be extended, especially in the case of Collectors. Every officer who has power to sanction temporary establishment should be given an allotment for this purpose.

APPENDIX IX.

Suggestions as to delegation of powers now vested in the Local Government by the Civil Service Regulations or other financial rules to Heads of Departments or Commissioners of divisions or other subordinate authorities.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Budget transfers	G. G. O. No. 4783 dated the 2nd August 1904.	At present Heads of Departments can transfer only items of the same minor head within a district, although certain Heads of Departments can transfer within a minor head within and between districts, and the Board of Revenue can transfer within a major head within and between districts in any budget submitted through them. They cannot, however, deal with contract grants, salaries, or establishments generally. This last restriction should remain, as also the restrictions noted below, but subject to these the following powers to sanction transfers should be granted :— A Collector should be empowered to sanction transfers within his own district within a minor head of the miscellaneous budget or of a departmental budget with which he is concerned. A District Judge should be empowered to sanction transfers within his own district within a minor head of any budget with which he is concerned. A Settlement Officer should be empowered to sanction transfers within his budget. A Commissioner may sanction transfers within any major head of the miscellaneous budget, or within any minor head of any department budget, with which he is concerned, and in either case within and between districts of his division. A Head of a Department may sanction transfers within any major head in his budget, and within and between districts. The Board of Revenue may sanction transfers within a major head under their control and within and between districts. Transfers to or from— 3—Land Revenue— Survey and settlement, Encumbered Estates, Government estates (other than Tarai and Bhabar estate), should not be made without the sanction of the Board. Tranfers to or from— 3—Land Revenue— Government estates—Tarai and Bhabar, 18—General Administration, all minor heads, 25—Political, all minor heads, 20—Police— Criminal Investigation department, Railway police. 22—Education— University. 24—Medical— Medical Schools and College— should not be made without the sanction of the Government.
Ditto ...	Power to grant pensions.	Articles 918, 919, and 921, Civil Service Regulations.	In a case falling strictly within the letter of the regulations the Local Government has power to grant the pension admissible, but Commissioners of divisions and the Inspector-General of Police have power to grant pensions to men drawing twenty rupees a month or less in cases where such claims are certified by the Audit Officer to be admissible under the strict letter of the regulations. It is proposed to delegate the power of sanction to the officer who appoints to the post, e.g. the collector should grant pensions to clerks drawing less than Rs. 50, and the Commissioner should deal with district head clerks and with men in his own office. The Board of Revenue might deal even with the cases of tahsildars. The Local Government should retain the power to grant pensions to Gazetted Officers, and in the case of any officer no reduction of the pension ordinarily admissible should be made without the orders of the Government.
Ditto ...	Pensions—Condonation of interrruption in service.	Article 422, Civil Service Regulations.	At present no Heads of Departments exercise power to condone interruptions in service. The authority otherwise empowered to grant a pension should have power to condone interruptions not exceeding three months in all.
Ditto ...	Pensions—Condonation of interruption between settlement and other service.	Note to article 422, Civil Service Regulations.	The Board of Revenue should be given the power to condone short interruptions between settlement and subsequent qualifying service and to declare the whole to be continuous. This power is at present exercised by the Local Government.
Ditto ...	Pensions—Condonation of deficiency in service.	Article 423, Civil Service Regulations.	At present only the Government can condone a deficiency in service. The authority otherwise empowered to grant a pension should have power to condone a deficiency of three months, or, if the officer applying for a pension, besides his qualifying service, has rendered service paid from the general revenues but not counting for pension, or, if claiming a pension for superior service, has rendered also inferior service, to condone a deficiency in the qualifying service not exceeding half the non-qualifying or inferior service, and also not exceeding twelve months in all.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Grant of pension in cases in which a portion of the service is not clearly proved from official records.	Article 903, Civil Service Regulations, and G.O. No. 2885 X—P. 157 dated the 28th June, 1899.	All these cases are at present referred to the Local Government. The authority having power generally to grant the pension should be given the power to grant a pension in such a case also where the service is otherwise proved.
Ditto ...	Commutation of absence without leave.	Article 232, Civil Service Regulations.	Some power might be delegated to Heads of Departments as to the commutation of periods of absence without leave into leave without allowances. At present only the Local Government can order such commutation.
Ditto ...	Commutation of leave.	Article 232, Civil Service Regulations.	This requires the sanction of the Local Government at present. Officers empowered to grant leave should have the power to commute inadmissible leave.
Ditto ...	Remission of allowances wrongly drawn.	Article 279A, Civil Account Code.	Allowances wrongly drawn cannot be remitted except by the Government. In the case of leave allowances wrongly drawn, where the period which elapsed before they were challenged was not less than six months, the authority empowered to commute the leave should be competent to sanction remission of excess allowances drawn in good faith, subject to a limit of, say, Rs. 250.
Ditto ...	Age limit ...	Article 51, Civil Service Regulations.	At present the sanction of the Local Government is required to the appointment to Government service of men whose age exceeds twenty-five years. Power should be delegated to the Directors of Land Records and Agriculture and Public Instruction in respect of appointments of assistant registrar kanungos and teachers respectively, provided that the age of the men appointed does not exceed thirty or perhaps thirty-five years of age.
Ditto ...	Journeys beyond the limits of the province.	Article 57, Civil Service Regulations.	The Local Government has power to authorize any of its officers to proceed on duty to any part of British India, whether within or beyond its own jurisdiction or to any foreign state or settlement adjoining its jurisdiction. Some power might be delegated to subordinate officers, particularly the Inspector-General of Police, with reference to the deputation of non-gazetted officers to attend fairs, &c., outside the province as detectives.
Ditto ...	Additions to salary.	Note to Article 72 (*b*), Civil Service Regulations.	A recurring allowance in addition to salary at present requires the sanction in most cases of the Local Government. Some power should be delegated to Heads of Departments. It should not be necessary to obtain the sanction of Government to the payment of a rupee or two a month to a constable for the registration of births and deaths.
Ditto ...	Charge allowances.	Articles 95 and 161, Civil Service Regulations.	The power to sanction charge allowances, at present vested in the Local Government, may, subject to certain specified restrictions, be delegated to Heads of Departments and Commissioners of Divisions.
Ditto ...	Extensions of joining time.	Article 180, Civil Service Regulations.	Some power with regard to the extension of the joining time admissible by rule, which at present requires the sanction at least of the Local Government, might be given to Heads of Departments.
Ditto ...	Allowance during joining time to officer without a substantive appointment.	Article 188, Civil Service Regulations.	The power to allow an officer without a substantive appointment transferred from one officiating office to another, to draw an allowance during joining time, is at present generally vested in the Local Government. It should be delegated to Heads of Departments in respect of officers serving under them.
Ditto ...	Re-employment of pensioners.	Articles 520 to 524, Civil Service Regulations.	Power to sanction the re-employment of pensioners, subject to definite conditions laid down, now rests with the Local Government. It might be delegated to Heads of Departments.
Ditto ...	Payment of arrears of pension.	Articles 956 to 957, Civil Service Regulations.	At present for the payment of arrears of pension where they exceed Rs. 1,000 or where the pension is to be drawn for the first time, the sanction of the Local Government obtained through the Accountant-General is required. The sanction of the Collector should suffice. (The Local Government is empowered to make this delegation.)
Ditto ...	Payment of arrears of pension to heirs of deceased pensioners.	Article 959, Civil Service Regulations.	Where the claim of the heirs of a deceased pensioner to arrears is deferred for six months (unless the case is simple and the arrears do not exceed Rs. 100) the sanction of the Local Government is required to payment. This power might be delegated to Collectors. (The Local Government is empowered to make this delegation.)
Ditto ...	Travelling allowance, carriage of horses, &c., halting allowance.	Articles 1000, 1056, and 1061, Civil Service Regulations.	Delegations on these points, which have already to some extent been allowed, might be extended.
Ditto ...	Expenses of journey to appear before a medical board.	Article 1138, Civil Service Regulations.	Heads of Departments and Commissioners of Divisions should be authorized to sanction the payment to officers serving under them of an allowance to cover the expenses of travelling to appear before a medical board where the officer applies *voluntarily* to appear before the board. In such a case at present the sanction of the Local Government is required.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Claims to arrears of pay and allowances.	Article 5 (*o*), Civil Account Code.	The sanction of the Government is required to the investigation of claims to arrears of pay and allowances which have remained in abeyance for two years. The sanction of the Head of the Department concerned or of the Commissioner should be sufficient.
Ditto ...	Petty recurring charges.	Article 98 (*m*), Civil Account Code.	The rule that no charge which binds Government beyond a single payment may be incurred without the sanction of the Government should not apply to expenditure from a contract grant, e.g. for the washing of clothes at a hospital.
Ditto ...	House - building advances.	Article 186, Civil Account Code.	At present house-building advances require the sanction of the Government. It would seem sufficient that Government would lay down the general rule, e.g. that advances should be allowed in such and such a place or to the clerks of a particular office, and that the actual grant of the advance in individual cases should be left to the Head of the office concerned.
Ditto ...	Irrecoverable value of stores or money.	Article 279, Civil Account Code.	Authority to write off losses up to Rs. 200 has been given to Commissioners and Heads of Departments, but the delegation might well be carried further, and increased power should be given to Collectors in this respect.
Miscellaneous ...	Purchase of tents	Article 1042, Civil Service Regulations.	The Civil Service Regulations require the Government to lay down a scale of tents, but it has hitherto been customary for this Government to sanction the purchase of tents. The latter power may be delegated to Heads of Departments and to Commissioners. (This is at present under consideration.)
Ditto ...	Purchase of books	Article 98 (*e*), Civil Account Code.	Heads of Departments, Commissioners, and Collectors should be allowed to purchase books within the limits of the amounts entered for the purpose in their budgets. This power at present generally rests with Government. (The question is now under consideration as the Government of India have authorized such delegation.)
Ditto ...	Stores	Article 98 (*k*), Civil Account Code.	The sanction of the Local Government is at present required to the purchase in the local market of articles of European manufacture where these exceed Rs. 50 in value. The limit should be raised to Rs. 100.
Ditto ...	Typewriters ...	Article 98 (*v*), Civil Account Code.	Power to indent for typewriters may be delegated, subject to definite conditions, from the Local Government to the Head of the office concerned.
Ditto ...	Churches—Minor grants and supply of articles.	G. G. O. (Home department) No. 178 dated the 21st May 1897, part V, rules XVIII and XXIV.	Grants for churches made from provincial funds are sanctioned by the Local Government subject to limitation contained in the rules prescribed by the Government of India. If the restrictions remain this power might, as regards some of the minor matters, e.g. supply of Bibles and hymn books, for which sanction is required, be delegated to Commissioners.

APPENDIX X.

Suggestions as to how far the right of appeal to the Local Government, now granted to officers of Government against orders affecting them personally, should be curtailed as unnecessarily liberal.

Department.	Subject.	Authority.	Suggestions.
Judicial (Civil)	Dismissal and removal of ministerial officers of civil courts in Agra.	Section 30, Bengal, North - Western Provinces, and Assam Civil Courts Act (XII of 1887).	Appeals may lie to High Court instead of to Government. High Court's order to be final.

APPENDIX XI.

Suggestions as to the curtailment of the right of appeal to the Board, Commissioners, and Heads of Departments.

Department.	Subject.	Authority.	Suggestions.
Appointment ...	Removal or dismissal of naib-tahsildars.	Section 17, U. P. Act III of 1901 (Land Revenue Act), and rule 4, Board's circular No. 7—IX.	Power of removal or dismissal of naib-tahsildars now delegated by the Local Government to the Board of Revenue should be delegated to Commissioners.

Department.	Subject.	Authority.	Suggestions.
Appointment ...	Punishment of supervisor, registrar, and assistant registrar kanungos.	Rules 14 to 16, Board's circular No. 4—VII, and rules 5 and 5A. Board's circular No. 3—VII.	Orders of a Collector inflicting punishments, short of removal or dismissal, should be final, and an appeal should not lie as at present under the Land Revenue Act. The power of the Board in revision is enough. The Collector should have the power, now vested in the Commissioner, to remove or suspend a supervisor kanungo, as he has in the case of registrar and assistant registrar kanungos, an appeal lying to the Commissioner, and a second appeal to the Board if the pay is over Rs. 50 per mensem.
Ditto ...	Appointment and punishment of patwaris.	Chapter I, Board's circular No. 1—VII, and chapter X, U. P. Act III of 1901.	At present appeals against orders relating to the appointment and removal and dismissal of patwaris are governed by chapter X of the Land Revenue Act. The order of the Collector, whether original or appellate, in cases of appointment and punishment (short of removal or dismissal) of patwaris, should be final, an appeal lying to him if such orders are passed by an Assistant Collector The order of the Collector removing or dismissing a patwari should be appealable to the Commissioner only. This will involve an amendment of the Act.
Ditto ...	Apppointment of *lambardars.*	Section 45 and chapter X, U. P. Act III of 1901.	At present appeals against orders relating to the appointment of *lambardars* are governed by chapter X of the Land Revenue Act. The Collector's appellate order in this matter should be final, an appeal lying to the Collector against the order of an Assistant Collector as at present. This will involve an amendment of the Act.
Ditto ...	Second appeals against orders of punishment of revenue officials.	Rule 12, Board's circular No. 1—IX.	A second appeal now lies to the Board against appellate orders passed by a Commissioner in cases of dismissal of an official drawing a salary of over Rs. 30 per mensem. This limit should be raised to Rs. 50 per mensem.

APPENDIX XII

Other suggestions regarding the grant of extended powers to Heads of Departments or officers under the Local Government other than the revenue officials already mentioned.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Readjustments of patwari circles.	Section 21, U. P. Act III of 1901, and Board's circular No. 9—VII.	Delegation to Director of Land Records and Agriculture of power, at present vested in the Board under section 21 of the Land Revenue Act (U. P. Act III of 1901), to sanction readjustments of patwari circles when no extra expenditure is involved.
Ditto ...	Appointment of assistant patwaris to overworked circles.	Board's circular No. 9—VII.	The section has been noted for amendment. Delegation to Director of Land Records and Agriculture of power, at present vested in the Government, to appoint assistant patwaris to overworked circles, provided that their pay can be met from the lump allotment, to be given him in the budget of his department, for the entertainment of temporary establishment and other purposes.
Ditto ...	Agricultural publications.	...	Delegation to Director of Land Records and Agriculture of power, at present exercised by Government, to control distribution lists of purely agricultural publications.
Ditto ...	Statistical and arboricultural manuals.	...	Delegation to Director of Land Records and Agriculture of power to make alterations in the statistical and arboricultural manual, when based on the orders of the Government of India or of this Government.
Appointment ...	Leave, transfers, and promotions of Gazetted Officers.	See article 841 (*c*), Civil Service Regulations.	Heads of Departments (instead of Government) to be empowered to grant and notify short leave to Gazetted Officers and make the officiating arrangements provided they are local and do not involve a transfer.
Ditto ...	Ditto ...	...	High Court and Judicial Commissioner to be empowered (instead of Government) to make grade promotion and grade reversion amongst all grades of munsifs and amongst Subordinate Judges to and from the second grade. Government would reserve power to promote to and revert men from the first or highest grade.
Ditto ...	Ditto ...	Page 1, department II, Manual of Government Orders.	Inspector General of Civil Hospitals to be empowered to promote to the senior grade of Assistant Surgeons and to gazette the promotion. At present the power rests with Government.
Separate Revenue (Excise).	Wholesale licenses for sale of country spirit.	Rule 69, Excise Manual.	Power, at present exercised by Government to issue additional licenses of the kind during the year, should be delegated to the Excise Commissioner subject to appeal to the Board by the persons affected.
Judicial (Civil)	Appointment, suspension, dismissal, or removal of sub-registrars.	Sections 6 and 13, Indian Registration Act (III of 1877).	Power to appoint, suspend, remove, or dismiss sub-registrars, at present exercised by the Local Government, to be delegated to the Inspector-General of Registration.

Department.	Subject.	Authority.	Suggestions.
Judicial (Civil)	Applications from sub-registrars for leave for more than three months.	Rule 12 of the United Provinces Registration Manual.	Power to grant such leave, at present reserved by the Local Government, to be delegated to the Inspector-General of Registration.
Ditto ...	Suspension or removal of Subordinate Judicial Officers.	Sections 29 and 30, Oudh Civil Courts Act (XIII of 1879).	At present the Local Government suspends or moves munsifs in Oudh. The Judicial Commissioner suspends them in cases of urgent necessity and reports to the Government for orders. It is proposed to give the Judicial Commissioner the power conferrrd on the High Court, North-Western Provinces, to suspend and remove a munsif and appoint a commission for enquiring into alleged misconduct [vide section 28, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887)].
Ditto ...	Increasing pecuniary limit of jurisdiction of subordinate civil courts in Agra.	Section 19, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	High Court may be given the power now exercised by the Local Government.
Ditto ...	Increasing pecuniary limit of jurisdiction of subordinate civil courts in Oudh.	Section 17, Oudh Civil Courts Act (XIII of 1879).	Judicial Commissioner of Oudh may be given the powers now exercised by the Local Government.
Ditto ...	Investment of Subordinate Judges and munsifs in Oudh with small cause court jurisdiction.	Section 24, Oudh Civil Courts Act (XIII of 1879).	The Local Government's authority to give and withdraw powers under section 24, to be conferred on the Judicial Commissioner.
Ditto ...	Investment of Subordinate Judges and munsifs in Agra with small cause court jurisdiction.	Section 25, Bengal North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	The Local Government's authority to give and withdraw powers under section 25, to be conferred on the High Court, North-Western Provinces.
Ditto ...	Transfers of ministerial officers of civil courts in Agra.	Section 34, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	It is proposed to empower the High Court, North-Western Provinces, to transfer a ministerial officer from the jurisdiction of one judge to that of another. District Judges may be authorized to make exchanges when arrangements can be made between themselves.
Police ...	Re-allocation of police circles.	Section 4 (1) (*s*), Criminal Procedure Code.	The Local Government's power to alter the limits of a police station may be delegated to the Commissioner of the division as long as the number of stations in a district is not altered.
Judicial (Criminal).	Criminal lunatics	Sections 464 to 472, Criminal Procedure Code.	The courts may be authorized to send criminal lunatics to asylums without the intervention of higher authority, except that orders of Magistrates subordinate to the District Magistrate should require the latter's confirmation.
Ditto ...	Removal of insane prisoners to a lunatic asylum.	Section 30 (1), Prisioners Act (III of 1900).	The Local Government's authority to direct removal to be delegated to the Inspector-General of Prisons.
Ditto ...	Retransfer to jail of a recovered criminal lunatic.	Section 30 (2), Prisoners Act, (III of 1900).	The visitors of the asylum should have authority to order retransfer (cf. section 9, Act XXXVI of 1858).
Ditto ...	Removal of convicts to the Andamans.	Section 32, Prisoners Act (III of 1900).	It is proposed to authorize the Inspector-General of Prisons to act on behalf of Government. At present all such references are submitted to Government.
Ditto ...	Establishment of jail warders.	Practice	At present the establishment for each jail is considered separately, and every increase and decrease in the sanctioned scale of an individual jail is separately approved. It is proposed to have a provincial scale and leave it to the Inspector-General of Prisons to fix the staff for each jail.
Ditto ...	Appointment of temporary warders in times of epidemic disease outbreaks.	Article 78 of the Civil Service Regulations.	The Local Government sanctions at present. The Inspector-General of Prisons may be given authority to sanction the appointments.
Ditto ...	Holding of the temporary charge of a district jail by an officer other than the Civil Surgeon.	Paragraphs 14 and 14 (*a*) of the Jail Manual.	Ordinarily the Civil Surgeon is the Superintendent of a district jail. In his absence arrangements for the charge of the jail are made by the District Magistrate, who under paragraph 14 is required to report them through the Inspector-General of Prisons for the sanction of Government. It is proposed that the sanction of Government should be dispensed with unless the Inspector-General for any special reason thinks a reference to Government necessary. The arrangements made by the Magistrate would simply be reported for the Inspector-General's information.

Department.	Subject.	Authority.	Suggestions.
Medical ...	Septennial examination of Assistant Surgeons.	G. G. O. (Home Department), No. 2182-91 dated the 29th December 1899.	The power of allowing Assistant Surgeons to appear at their examination a year before the completion of septennial periods, at present exercised by the Local Government, may be conferred on the Inspector-General of Civil Hospitals.
Ditto ...	Transfer of hospital assistants within the district.	Rule 164 (18) of the Medical Manual.	Transfers are at present made by Inspector-General of Civil Hospitals. It is proposed that district boards should be empowered to sanction the transfers with the concurrence of the Civil Surgeon. (The Inspector-General of Civil Hospitals is not in favour of this delegation, but the Lieutenant-Governor does not agree with him.)
Ditto ...	Appointment of civil hospital assistants.	Rule 164 (14) of the Medical Manual.	It is proposed to permit the Inspector-General of Civil Hospitals to make appointments within the sanctioned scale. The Local Government sanctions at present.
Ditto ...	Promotion of civil hospital assistants to the first and senior grades.	G. O. No. 267 V—120B dated the 20th November 1901.	The Local Government's power to promote to be delegated to the Inspector-General of Civil Hospitals.
Educational ...	Ordinary grants to European schools.	Article 37, European Schools Code.	These are submitted to Government for orders; there is no need for this, and the Director may sanction within the budget allotment.
-Ditto ...	Arrangements for primary scholarship examination.	Article 90, European Schools Code.	Arrangements now required to be made by the Local Government should be carried out by the Head of the Department.

APPENDIX XIII.

Suggestions as to how far larger powers should be granted to district municipalities.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Fees for licenses for the use of places for certain offensive and dangerous trades.	Section 120, U. P. Municipalities Act, 1900.	The scale of fees for such licenses must be approved by the Local Government. This, however, might be left to Municipal Boards so far as fees not exceeding Rs. 10 per annum are concerned. Fees for petroleum licenses, however, should be fixed in accordance with the scale prescribed by the Government.
Ditto ...	Rules of regulation and control.	Section 133, U. P. Municipalities Act, 1900.	Municipal Boards should themselves be given authority to adopt *certain* model rules of regulation, either *en bloc* or with such slight modification that the District Magistrate considers a reference to Commissioner is not necessary. At present municipal rules require the sanction of the Government.
Ditto ...	Rules prescribing the accounts to be kept of night-soil and city sweepings.	Rules 214 to 221, Municipal Account Code.	These rules are not operative in a municipality unless specially applied thereto by the Local Government. The power to extend these rules to a municipality should rest with the board itself.
Miscellaneous ...	Remissions of ferry lease money.	G. O. No. 813—XI-108C, dated the 22nd March 1901 (page 101, Municipal Manual).	The limit within which Municipal Boards may sanction remissions on account of ferry leases might be raised from 5 per cent. to 20 per cent.
Ditto ...	Auction of ferry leases.	Section 8, Northern India Ferries Act, 1878.	The approval of the Commissioner is at present required to the letting by public auction of the tolls of any public ferry. Such approval should not be required where the term of the lease does not exceed five years.

Suggestions as to how far larger powers should be granted to District Boards.

Local Self-Government.	Appointment of compounders.	Rule 31 on page 68, District Board Manual (G.O. No. 1718—IX-27 dated the 17th October 1906) and rule 57 on page 11, Medical Manual.	Power might be delegated to District Boards to appoint compounders whose qualifications had been approved by the Civil Surgeon without obtaining any other sanction to the appointment. At present the sanction of the Inspector-General of Civil Hospitals is required both before the compounder is approved as a candidate and also before appointment.
Ditto ...	Employment of of officers and servants.	Rule 6 on page 61, District Board Manual (G.O. No. 1486—IX-24 dated the 27th August 1906).	Power might be delegated to District Boards to create appointments on pay not exceeding Rs. 30 a month. At present the board cannot entertain any establishment, with the exception perhaps of menial establishment, without the sanction of the Commissioner.
Ditt ...	Extension of powers of boards under the provident fund rules.	Rules 24 and 26 on page 83, District Board Manual (G.O. No. 1743—IX-24 dated the 31st October 1906).	Rule 26 might be altered so that the Board itself might allow, but not compel, all its servants to subscribe to the provident fund. At present the sanction of the Commissioner is required except in the case of teachers on not less than Rs. 10 a month: and the sanction of the Commissioner, which is at present necessary before payment can be made from a "dead account," should not be required.

Department.	Subject.	Authority.	Suggestions.
Local Self-Government.	Public Works ...	Rule 12 on page 307, District Board Manual (G.O. No. 1742—IX-24 dated the 31st October 1906.)	The limit within which District Boards may themselves sanction public works might be raised from Rs. 1,000 to Rs. 2,500. At present any project involving expenditure exceeding Rs. 1,000 has to be sanctioned by the Commissioner and any project costing more than Rs. 10,000 by the Local Government. (Rupees 2,500 is, in the case of certain Government departments, the general limit of works which may be carried out under the supervision of the administrative department and not the Public Works Department. The same principle might be applied to District Boards' works.)
Miscellaneous...	Remissions of ferry lease money.	G.O. No. 2104—XII-884 dated the 8th September 1900 (page 350, District Board Manual.)	The limit within which District Boards may sanction remissions on account of ferry leases might be raised from 5 per cent. to 20 per cent.
Ditto ...	Auction of ferry leases.	Section 8, Northern India Ferries Act, 1878.	The approval of the Commissioner is at present required required to the letting by public auction of the tolls of any public ferry. Such approval should not be required where the term of the lease does not exceed five years.

APPENDIX XIV.

Suggestions bearing upon decentralization not covered by other questions.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Returns (financial and commercial statistics.)	...	To be sent by the Director of Land Records and Agriculture direct to the Director-General of Commercial Intelligence, instead of through Government, a copy being sent to Government for information.
Financial ...	Claim made after six months.	Article 5 (*b*), Civil Account Code.	The rule which requires that no claim against Government not preferred within six months of its becoming due can be paid without the sanction of the Accountant-General leads to unnecessary correspondence. The period prescribed should be extended.
Ditto ...	Petty contingencies.	Article 75, Civil Account Code.	The Accountant-General at present raises objection to the expenditure of public money on petty items of this class without proper sanction. It ought to be laid down that no objection should be taken to such items where the expenditure does not exceed, say, a limit of of Rs. 5.
Ditto ...	Advances for industrial or commercial purposes.	Article 116, Civil Account Code.	This article should be amended so as to admit of advances for industrial or commercial purposes.
Ditto ...	Travelling allowance to officers in inferior service on transfer.	Article 1107, Civil Service Regulations.	Power to sanction travelling allowance for a journey on transfer to inferior servants has already been partly delegated, but it is not clear why the rule should be retained at all.
Municipal ...	Resolution reviewing municipal administration.	Orders of the Government of India.	This resolution, which is at present annual, should be triennial.
Ditto ...	Government review of annual administration report of municipalities.	G.O. No. 813/XI—108C dated the 22nd March 1901 (page 128, Municipal Manual).	At present the Government issues each year for each of the larger municipalities, or in the case of smaller municipalities for each division, a letter reviewing the administration reports. These may be made triennially.
Ditto ...	Commissioner's review of annual report of notified areas.	G.O. No. 1105 dated the 21st March 1904.	At present the Commissioner reviews the annual report submitted by the District Magistrate of the notified areas in his district and a copy is sent to the Local Government. The Commissioner should not formally review the report but should only communicate orders when necessary, and the Government should receive from Commissioners only a triennial report on all the notified areas in their divisions.
Ditto ...	Cantonment fund and budgets.	Section 23, Cantonments Act, 1889, and Cantonment Code, 1899, sections 30 to 33.	The management of a cantonment fund is entrusted to the cantonment authority subject to the control of the Local Government, which passes the budgets of all cantonments, and sanctions additional grants in the budget or even re-appropriations in certain cases. The General Officer Commanding the division should have full power to deal with the budgets, and the control of the fund appears to be a question entirely for the military authorities.
Ditto ..	Audit and inspection note on the accounts of a cantonment fund.	G.O. No. 609/XII—27-1906 dated the 2nd March 1906.	The Accountant General sends a copy of each such audit note to the Local Government, but no orders are passed on these notes. They are left to be dealt with by the General Officer Commanding the division. These notes should not be sent to the Government, save in exceptional circumstances where the Accountant-General considers such action necessary.

APPENDIX IV.

Extract from a letter from F. L. Petre, Esq., Joint Secretary to the Board of Revenue, North-Western Provinces and Oudh, to the Chief Secretary to Government, North-Western Provinces and Oudh, No. $\frac{1519-N.}{XII. 458}$, *dated the 12th September*, 1893.

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4. The consideration of the executive powers of Commissioners gives rise to the question of whether there are not now more wheels than are necessary in the administrative machine, and whether one of them might not advantageously, in respect to both the shortening of administrative procedure and the enhancement of the usefulness and responsibility of Commissioners, be removed. What the Board would suggest for the consideration of Government, at such time as may be convenient, is the abolition of the Board of Revenue as such, and its incorporation as part of the Local Government. The authority and responsibility of Commissioners, as well as their power to assist Government, would be enhanced if the Members of the Board, being removed from their present intermediate position, were to be formed into an Executive Council of the Lieutenant Governor. Under such an arrangement it might be possible to transfer for disposal to Commissioners a number of matters—which by law must now be referred to the Board of Revenue. On the other hand, matters which must be referred to a central controlling authority would come at once before that authority, the Local Government itself, which alone has, and ought to have, power to give final orders upon them. Further, the arrangement might not improbably tend to broaden and strengthen the Government by giving to the Lieutenant Governor as his councillors senior officers whom he should be able to trust, and by distributing between himself and others fit to share in it the responsibility, which at present falls upon him, as sole arbiter, in many matters, both public and personal. It would seem to be a move in accordance with the spirit of the day to provide the head of the local administration with some such councillors, who would be officially his colleagues, whose responsibility would be openly acknowledged like his own, and who would as such be empowered to record their opinion on official matters which are now disposed of on the sole responsibility of the head of the administration. In suggesting such a change, however, the Board desire it to be clearly understood that they do so only on the assumption that the Lieutenant Governor would, as heretofore, continue to be an officer belonging to the public service of India, thoroughly acquainted with the country, conversant with the language of the people, and capable of communicating directly with them. They feel that the population of the North-Western Provinces and Oudh is still far from having reached such a stage of education, and is not so represented by the more highly educated population at its capitals, as to render possible such an arrangement in respect to the appointment as Governors of gentlemen who have no previous Indian training or experience as subsists at Bombay and Madras. There would be no difficulty, under existing circumstances, in amalgamating the Board's executive office with the Revenue Department of Government. Considerable amendments of existing laws, which give authority to the Board, would be called for, but could be made without difficulty. The only point on which difficulty might possibly arise would be provision for the judicial work now done by the Board. But much of the revision work now done by them might be done away with by conferring judicial appellate powers on Collectors, Judges and Commissioners in cases where at present the decrees and orders of the courts of original (that is of Assistant Collectors of the first class) or first appellate (that is of Collectors) jurisdiction are final, subject only to revision by the Board, and by substituting for the present anomalous and unsatisfactory system of revenue appeals and revision the provisions of the Civil Procedure Code, by which one regular appeal to the next superior court is allowed on facts and law, and a second appeal to the highest provincial tribunal on law only. For the disposal of second appeals in the class of revenue cases, which at present are called "applications" in the law of the North-Western Provinces, it would be necessary to establish a tribunal superior to that of a single Commissioner. This might be constituted by forming a bench or benches of Commissioners. But in any case the difficulty should not, the Board think, prove insuperable. Where revisions of settlement were in progress it might be necessary to appoint a Settlement Commissioner. Such an appointment would probably be advantageous and a distinctly better arrangement than the present one, under which a large amount of detailed work, as distinct from general supervision and control, falls upon the Members personally.

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